

CARROLL COUNTY BOARD OF DD

Matt Campbell, Superintendent

PERSONNEL POLICIES AND PROCEDURES MANUAL POLICY MANUAL

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Edited by:

**Dublin Management Group, Ltd.
300 W. Wilson Bridge Road, Suite 100
Worthington, OH 43085
(614) 923-3114**

**Eagle Consulting Partners, Inc.
6779 Memphis Ave #7
Cleveland, OH 44144
(216) 503-0333**

**THE CARROLL COUNTY
BOARD OF DEVELOPMENTAL DISABILITIES'**

PERSONNEL POLICIES AND PROCEDURES MANUAL

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PREAMBLE

Policies are defined as the basic rules that guide administrative action for accomplishing an organization's objectives. Comprehensive and clearly defined policies consistently and fairly administered, are essential to the success of any organization.

This manual contains policies set forth for the Carroll County Board of Developmental Disabilities. Personnel charged with the responsibility of administering policy must be thoroughly knowledgeable of its contents. Furthermore, it is essential that these policies be administered in a systematic, fair and impartial manner.

Undoubtedly, there will be situations that will require administrative interpretations of these policies. Every effort shall be made to ensure that such decisions are made objectively, with the general intent of the policy in mind.

As conditions shift, it may be necessary to add, delete, or revise specific policies. Updated policies must be issued to all manual holders and communicated to all affected staff members.

This personnel policy manual is a guide to be utilized by the management of the Carroll County Board of Developmental Disabilities to ensure uniformity and nondiscriminatory application of the conditions of employment. In the event there is a conflict between the matter expressed in this manual and any other applicable laws or documents, the applicable law or full extent of the written documents prevails. Due to the nature of Ohio Revised Code and Ohio Administrative Code changing and being revised all reference to Code numbers have been removed.

The employment of individuals in certain positions is governed by a negotiated collective bargaining agreement and grants. For these positions, the collective bargaining agreement represents the conditions of their employment by grant employee contracts. On any item in which the agreement is silent, these personnel policies will prevail. For grant employees, their contracts will cover issues of wages, hours, terms and conditions. The employees covered by the collective bargaining agreement take part and have input in the personnel policies and procedures through the negotiation of the collective bargaining agreement. Employees excluded from collective bargaining are encouraged to give their input to these policies through their supervisors and the Superintendent.

This manual is the property of the Carroll County Board of Developmental Disabilities. Upon separation from employment, this manual is to be returned to the Board.

SECTION 1.00: INTRODUCTION

SECTION 1.01: OBJECTIVES

The Carroll County Board of Developmental Disabilities recognizes that a personnel system, which recruits and retains competent, dependable personnel, is indispensable to the effective operation of every program. The policies and procedures set forth in this manual are designed to:

- A. Promote high morale and foster good working relationships among staff members by providing uniform personnel policies, equal opportunities for advancement, and consideration for staff member needs;
- B. Maintain recruitment and internal promotional practices which will enhance the attractiveness of a career with the Board, and encourage each of its staff members to give their best effort to the program and the public;
- C. Encourage courteous and dependable service to the public;
- D. Provide fair and equal opportunity for qualified persons to enter and progress in their employment with the Board based on merit and fitness as determined through objective and practical personnel management methods;
- E. Ensure that all Board operations are conducted in an ethical and legal manner so as to promote the program's reputation as an efficient, progressive program in the community and the State of Ohio; and
- F. Delegate full administrative authority to the Superintendent and his/her designee(s) so as to ensure responsiveness to the staff concerning constructive input, while maintaining full responsibility for the execution of the policies of the Board.

SECTION 1.02: SCOPE OF COVERAGE

- A. The policies set forth and adopted within this manual apply to all staff of the Carroll County Board of Developmental Disabilities. These policies supersede all previous written and unwritten personnel policies.
- B. Questions regarding the interpretation and application of these policies should be directed to the appropriate supervisor and/or the Superintendent.
- C. Within this manual were references to ORC, OAC, OAG and CFR. They have been removed since the corresponding numbers change or are revised. These are abbreviations for the following:
 - 1. ORC: Ohio Revised Code;
 - 2. OAC: Ohio Administrative Code;
 - 3. OAG: Ohio Attorney General Opinion;
 - 4. CFR: Code of Federal Regulations; and
- D. Reference to the male pronoun or adjective used in this policy manual shall also be deemed to include the female, unless otherwise indicated.

SECTION 1.03: DISSEMINATION

All staff members will access the Carroll County Board website at www.carrollcbdd.org for review of the Personnel Policy and Procedures manual before signing acknowledgement of receipt and disclaimer. A copy of the Personnel Policies and Procedure Manual will be available for reference at each site in the Director's office. Additions or changes shall be disseminated through normal channels.

SECTION 1.04: POLICY AMENDMENTS

These policies may be amended, revised or deleted by recommendation of the supervisors, approval of the Superintendent and Resolution of the Board.

Suggestions or questions regarding changes in policy should be directed, in writing, to the Superintendent through the appropriate unit supervisor and/or the personnel office.

SECTION 1.05: COST CONSCIOUSNESS

Staff members should at all times be concerned about the proper use of materials, equipment and facilities so taxpayers' dollars are not wasted. It is therefore the responsibility of all staff members to perform their prescribed duties in the most economical manner possible such as turning off lights, electric motors, heaters, office machines, etc., when not in use. Employees are not to use agency equipment supplies or facilities in any personal business venture.

Staff members are encouraged to submit suggestions to their supervisors or the Superintendent that may help to reduce costs and improve services. A response shall be made to all written suggestions pertaining to cost reduction and improvement of services.

SECTION 1.06: BOARD RIGHTS AND RESPONSIBILITIES

The Board maintains the rights and responsibilities to establish policies which are consistent with all applicable state and federal law, in order to carry out the duties with which it is charged. Those duties include the following:

- A. Administer and operate facilities, programs and services as provided by law;
- B. Assess the facility and service needs of individuals with developmental disabilities whom they serve;
- C. Plan and set priorities based on available funds for the provisions of both facilities and services to meet the needs of those served;
- D. Coordinate, monitor and evaluate existing services and facilities;
- E. Provide early childhood services, supportive home services and adult services, according to the plan and priorities developed under ORC Section 5126.04 and established by the Board;
- F. Assure the availability of related services, comprehensive evaluation services and residential services;
- G. Provide Individual Plans, Individual Education Plans, and Individual Family Service Plans for enrollees;
- H. Provide special education programs as provided by law under ORC 5126.04, 3323 and 3317.20.
- I. Employ a qualified Superintendent, prescribing the duties, therefore, review his/her performance and set his/her compensation;
- J. Set the salary schedule and budget together with authorization of proper expenditures;
- K. Exercise the powers and duties prescribed by the Director of Developmental Disabilities;
- L. Submit annual reports of its work and expenditures to the Director of Developmental Disabilities at the closing of each fiscal year;
- M. Contract for staff member benefits;
- N. Provide case management services/support services/services;
- O. Exercise any and all other power and authority, whether mandated or discretionary, as provided by law.

SECTION 1.07: VISITORS TO THE PROGRAM

- A. Parents and other interested citizens are encouraged to visit the programs and the facilities of the Board to observe the progress and the work of enrollees.
- B. Visitors to the school must check in with Resource Officer for screening for weapons, sign-in, and to be issued a visitor badge. Visitors to other buildings sign-in at the receptionist and are issued visitor badges.
- C. This policy is intended to prevent interruption of classroom and work procedures by a parent/guardian or citizen at the expense of the enrollees in the program, however, it is not intended to the enrollees in the program, however, it is not intended to prevent a parent/guardian or interested citizen from visiting a classroom or other work area of the program for observation purposes. A telephone call in advance would be appreciated and should be encouraged by staff of the parent/guardian.

SECTION 1.08: DEFINITIONS

[OACBDD Benchmark Policies]

The following definitions relate to this Personnel Policies and Procedures Manual:

Absence, Excused - Being absent from work with the approval of the Employer (i.e., vacation, holiday, compensatory time, approved unpaid leave of absence, personal day).

Absenteeism-The practice of a staff member failing to report for work for a period of one or more days or failing to report within the prescribed time when he/she has been assigned or schedule to work. Misuse or abuse of sick leave is absenteeism.

Absent Without Leave - Failure to report for work without authorization from the Employer to be absent. Tardiness may be construed to be absent without leave, as well as leaving one's work site during working hours without authorization; also known as unexcused absence.

Active Pay Status-The conditions under which a staff member is eligible to receive pay including, but not limited to, vacation leave, sick leave and other compensated time off.

Active Work Status-The conditions under which a staff member is actually in work status and is eligible to receive pay; this does not include compensated time off (vacation pay, sick leave, personal leave and disability leave) or approved unpaid leaves of absence.

Administration-The Superintendent and the Management Staff.

Appointing Authority-The officer or body having the power of appointment to or removal from, positions in the agency. The Board is the Appointing Authority for the Superintendent; the Superintendent is the Appointing Authority for all other positions.

Board - The body created by O.R.C. Section 5126.02 who comprise the Carroll County Board of Developmental Disabilities. The Board consists of seven (7) members; five (5) are appointed by the Carroll County Board of Commissioners, and two (2) are appointed by the Probate Judge of Carroll County.

Caution and Instruction - The discussion a supervisor holds with a staff member in whom the supervisor cautions him/her concerning his/her conduct and impresses upon him/her the need for improvement. This process can eliminate misunderstandings immediately and set and maintain desired standards of conduct and performance. A notation of the date, time and reason for such a conference will be kept in the staff member's personnel file in the event the conduct does not improve, and subsequent action is required.

Certified Service and Paraprofessional - A position which may require a license, certificate or registration (service) but for which a bachelor's degree from an accredited college or university is not required. Included are employees in the positions listed in ORC 5126.22(C).

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 (1) position in some circumstances.

Classification Title - The title assigned by the State Department of Administrative Services for purposes of civil service compliance or as assigned by the County or County Board classification system.

Classified Positions - All positions of employment except those designated as Management employees as defined in ORC 5126.20 and unclassified as defined in O.R.C. 124.11.

Consumer- Infants, children or adults eligible to receive County Board services.

County- Carroll County, State of Ohio.

Days - Working days, except as otherwise defined in these policies. A working day will be a day that the Administrative Office is open for business.

Department - A County Board organizational unit directed and controlled by an Appointing Authority and charged with a specific public service function.

Developmental Disability - A severe, chronic disability that is characterized by all of the following:

1. It is attributable to a mental or physical impairment, or a combination of mental and physical impairments solely caused by mental retardation as defined in division (A) of Section 5122.01 of the Revised Code;
2. It is manifested before age twenty-two;
3. It is likely to continue indefinitely;
4. It results in one of the following:
 - a. In the case of a person under age three, at least one developmental delay or an established risk;
 - b. In the case of a person at least age three but under age six, at least two developmental delays or an established risk;
 - c. In the case of a person aged six or older, a substantial functional limitation in at least three(3) of the following areas of major life activity, as appropriate for his age: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and if the person is at least age sixteen, capacity for economic self-sufficiency.
5. It causes the person to need a combination and sequence of special, interdisciplinary, or other type of care, treatment, or provision of services for an extended period of time that is individually planned and coordinated for the person.

Disability - A physical or mental impairment that substantially limits one or more of life's major activities and is further defined by the Americans with Disabilities Act.

Dishonesty - Disposition to lie, cheat or defraud; untrustworthiness, lack of integrity.

Drunkenness - The condition of a person whose mind is affected by the immediate use of intoxicating drinks or controlled substances; the state of one who is "drunk" or "high". The effect produced upon the mind or body by drinking intoxicating liquors or ingesting other intoxicating substances to such an extent that the normal condition of a person is changed and his/her capacity for rational action and conduct is substantially lessened.

Due Process - Pre-disciplinary procedures mandated by statute and the United States Constitution to assess whether there is probable cause to suspend, reduce or terminate a staff member.

Employee - An individual who is paid by the County Board.

Employer - The Carroll County Board of Developmental Disabilities, its appointing authority, the Superintendent.

Enrollee - See definition of consumer.

Exempt Staff - Employees excluded from Overtime provisions by holding positions that are administrative, professional, or executive as defined by the Fair Labor Standards Act. Examples of exempt employees include department heads, managers, and professional employees

FMLA - The purpose of the Family and Medical Leave Act (FMLA) is to help balance the demands of the workplace with the needs of families by allowing eligible employees to take up to 12 weeks of unpaid, job-protected leave for specific family emergencies such as serious illness or the birth of a child.

Full-Time - A staff member whose employment is designated as full-time by his/her contract or the Board.

Handicap - A medically diagnosable condition which is expected to continue for a considerable length of time whether correctable or uncorrectable by good medical practice, which can reasonably be expected to limit the person's functional ability, including but not limited to, seeing, hearing, thinking, ambulating, climbing, descending, lifting, grasping, sitting, rising, any related function or any limitation due to weakness and significantly decreased endurance, so that he/she cannot perform his/her everyday routine living and working without significantly increased hardship and vulnerability to what are considered the everyday obstacles and hazards encountered by the non-handicapped.

HIPAA - The Health Insurance Portability and Accountability Act of 1996 was passed by Congress to reform the health insurance market and simplify healthcare administrative process. HIPAA is designed to improve and portability of health insurance coverage, standardized healthcare transactions, and protect the privacy and security of protected health information.

Immoral - Contrary to good morals; inconsistent with the rules and principles of morality; harmful or adverse to public welfare according to the standards of a given community, as expressed in law or otherwise.

Immoral Conduct - Conduct which is willful, flagrant or shameless and which shows a moral indifference to the opinions of the good and respectable members of the community.

Incompetence - Lack of ability, legal qualification or fitness to perform the substantial duties of a position.

Inefficiency - Quality of being incapable or indisposed to do the things required of a staff member within reasonable standards; not working efficiently.

Insubordination - State of being unwilling to perform the duties required of a staff member; refusal to obey an order issued by the staff member's immediate supervisor or other staff person having authority to direct said staff member.

Intermittent Staff Member - A substitute or other staff member who works on an irregular schedule which is determined by the fluctuating demands of the work which is not predictable and whose hours are generally less than 1,000 per year.

Leave of Absence - Temporary separation from active work status as authorized by the Employer

Length of Service - The continuous, uninterrupted service of the staff member, where no separation has occurred. For purposes of this definition, any separation lasting thirty (30) days or less shall not be deemed a separation, nor shall family and medical leaves of absence be deemed a separation. If a staff member was separated but was reinstated by specific action of the Appointing Authority within one (1) year, the service time prior to the separation will be included in the staff member's length of service.

Major Life Activities - Basic life activities the average person performs including, but not limited to, caring for oneself, walking, seeing, hearing, speaking, breathing, learning and working.

Malfeasance - The doing by a public official under color of authority of his/her office of something that is unwarranted, contrary to law; commission of an act which is unlawful and/or wholly wrongful.

Management - A position which includes formulating policy on behalf of the Board, directing the implementation of policy, assisting in the preparation for the conduct of collective negotiations for the Board, administering collectively negotiated agreements, and/or having a major role in personnel administration and as defined in O.R.C. 5126.22.

Mental Retardation - Having significantly sub-average general intellectual functioning existing concurrently with deficiencies in adaptive behavior, manifested during the developmental period (ORC 5126.01[F]).

Misfeasance - The performance of a legal or proper act in an illegal or improper manner.

Neglect of Duty - To omit or fail to do a thing that can be done, or that is required to be done; an absence of care or attention in the doing; an omission of a given act; a refusal or unwillingness to perform one's duty.

Non-exempt Employee - Employees entitled to overtime pay do not hold positions that are administrative, professional, or executive as defined by the Fair Labor Standards Act.

Nonfeasance - The omission of an act that ought to be done; total neglect of duty. **Participant** - Any person who is receiving the services of the programs of the Board; also referred to as enrollee or consumer.

Position - Any specific employment, or job, calling for the performance and exercise of certain duties and the exercise of certain responsibilities assigned or delegated by the appointing authority.

Professional - A position for which a bachelor's degree from an accredited college or university is a minimum requirement, including employees in the positions listed in ORC 5126.22(B), and which also requires advanced studies and/or training.

Program Year - The period of time for twelve (12) month employees and nine (9) month employees including holidays, as set by the Board adopted calendar for the program year, unless the Superintendent determines that the year needs to be lengthened to accommodate business requirements of the workshop. In this event, the employees shall be paid their regular daily rate for any additional days.

Public Employment Risk Reduction Act - Also known as House Bill 308 provides for occupational safety and health standards, rules and regulations. All public employers must provide employees with employment and a place of employment free from recognized hazards. Employees must follow the employer's safety rules and regulations as provided under this Act. The effective date is July 1, 1994 with enforcement beginning January 1, 1995.

Reasonable Accommodation - The making of an accommodation allowing an otherwise qualified person to perform the essential functions of his/her position and as further defined by the Americans with Disabilities Act of 1990.

Recall - When a staff member is called back to work after a layoff period.

Reduction - A change in classification to one having a lower pay range.

Reinstatement - The act of returning a person to employment following a period of separation or leave of absence, retaining seniority and status. For purposes of layoff, "reinstatement" means the act of selecting from the Appointing Authority's layoff list individuals to return to active service with the same Appointing Authority in the same classification series of layoff.

Removal - The termination of a staff member's employment for the reasons outlined in ORC Sections 124.34 and/or 5126.23.

Service Employees - Staff members who hold a position with the Board that are neither management positions nor professional positions. The position may require evidence of registration under Section 5126.081 of the O.R.C.

School Year - The program year for nine (9) month employees is one hundred **ninety-four (194)** workdays, as set by the Board adopted calendar for the program year.

Sick Leave Abuse - The use of sick leave for any purpose other than as provided by applicable law or these Policies.

Examples include:

- calling in sick when the staff member is able to work;
- reporting illness in the immediate family when such illness does not exist;
- reporting off sick to participate in some other activity or to take care of personal business;
- establishing a pattern of reporting off sick on certain days of the week or following regular days off;
- repeated failure to follow the rules and regulations regarding use of sick leave and reporting procedures.

Staff Member - Any person holding a position subject to appointment, removal, promotion or reduction by an Appointing Authority; any person hired to work for the Board and paid by the Board other than independent contractors.

Status - Type of appointment, such as provisional, intermittent, etc.

Substantially Limits - An impairment that prevents an individual from performing a major life activity and as further defined by the Americans with Disabilities Act of 1990.

Supervisor - The individual who has been authorized by the Superintendent to oversee and direct the work of certain staff members on a daily basis and who effectively recommends actions such as hiring, transfers, suspensions, promotions, discharge, rewards, layoff, recall or discipline.

Suspension - Relieving a staff member from duty with or without pay.

Temporary Employee - A staff member who works in a position, which is of a non-permanent nature (full-time, part-time), which position has a specified duration of time. Temporary staff members serve at the pleasure of the Superintendent.

Theft - The act of stealing; robbery; larceny, including theft of computer data.

Transfer - The movement of a staff member from one position to another with no change in his/her level of responsibility, classification or salary.

Unclassified Employment - Those positions exempt from classified service; Management positions, intermittent positions, temporary positions and others as defined in O.R.C. 124.11.

Undue Hardship - Significant difficulty or expense in, or resulting from, the provision of an accommodation for employment or continued employment. The cost of the accommodation and

financial resources of the entity are factors considered in determining whether an undue hardship exists.

Workday - A day the office of the Superintendent is open for business.

Work Rule - A directive issued by Management pertaining to the behavior of staff members and/or operating procedures of the programs; violation is subject to discipline.

Written Reprimand - A disciplinary action consisting of a written statement placed in the staff member's personnel file which remains as part of the staff member's record until such time as his/her conduct improves or as stated in the disciplinary policy.

SECTION 2.00: EMPLOYMENT PRACTICES

SECTION 2.01: EQUAL EMPLOYMENT OPPORTUNITY

- A. The Carroll County Board of Developmental Disabilities will assure equal opportunity in its employment policies and practices to prohibit discrimination because of race, color, religion, sex, national origin, age, handicap or veteran status, and to promote the full realization of equal opportunity through a continuing equal opportunity program.
- B. The Board will operate each program or activity so that the program or activity, when viewed in its entirety, is accessible to handicapped persons.
- C. Reasonable Accommodation.
 - 1. It is the policy of the Board not to discriminate against any staff member or applicant with respect to hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment because of handicap.
 - 2. For purposes of this policy, "handicap" means a medically diagnosable, condition which is expected to continue for a considerable length of time, whether correctable or uncorrectable by good medical practice, which can reasonably be expected to limit the person's functional ability, including but not limited to seeing, hearing, thinking, ambulating, climbing, descending, lifting, grasping, sitting, rising, any related function or any limitation due to weakness and significantly decreased endurance, so that he cannot perform his everyday routine living and working without significantly increased hardship and vulnerability to what are considered the everyday obstacles and hazards encountered by the not handicapped.
 - 3. This policy does not require employment or training of handicapped persons under circumstances that would significantly increase the occupational hazards affecting either the handicapped person, other staff members, the general public, or the facilities in which the work is to be performed, or employment or training of a handicapped person in a job that requires him routinely to undertake any task, the performance of which is substantially and inherently impaired by his handicap.
 - 4. If otherwise qualified applicants or staff members can safely and substantially perform the essential functions of a job without undue expense or other hardship to the program, the Board shall take reasonable steps to accommodate their handicap.
 - 5. Decisions regarding reasonable accommodation of a known handicap shall be made on a case-by-case basis jointly by the Superintendent and the Board. Documentation of such decisions will be kept in the Board meeting minutes and a copy of the decision will be maintained in the 504 Compliance files.

6. Any applicant, staff member, student, enrollee, parent, guardian or advocate who believes that an individual has been treated in a discriminatory manner may make a verbal or written complaint of discrimination to the EEOC/Section 504 Coordinator. Complaints may also be filed with the Equal Employment Opportunity Commission. Complainants, their representatives and witnesses shall be free from restraint, interference, coercion, discrimination or reprisal during the processing of any complaint and following the completion of the complaint procedure.

SECTION 2.02: APPOINTMENTS

A. Appointments

All appointments are made in accordance with the requirements of the Board as well as state and federal regulations.

1. The following are requirements for appointment:
 - a. Application Form – Form #GEN-4268 (Revised 01/98) from the Ohio Department of Administrative Services is required of all new applicants.
 - b. References – At least three (3) references must be obtained for each new applicant. References may be in letter form or by telephone contact. Telephone references require a written summary by the Board staff making the inquiry.
 - c. Conviction Record – Prior to hiring, each applicant must have an acceptable local report from the Carroll County Sheriff's Department of any conviction record. He/she must also have an acceptable report from the Bureau of Criminal Identification and Investigation of any conviction record (forms available) as well as any other state mandated background or FBI checks. The employee will be responsible for paying for the BCII and FBI record check and reimbursed after 90 days of employment.
 - d. Transcript - If the position for which an applicant is being interviewed requires proof of education requirements, the Board must be supplied with an official transcript of college credits listed by years and the degree(s) obtained. Certain positions may require a certified copy of college transcript(s) as provided by the college registrar.
 - e. Licenses, Certificates or Registrations – If a position requires special licenses, certificates or registrations, either a copy or an original (if required for position/certification) must be included with the application form).
 - f. Driver's License/Commercial Driver's License – A staff member whose position requires (or may require) transporting developmentally disabled citizens enrolled in the Board's programs, must obtain and maintain a valid, current driver's license, a copy of which will be kept in the staff member's personnel file. A school bus driver's endorsement is required for the position of Vehicle Operator (Bus Driver).
 - g. Driver's Abstract – A Driver's Abstract from the Bureau of Motor Vehicles must be obtained for specific positions of the Board, particularly the position of Vehicle Operator (form available). The prospective staff member must request this document at his/her own expense, and have it sent to the person responsible for the interview who then will forward it to the Personnel Office.
 - h. Health Examinations – An acceptable physical examination report including a drug and alcohol screening, a negative tuberculin test and any other medical test report required for each new permanent staff member are to be submitted to the Administrative Office of the Board within thirty (30) days of employment (forms available). The physical qualifications for all positions are contained in each position description. There will be no charge

for the drug and alcohol screening. However, employee will pay for physical and TB test. Reimbursement for these expenses will occur after 90 days of employment.

- (1) All transportation staff members shall have physicals (form available) upon hire and annually thereafter at the Board's expense, and successfully complete and receive a Fitness for Duty verification by the attending physician.
- i. Responsibility for paperwork completion – Upon approval for employment, the staff member shall be responsible for obtaining an appointment with the Administrative Office or designee prior to, or no later than, the first day of scheduled work to complete necessary payroll, staff member eligibility verification and fringe benefit forms. Orientations will be scheduled and completed before any staff member can work unsupervised with any enrollees.

B. Types of Appointments:

1. Classified Civil Service.

a. Certified.

An employee in the classified civil service can become certified after six (6) months of continuous service in the same position under Ohio Revised Code 124.271, 124.20 and 124.241.

b. Unclassified.

An unclassified appointment is subject to civil service law pertaining to vacation and sick leave provisions only. A person in the unclassified service does not have tenure or other rights that are afforded civil service staff members in the classified service.

2. Non-Board Staff Members/Direct Services Providers.

Non-Board staff members, contracted services staff members, consultants, students (at any educational level) and volunteers intending to spend six (6) or more hours in activities involving direct contact with enrollees of the Board or recipients of Service and Support Administration (Case Management) services shall be required to complete the Non-Board Intake Procedures. These procedures will be overseen by the Superintendent and/or designee(s) and maintained on file in the Administrative Office of the Board. The intake procedure requirements will include, but are not limited to:

- a. The written contract or proposal, as approved in writing by the sponsoring academic institution (if appropriate) and as approved by the Superintendent of the Carroll County Board of Developmental Disabilities. Such contract and/or proposal will include time periods and monetary arrangements as well as the duties and responsibilities of all parties.
- b. A completed employment application with accompanying employment and/or academic reference information and the results of criminal investigation inquiries;
- c. A Hepatitis-B screening, the cost of which is to be borne by the applicant;
- d. A signed agreement to policies on Confidentiality, Major Unusual Incidents/Unusual Incidents, DD Individual's Rights, Behavior Support, and others affecting consumers;

- e. The Superintendent's approval for the use of paid time by other Board staff members needed to complete a project, if applicable;
- f. The Superintendent's approval of any observers to any research procedures; and
- g. The name of the member of the Administration who has been appointed by the Superintendent as on-site Supervisor of the persons and the project.
 - (1) The on-site Supervisor will assure that all individuals involved in the project adhere to all Board rules and regulations including but not limited to attendance, use of Board property and financial matters.
 - (2) The on-site Supervisor will assure that all non-Board personnel are introduced to those who will be affected by the program and that the program is explained to those affected.

SECTION 2.03: RESIDENCY

- A. It is the goal of the Carroll County Board of Developmental Disabilities to employ residents of Carroll County.
- B. Each staff member, as a condition of employment, is required to maintain residency in the State of Ohio and to report any change immediately in writing to the Superintendent.
- C. Failure to comply with residency requirements will result in termination in accordance with the Ohio Revised Code 124.34.

SECTION 2.04: FILLING VACANT POSITIONS

- A. When it is determined by the Superintendent that a job is vacant, the Superintendent will determine according to law as to whether the position is to be filled through posting.
- B. All submitted applications will then be checked by the Superintendent for eligibility and qualifications. No person shall be eligible for promotion who lacks the qualifications prescribed in the specifications for the class involved, unless evidence is presented either that a person fully meeting the qualifications is not available, or that the applicant possesses other special qualifications which make it desirable that he/she be considered for promotion.
- C. No person shall be deemed eligible for promotion that has not satisfactorily completed the required initial probationary period.
- D. All applicants will be notified of their selection or non-selection. If no applicant possesses the necessary knowledge, skills and abilities, the option of not selecting any of the applicants is available. The Superintendent will then notify applicants that no selection was made.
- E. Position Posting and Selection Criteria:
 - 1. Positions not filled through lateral transfer, promotional list selection, administrative transfers or involuntary demotion will be posted. All vacancies will be posted on the bulletin board for no less than a period of five (5) working days, including the first working day of posting.
 - 2. Staff members selected for a higher classification is reclassified as nearly as possible to the effective date of the newly assumed responsibilities.
- F. In addition to the stated position requirements, selection is based on the following criteria:
 - 1. Previous evaluations and possible reprimands and discipline;
 - 2. General health and physical ability to perform the job;
 - 3. Clean and appropriate appearance;
 - 4. Interview subsequent to the review of the applicant's personnel file;
 - 5. Ability to follow supervision;
 - 6. Additional education, training and/or experience;
 - 7. Ability to get along with co-workers;
 - 8. Seniority;
 - 9. Ability to demonstrate general confidentiality and decorum;
 - 10. Adaptability and flexibility in assuming additional responsibilities and change; and
 - 11. The applicant will not be in a position to supervise or be supervised by a relative.

SECTION 2.05: VERIFICATION OF EMPLOYMENT ELIGIBILITY

[8 CFR Parts 109 and 274a, Alien Employment Controls, USCIS]

- A. U.S. Immigration law requires that any staff member hired after November 6, 1986 be subject to a document inspection process. The requirement applies to U.S. citizens as well as to non-citizens. The verification process must take place within three (3) business days of hiring.
- B. Each staff member must testify that he is a citizen or national of the United States; is an alien lawfully admitted for permanent residence; or is an alien authorized to work in the United States.
- C. Each staff member must present documents to prove his identity and employment eligibility and the Administrative Office must physically examine this evidence. A list of acceptable documents is provided on the specific form (I-9).
- D. All prospective employees of the Carroll County Board of DD will be required to fill out the Homeland Security Form concerning "Declaration Regarding Material Assistance to Terrorist Organization" in accordance with Ohio Revised Code 2909.33 and 2909.34. (See form at the end of Manual)
- E. Abuser Registry.
- F. Nurse Aide Registry.

SECTION 2.06: NEPOTISM

- A. It is the policy of Carroll County DD Board to attempt to control the placement and the employment of relatives and members of the same household (as defined in Section 6.03 (D) – Sick Leave) within the program in order to prevent:
 - 1. Situations that might result in unfair preferential treatment of other employees, enrollees, and/or the public;
 - 2. Professional decision that might be disadvantageous for the program; and
 - 3. An employee being in a position to supervise or control a member of his/her immediate family as defined in 6.03 (D).
- B. Present employees who marry or who live in the same household may be transferred to avoid the situations as listed above. Employees who marry will be moved on the basis of seniority, with the senior employee determining whether or not to be transferred. The Carroll County DD Board will comply with O.R.C. Section 124.32 through 124.34.
- C. The Carroll County Board of DD may employ relatives of employees in summer, casual and intermittent positions.
- D. Any positions which were assigned or appointed prior to the formal adoption of these policies will not be affected by paragraphs A, B, or C above.

SECTION 2.07: PROBATIONARY PERIODS

- A. For permanent staff members, a probationary period begins on the first day of work. Probation is the "working test period" of staff member's performance on the job. An appointment will not be final until the staff member has successfully completed the probationary period for that position as listed:

Twelve Month Staff Members one year (365) Calendar Days

Nine Month Staff Members one year (365) Calendar Days

- B. Supervisors shall use the probationary period to closely observe and evaluate the staff member's performance and aptitude for the job. Each staff member is encouraged to bring problems to his supervisor for resolution in order to enhance his performance. Supervisors have a responsibility to recommend retention of only those staff members who meet acceptable work standards during their probationary periods.
- C. Probationary staff members may be removed any time of the probationary period. However, a probationary staff member may be removed during any time based on performance and attendance. The removal cannot be effective after the final day of the probationary period.
- D. No probationary period is required following a demotion.
- E. A classified staff member who is promoted to a new position within the program will have a probationary period of ninety (90) calendar days in that position. Failure during this probationary period will cause the employee to be returned to another position of similar responsibility and pay.
- F. Time spent on leave of absence or in non-paid status is not counted as part of the probationary period.

SECTION 2.08: PHYSICAL EXAMINATIONS

- A. Staff member (including each volunteer) who comes into direct contact with enrollees may be required to give evidence of freedom from contagious disease. (See Section 2.02 A) Hepatitis B inoculation may be required of employee's holding direct service positions. The Board will pay for the three (3) series vaccinations. Tuberculosis (TB) testing is required.
- B. In support of fostering optimum health practices for the benefit of staff members as well as the programs of the Board, each staff member may be required to furnish a copy of a physical examination to the Board every three (3) years. Said copy will be placed in the staff member's personnel file. The Board may request that the staff member have an annual physical examination. Expenses for a required physical examination beyond the staff member's insurance coverage will be covered by the Board.
- C. All staff in the position of Bus Driver on a permanent, temporary or substitute basis shall have an annual physical examination. A report of this examination signed by a licensed physician shall be maintained in the staff member's personnel file.
- D. A staff member may be requested to submit a physical examination during his term of employment. Such physical will be conducted by a physician chosen by the Board and the part or remainder of the cost of the physical not covered by the staff member's Health Insurance will be paid by the Board.

Pre-hire Medical Examination:

- 1. Superintendent may require a candidate to submit to a pre-hire medical examination, after an offer of employment has been made, but prior to beginning employment, where such exam is required for all candidates for the position. The examination shall determine only if the employee can perform the essential and material duties of the position.
- 2. Applicants may obtain a waiver of the medical exam requirement for the following reasons:
 - a. religious opinion or affiliation or
- 3. Applicants seeking to waive the examination requirements shall submit a written affidavit from a qualified physician reporting his/her state of health at the time of employment.

SECTION 2.09: OUTSIDE EMPLOYMENT

- A. Under no circumstances shall a staff member have other employment which conflicts with the policies, objectives and operations of the Board.
- B. Under this policy, employment “conflicts” are defined as the impairment of a staff member’s ability to perform the duties of his/her position with the Board. Two common employment conflicts, which may arise, are:
 - 1. Time conflict – when the working hours required of a “secondary job” directly conflict with the scheduled working hours of a staff member’s job with the Board, or when the demands of secondary job prohibit adequate rest, thereby adversely affecting the quality standards of the staff member’s job performance with the Board.
 - 2. Interest conflict – when the staff member engages in outside employment, which tends to compromise his judgment, actions and/or job performance with the Board or which impairs the Board’s reputation in the community.

Employees are put on notice that moonlighting or working for a provider who directly contracts with the Carroll County Board of DD cannot be done without prior approval of the Ethics Committee of the Board.
- C. Full-time employment with the Board shall be considered the staff member’s primary occupation, taking precedence over all other occupations.
- D. Outside employment, or “moonlighting”, shall be a concern to the Superintendent only if it adversely affects the job performance of the staff member’s duties with the Board or constitutes a conflict of interest.
- E. Should it become apparent that a staff members outside employment is adversely affecting the staff member’s job performance the Superintendent may request that the staff member refrain from such activity. Any conflict, policy infraction or other specific offense which is the direct result of a staff member’s participation in outside employment shall subject the staff member to discipline in accordance with the Policies set forth in this Manual.
- F. The Superintendent may request an opinion from the Carroll County Prosecuting Attorney on any specific question concerning conflict of interest.

SECTION 2.10: PHYSICAL ABILITY TO LIFT, CARRY AND MOVE STUDENTS/ENROLLEES

- A. All staff members must be physically capable to lift, carry and move enrollees, including children, adolescent and adults in a safe manner according to in-service training.
- B. All staff members are required to attend an in-service which stresses body mechanics, prevention aspects and safe suggested means of lifting, carrying and moving. Substitutes shall receive training and all staff will attend a refresher course to be held annually. The Administrative Office shall maintain records of attendance at such in-services.
- C. Because of the need for lifting, carrying and moving, staff members should dress appropriately (reference Dress Code Policy 4.08). A staff member who is in a class, group or environment where he may be expected to lift or be involved in a behavioral intervention must wear shoes with a flat, wide-base heel. Jewelry of any type could be broken, grabbed or pulled by an enrollee and/or could be inhibiting to moving enrollees and should be carefully considered before being worn. Loose clothing, which could be caught in wheelchairs or braces, and tight-fitting clothing, which could limit movement, should not be worn. Proper shoes must be worn when working in the making of pallets or woodworking.
- D. Reasonable Accommodation
 - 1. Each staff member must be able to do his entire job. No job will be created. In the event a staff member is temporarily unable to perform the duties required by the job, attempts will be made to accommodate that staff member for a reasonable period of time, providing the following guidelines can be met:
 - a. Consistency in programming for enrollees must be maintained.
 - b. The integrity of the Interdisciplinary Team must be maintained.
 - c. Injuries as a result of job performance should be given extra consideration.
 - 2. Should accommodation not be possible, consideration should be given to other positions for which the staff member may be qualified. If this is not an option, the procedure governing the use of sick leave and disability leave of absence without pay will apply including the following:
 - a. The staff member will be allowed to take a disability leave to complete a work hardening and/or work tolerance program as determined appropriate and may then return to work when able to perform the substantial duties of this position.
 - b. If the person cannot perform the essential functions of the position as determined through medical examination and the review process, he cannot continue to be employed. The Board may seek an involuntary disability separation as provided for in O.A.C. 123:1-30-01.

SECTION 2.11: FREEDOM FROM SUBSTANCE USE/ABUSE

- A. All prospective full-time staff members shall receive a pre-employment physical, or proof of physical examination within the past year, the results of which must demonstrate fitness for duty. Due to the nature of our clients and sensitive nature of dealing with our clients, all employees must have a clear mind at all times. Due to the safety sensitive nature of every job at the Board, each employee's physical shall include a test for drug and alcohol screening. The results of this testing shall not be supplied to any law enforcement agency, nor shall the Board initiate a criminal prosecution based upon them. Substitutes will be required to furnish the Board with a statement of a physical that is performed at a medical facility.
- B. Certified school bus drivers shall receive a bus driver physical examination and may include a test for chemical use/abuse, on an annual basis. Each school bus driver shall be tested for chemical use/abuse after any accident involving the vehicle he is driving. In addition, throughout the year, certified school bus drivers also submit to random drug and alcohol screenings.
- C. Staff members who test positive on the chemical use/abuse examination will be dealt with on an individual basis. A staff member with positive test results shall be required to seek the assistance of a substance abuse rehabilitation program. Such treatment shall be at the expense of the staff member and/or his insurance company. Refusal of evaluation and/or treatment by the staff member is grounds for termination. The staff member shall not perform duties during the therapy period. Sick leave, if available or a leave of absence without pay will be utilized during this period.
- D. Upon return to work, the staff member will be subject to random testing for a two-year period and should continue counseling as appropriate. A second positive test shall result in dismissal.
- E. If a supervisor thinks, based on observable behaviors (e.g., an accident, slurred speech, dozing, aggressive behavior, unsteady gait, inappropriate responses, etc.) that a staff member is not in condition to perform his duties, the supervisor shall relay the concern to the principal/facility director:
 - 1. The principal/facility director shall meet with the staff member in private to discuss and document the staff member's behavior.
 - 2. After the discussion with the staff member, if the principal/facility director thinks that a fitness for duty evaluation is needed, and after confirmation from the Superintendent/designee, the staff member shall be taken by taxi or transported by management staff to a medical facility for the fitness for duty evaluation.
 - 3. Until the results of this evaluation are known the staff member will be on either sick leave or leave of absence without pay.
 - 4. After the evaluation, the staff member will be informed that he must call within twenty-four (24) hours to schedule an appointment with the principal/facility director, at which time the test results will be communicated to the staff member.
- F. If the test results are positive, the staff member shall be required to seek rehabilitative counseling and treatment as described in paragraph C. The Board shall not terminate a staff member for chemical use/abuse unless he is unable to safely and substantially

perform the essential functions of his position without undue expense or hardship to the program.

- G. All employees of the Carroll County Board of DD are also responsible for complying with the Carroll County Board of County Commissioners Drug Free Workplace policy.

SECTION 2.12: NOTIFICATION OF CHANGES TO STAFF MEMBER PERSONAL INFORMATION

All staff members are responsible to give immediate written notice to the Personnel Office of any changes of address, telephone number, name of the person to contact in case of an emergency and/or any beneficiary. It is the responsibility of each staff member to provide the program a telephone number through which he can be contacted.

SECTION 2.13: CALAMITY/DELAY PROCEDURES

- A. Delays in opening or emergency closing of the facilities will be determined by the Superintendent or his/her designee in collaboration with the Transportation Director. Such information will be reported to local radio stations and/or television stations and you will receive a call from One Call Now. The following television stations will be used:

WTOV TV 9 Steubenville and MJW Fox 8 Cleveland.

The following radio stations will be used WHBC FM 94.1 Canton and WHBC AM 1480.

Please make sure you contact the Administration Building at 330-627-6555 for any changes in phone numbers for the One Call Now system.

- B. During inclement weather, it may be necessary to either delay transportation or announce a calamity day. Transportation will delay for one (1) or two (2) hours. However, if the weather does not improve, a delay may be changed to a calamity day. The Board may be open on days the school is closed due to weather or other circumstances. Television stations will list closing status, but they are automated and do not allow us the opportunity to modify messages.
- C. If the Superintendent or his/her designee closes the facilities completely, no staff member is required to work unless informed otherwise by his/her immediate supervisor or the Superintendent. The One Call Now system will inform staff if they need to report to work even if the facility is closed to students.
- D. On any day the facilities are open, any staff member who is unable to report to work due to weather conditions is required to contact his/her immediate supervisor within thirty (30) minutes after his/her schedule starting time. Such staff member may be granted vacation or personal leave by his/her immediate supervisor but may also be required to take such time off without pay. Any staff member who fails to contact his/her immediate supervisor will automatically be docked one (1) day's pay.

All facilities will be closed for **students** served by the Board if temperature at actual 15 degrees below zero or a wind chill of 15 degrees below zero during normal operating hours, no electricity, no heat, a level 3 issued by the Sheriff, or at the discretion of the Superintendent or designee. Staff will need to listen to instructions from One Call Now on reporting on calamity days. Staff may contact supervisor a half hour before normal starting time to request use of vacation or personal time to be off on a calamity day. The Superintendent will approve up to 5 calamity days that staff will be paid for each school year. Any days above that **12-month** staff will be instructed to report.

9-month staff will have up to eight calamity days, after eight approved days staff will have to make up days over spring break and/or end of school year.

SECTION 2.14: VOLUNTEERS

- A. It is the position of the Board that volunteers provide a valuable service for persons with developmental disabilities. The time and talents offered by volunteers greatly enhance and enrich the quality of service provided.
- B. The Board encourages the growth of the volunteer program and recognizes individuals in the following categories as current or potential volunteers:
 - 1. parents/guardians and other family members;
 - 2. staff (during non-working hours);
 - 3. members of specialized volunteer programs (i.e., foster grandparent program, high school class project, scouting groups);
 - 4. students sponsored by colleges and universities in a capacity as a student teacher, intern or practicum; and
 - 5. interested citizens.
- C. A volunteer must have completed orientation and training procedures in Personnel Policy Manual 3.03, his or her background must be verified in accordance with Personnel Policy Manual 2.24 and must obtain written parental permission if under eighteen (18) years of age.
- D. Volunteers will be recruited to provide direct service for enrollees and indirect supportive services. Persons who volunteer may do so during regularly scheduled program hours and during extracurricular events sponsored by the Board.
- E. Volunteers shall provide services, which are based on the needs of individuals served, on staff requests, and on the volunteer's skills, abilities, experiences and interests. Persons providing volunteer services will do so under the supervision of professional staff. At no time will a volunteer act in lieu of staff.
- F. Persons desiring to volunteer are to apply through the Administrative Office and are to be formally accepted and oriented as a volunteer prior to beginning their volunteer experience. Any person acting without such recognition will be considered a "visitor" and as such will be subject to the policies and procedures of the Board regarding "visitors."
- G. Volunteers shall comply with all Carroll County Board of DD Policies as they pertain to staff conduct.
- H. The Board Administration Office shall maintain a file for each volunteer. The file shall include but not be limited to:
 - 1. application;
 - 2. abuser registry report;
 - 3. BCII report (the Board will pay the cost of a background check);
 - 4. signed parental permission slip, if applicable;
 - 5. records of physical, negative tuberculin test, and conviction check;
 - 6. records of assignments;
 - 7. attendance records;
 - 8. records of training received;

9. evaluations;
 10. resignation or termination data; and
 11. emergency notification data (same as for paid staff).
 12. drug and alcohol screening
- I. Volunteers will be given written notification of client's Bill of Rights, MUI's, UIs, and confidentiality requirements and training. They will acknowledge receipt of same before volunteering.
- J.** Board Members are subject to all of the requirements and obligations of this Volunteers Policy. Further, any prospective Board member must complete the application for appointment to the Carroll County Board of Developmental Disabilities. The Superintendent will review the application. The Board member applicant will be contacted for a meeting with the Superintendent and/or with current Board members. Once the meeting is completed and the Superintendent or Board members want to proceed the applicant will be asked to complete a BCII report, drug and alcohol screening, and abuse registry report. When the reports and screening come back clear then the Superintendent will contact the Board of County Commissioners or Probate Judge for appointment.

SECTION 2.15: FIRST AID, CPR AND AED TRAINING TO APPROPRIATE CERTIFIED, REGISTERED AND LICENSED STAFF

An individual whose involvement with any program of the Board allows said individual a close association with enrollees or staff may be required to maintain current Red Cross First Aid, Cardio Pulmonary Resuscitation (CPR) Certification and Automated External Defibrillation (AED) Training as terms of their employment with the Carroll County Board of DD by a valid First Aid, CPR and AED instructor and kept on file with the Administrative Office.

A minimum of one staff per building will be current on their First Aid, CPR, and AED training.

SECTION 2.16: POLICY ON ACCESS, DUPLICATION AND DISSEMINATION OF PERSONNEL RECORDS

[Administrative Rule 5123:2-1-02 states that Personnel Records shall include, but not be limited to, the following:] A personnel record listing does not constitute an ORC 149.43 public record.

PERSONNEL RECORDS

County Board of Developmental Disabilities Personnel Records shall include the following when applicable, but not limited to:

- Name, permanent address, current address, phone and name of person to notify in case of emergency. Employees' social security numbers will not be released as public information.
- Job description, civil service title and classification as establish in accordance with ORC 5126.05(A) (7) for County Board of Developmental Disabilities. A written copy of this information shall be given to each employee.
- Vacation and Sick Leave Record. A sick leave statement signed by a physician and attached to the usage form is confidential information and not subject to review under Section 149.43 of the Ohio Revised Code and shall be maintained in a separate file.
- Education and Experience Data Sheet.
- Educational Summary.
- Record of Permanent or Temporary Certification or Required License. Each employee is responsible for updating his/her certification documentation. Certification documentation is to be filed within thirty (30) days of completion of necessary course work.
- Report of Physical Examination.
- Bus Driver Physical Examination.
- Copies of all Personnel Action & Disciplinary Action Forms.
- Records of In-Service Training.
- Annual Performance Evaluation as adopted by the County Board of DD, completed by the Superintendent or designee, and signed by the employee, indicating his awareness of, or concurrence with the evaluation.
- Additional evaluation data determined by the County Board of Developmental Disabilities.
- Records of Workers' Compensation claims incurred during tenure of employment.

Any physician or medical statements are confidential and not subject to review under Section 149.43 of the Ohio Revised Code and shall be maintained in a separate file.

- Payroll information, records of additions or deductions paid, work time schedules, tax withholding records, insurance enrollment records and retirement system enrollment records.
- Form I-9 – Eligibility for Employment Form.
- Letters of commendation.
- Any other appropriate materials and/or additional evaluation data as determined by the Board or Superintendent.
- Anonymous letters or materials shall not be placed in a staff member's file, nor shall they be made a matter of record.
- All materials placed in the staff member's personnel file after initial employment shall be available for his/her review at reasonable times. The Board strongly recommends that each staff member review his/her personnel file annually. An employee may arrange a time with the Superintendent or his/her designee to review his/her personnel file during regular business hours. An employee may not remove the personnel file from the office but may request a copy of any items within the file.
- One (1) copy of an item, such as an evaluation form or disciplinary action, may be given to the employee at no cost. The employee may obtain additional copies of any such item for ten cents (\$0.10) per copy. Staff will be charged for multiple copies requested at any one time and will be required to sign a receipt for it.
- A separate file shall be maintained on employees containing wage and salary information for public review or questions.
- Personnel files, except medical records, are public documents and subject to inspection by the public. When a member of the public requests an opportunity to examine a staff member's personnel file, the Superintendent or his/her designee will arrange an appointment for the individual to review the file in the Superintendent's or his/her designee's presence. The staff member will be notified of the request. Members of the public requesting copies of Board documents or files will be charged ten cents (\$0.10) per page/copy.
- Derogatory Material.

Each staff member shall have the opportunity to read any material, which may be considered derogatory to his/her conduct, service, character or personality before it is dated and placed in his/her personnel file. The employee shall acknowledge that he/she has read the material by affixing his/her signature to the copy to be filed and a copy shall be given to the employee. The signature shall not indicate agreement with the content of the material but shall indicate that the employee has inspected the material. It is further recommended that when an employee does disagree with the content that the following be used.

"I have read this but do not agree with the content."

—

Signature of Staff Member Date of Review

The staff member shall have the opportunity to reply to such derogatory material in written statement to be attached to the filed copy.

Derogatory material may be removed from the file of the staff member upon the expiration of five (5) years, provided that no reoccurrence or additional related incident(s) has occurred. Derogatory material may be removed by mutual agreement of the staff member and the Superintendent prior to the expiration of five (5) years.

- Medical Records.
 1. Staff member medical records are maintained in a file separate from his/her personnel file.
 2. Medical records are confidential and may be released only in the following circumstances:
 - a. Supervisors may be informed of restrictions and accommodations that are a part of an agreed upon plan of reasonable accommodation.
 - b. First aid and safety personnel may be informed if an employee may require emergency treatment.
 - c. Government officials investigating compliance with the law may be provided with relevant information.
 3. Personnel records will be retained permanently. After an employee leaves employment, the records may be stored in electronic format and back up hard drive or storage CD-R's.

ACCESS

All records required by the Ohio Department of Developmental Disabilities and the Department of Administrative Services shall be kept in a designated administrative office of the Carroll County Board of Developmental Disabilities.

The administrative office will be responsible for safe keeping of records and for securing them against loss or use by unauthorized persons.

The administrative office shall permit personnel, upon request, to inspect and review any records in their personnel file.

Individual personnel records shall be readily accessible to Department of Developmental Disabilities personnel authorized by the Director of the Department of Developmental Disabilities.

All business and personnel matters relating to employees of Carroll County Board of Developmental Disabilities are considered privileged and confidential and are treated as such by the administration of the County Developmental Disabilities Program and are subject to ORC 149.43. All Public Records requests per O.R.C. 149.43 will be reviewed for legality. All medical information is not a public record and as such will be kept confidential. Additionally, home addresses and phone numbers are not public records and will be kept confidential.

DUPLICATION AND DISSEMINATION

The administrative office shall permit those copies of the requested personnel records be released to a third party, including agency, person, or intuition, only with the written consent of the personnel. The "Authorization for Release of Information" form shall be used. Copies of the records shall be provided for the current cost of duplication.

SECTION 2.17: REASONABLE ACCOMMODATION FOR DISABLED EMPLOYEES AND THE PUBLIC (ADA Act of 1990)

- A. In support of the Americans with Disabilities Act of 1990, the Carroll County Board of Developmental Disabilities affirms its position that qualified individuals with a disability shall be assured equal opportunities in employment, public accommodations, transportation, and telecommunications.
- B. A person with a disability includes:
 - 1. An individual with a physical or mental impairment that substantially limits that person in some major life activity;
 - 2. An individual with a record of such physical or mental impairment; and
 - 3. An individual who is regarded as having such impairment.
- C. DISABILITY
 - 1. The severity of the impairment must substantially limit a major life activity such as walking, talking, seeing, hearing, breathing, learning or working in order to be considered a disability.
 - 2. Disabling conditions include but are not limited to: orthopedic conditions; vision, speech or hearing impairment; cerebral palsy; AIDS; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes; and mental retardation; as well as those regarded as having a physical or mental impairment such as burn victims. Disabling conditions that are contagious diseases are included so long as they do not pose a current, direct threat to health and safety in the workplace.

Excluded from the definition of a disability for the purpose of this policy are individuals who are current users of illegal drugs, although protected are those who have overcome drug problems, including those who are participating in a rehabilitation program and who are currently drug-free. Also excluded are those individuals with certain sexual and behavioral disorders.

A "qualified individual with a disability" is one who, with or without reasonable accommodations can perform the "essential functions" of the job. Essential functions are those included in the job descriptions and are the primary job duties. They are essential because they are the reason the position exists.
- D. The Carroll County Board of DD will not discriminate against qualified individuals with a disability in regard to:
 - 1. Job application, hiring, advancement, discharge, compensation, training or other terms, conditions or privileges of employment.
 - 2. Reasonable accommodation, which is one that will enable an otherwise qualified individual with a disability to perform the essential functions of a job.
 - 3. Removal of structural, architectural and communication barriers in existing facilities where such removal is easily accomplished without much difficulty or expense; and/or making reasonable modifications to policies or procedures and to offer auxiliary aids to individuals with disabilities so they perform the essential functions of their job.

4. Providing required telecommunications systems for the deaf or speech impaired individual.
- E. "Reasonable Accommodation" may include:
1. Making existing facilities used by employees readily accessible to and usable by individuals with disabilities.
 2. Job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustments or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and similar accommodations; and
 3. Any modification to a job application process that permits a disabled person to be considered for a position and that will not impose undue hardship.
- F. "Undue Hardship" in general means an action requiring significant difficulty or expense, when considered in light of the factors enumerated below. In determining whether an accommodation would pose an "undue hardship" on the Board, factors which would be considered include:
1. the nature and cost of the accommodation;
 2. the overall financial resources of the Board, the number of persons employed and the impact of such accommodation upon the operation of the Board;
 3. the overall financial resources of the program; and
 4. the type of operation within the Board.
- G. If the disabling condition affects the employee's ability to perform the essential functions of the job, the Carroll County Board of DD will make reasonable accommodations so the employee can perform the essential functions of the job.
- H. An employee with a qualifying disability may work as long as he/she is physically and mentally able to perform the essential functions of the job without undue risk to himself/herself, other employees, consumers or the public. If an employee is incapable of performing the essential functions of the job, with or without accommodation, he/she may be, in the following sequential order:
1. Transferred to a vacant position where he/she can perform the essential functions of the job with or without reasonable accommodation;
 2. Placed in a position in a lower classification where he/she can perform the essential functions of the job with or without reasonable accommodation;
or
 3. Granted a disability separation.
- I. An employee or applicant with a disability is NOT REQUIRED to inform the Board of the condition. Should the individual require accommodation to perform the essential functions of the job, or complete the application and selection process, he/she may discuss any necessary accommodation with the supervisor or the Superintendent.
- J. An employee requesting accommodation must provide the Superintendent any medical records required to make decisions regarding job assignment and accommodation.

- K. The Superintendent may require a doctor's certification of an employee's ability to safely perform the essential functions of the job. The Board requires that their workers not pose a threat to the health and safety of other individuals in the Board's programs.
- L. Employees with disabilities will be accorded equal access to the same health coverage the Board provides to other Board staff in the same or similar positions.
- M. The Carroll County Board of DD supports educational programs through in-services and other information sharing that enhance employee awareness and understanding of disabling conditions.
- N. Any applicant, employee, parent or interested person who believes a disabled person has been discriminated against under this policy may make a written complaint of discrimination to the EEO Coordinator. If the action of the EEO Coordinator is unsatisfactory, a complaint may be filed with the Equal Employment Opportunity Commission

SECTION 2.18: EMPLOYMENT PROCEDURES

- A. It is the policy of the Carroll County Board of Developmental Disabilities to employ persons who are qualified or trainable for employment by the fair standards of physical fitness, education, experience, aptitude and character for the position of employment available. Every effort will be made to place new employees in positions which will best utilize their abilities and in which they will be able to achieve both personal satisfaction and opportunity for growth.
- B. All decisions are made solely on the basis of job-related criteria. Interviews and certification screening will be done by the Superintendent or his/her designee, as appropriate. Qualified applicants will then be interviewed. All hiring will be done by the Superintendent.
- C. Licenses, Registrations and Certificates.

All staff shall comply with certification and license requirements of the State of Ohio, the Ohio Department of Developmental Disabilities and/or Department of Education. In accordance with O.R.C. 5126.25, only properly certified/registered employees shall be assigned to perform the duties which are required by the State of Ohio to be performed by certified/registered personnel. Each employee is responsible for maintaining his/her certification /registration. The Superintendent will verify all certifications /registrations. Any employee not certified/registered under the conditions of O.R.C. 5126.25 will be dismissed. Employees must have their information on certification/registration to the Superintendent or must have obtained a waiver in writing to submit said proof at a later date.
- D. Physical Examination.

After a job offer but prior to final job placement all prospective employees of the Board may be required to pass a physical by a physician designated by the Superintendent.
- E. Residency.
 - 1. It is the goal of the Board to employ residents of Carroll County whenever possible.
 - 2. Each employee, as a condition of employment, is required to maintain residency in the State of Ohio and report immediately in writing to the Superintendent any change of such.
- F. Pre-Employment Verifications.

Reference checks, background checks, educational transcript checks for all professional positions and job-related testing procedures will be conducted. Any job-related testing procedures will be administered in an objective manner. If an individual has a disability, the test will be administered in a manner that ensures the results reflect the skills, aptitude or other factors to be measured rather than the impaired skills. Only job- related skills will be evaluated. A minimum of three (3) documented reference checks will be attempted before a candidate can be recommended for employment.
- G. Bus Drivers.

In order to be considered for employment, applicants for the position of bus driver shall meet the minimum requirements as outlined in Section 2.04 of this policy manual.
- H. The most qualified applicants will be recommended to the Superintendent. The Superintendent will make the final decision with respect to hiring.

- I. The Carroll County Board of Developmental Disabilities will attempt to train and develop employees for promotion to higher-level positions. When vacancies occur above the entry level, Board staff will be given the opportunity to apply for such vacancies before outside recruitment is utilized.
- J. When a position becomes vacant, and the Superintendent decides to fill the position the position will be posted for five (5) working days. If a qualified current employee wishes to transfer to the vacant position, he/she shall notify the Superintendent.
- K. The Carroll County Board of Developmental Disabilities subscribes to a policy of promotion from within. However, the Superintendent reserves the right to employ from outside to fill vacancies.
- L. The Board maintains the discretion to hire to attempt to control placement and employment of relatives and members of same household, as defined in Section 2.06 of this Policy Manual.
- N. All employees will be required to sign a confidentiality statement. A copy of the statement will be given to the employee. The original will be placed in the individual's personnel file.
- O.** All new hires are required to attend orientation within 90 days of starting their employment. All new hires are also required to have Major Unusual Incident (MUI) training within 30 days for starting employment.
- P.** The Board recognizes its obligation to ensure that future staffing needs are met through succession planning as well as through the monitoring of current organizational talent and ensuring that all employees have the opportunity for advancement. To this end, the Board creates and maintains a consistent approval process for the rehiring of former employees, or non-employees who have retired through one of the state retirement systems. Employees who retire from the organization in good standing may be eligible for consideration for rehire if they provided the appropriate notice of retirement; participated in an exit interview; and received performance evaluations that reflected the employee's performance consistently exceeds the requirements of the job. Reemployment after retirement or separation is not an entitlement and will at the discretion of the Superintendent. It is required under ORC 3307.353 that a public notice be placed in the local paper not less than 60 days before reemployment and a public hearing held 15 to 30 days before reemployment for any position that pays into State Teachers Retirement System.

SECTION 2.19: CHANGES IN ASSIGNMENTS

The Superintendent will make assignments and promotions.

A. Assignments.

The assignment of employees and/or their transfer to positions in the various programs shall be made by the Superintendent on the basis of the following criteria:

1. Contribution which the employee could make to the individuals in the new program;
2. Qualifications, including possession of any required licenses, certificates, and/or registrations, of employees compared to those outside candidates for positions to be vacated and for positions to be filled.
3. Opportunity for professional growth;
4. Desire of employee regarding assignment or transfer;
5. Ability to perform the essential functions of the position, with or without reasonable accommodation; and
6. Previous evaluations and any disciplinary record.

B. Promotions.

1. Completing the probationary period satisfactory may be a consideration in promotion.
2. A current employee will be considered for promotion to a vacancy only when he/she is determined by the Superintendent to be fully qualified for the position.
3. Each staff member who is promoted to a new position within the program will have a probationary period in that position for a period of time to be set at the time of the promotion. Such probationary period will be set for a period of time not less than one year.
4. During the second half of the probationary period, an employee serving a probationary period after a promotion or transfer may be returned to his/her former classification and rate of pay if work performance, behavior and/or work attitude is not satisfactory.

C. Transfers.

1. An employee is considered to have been transferred when he/she is given a different assignment where there is no change in classification, salary or level of responsibility.
2. Transfers will be made at the discretion of the Superintendent.
3. A supervisor can initiate a transfer if the transfer would be in the best interest of the Board, however, the needs of the Board take precedence over the wishes of the employees.
4. A transferred employee will serve a probationary period as described in Section 2.07: Probationary Periods.

D. Temporary Job Assignments.

In order to provide required services, it may be necessary to temporarily assign an employee to a different job classification. When an employee (full-time only) is assigned to a different job classification, the employee will be compensated as follows:

1. If the employee's regular rate of pay is higher than the range for the temporary assignment, the employee will be paid his/her regular rate of pay.
2. If the employee's regular rate of pay is lower than the range for the temporary assignment, the employee will be paid at the minimum rate for the pay grade of the temporary assignment or at a 5% increase in the employee's regular rate, whichever is the greatest.

E. Voluntary Demotion.

1. An employee may, for any reason, request a demotion to a lower position by submitting a written request.
2. Approval of a voluntary demotion is at the discretion of the Superintendent.
3. A demoted employee will have his/her pay reduced to a level within the pay range of the lower classification.

SECTION 2.20: EMPLOYMENT STATUS

A. Classified and Unclassified.

1. All employees of the Board are classified civil servants with the exception of the Superintendent and designated managerial and professional staff.
2. After completion of the established probationary period, a classified employee may be discharged only for cause or removed according to the procedures stated in Section 124 of the Ohio Revised Code.

B. Classification Placement.

1. Jobs are grouped into classifications on the basis of similar duties and qualifications. Compensation is determined, in part, by the job classification.
2. The duties and responsibilities of each job will be periodically reviewed and adjusted. When job duties have changed the employee or his/her supervisor may request that the position be audited for placement in a different classification.
3. Classified positions may be audited by the Superintendent, or an employee may request an audit by the Department of Administrative Services. A job audit may not be requested for a period of one (1) year from the date of the results of the last audit.

C. Employees are classified as full-time, part-time, temporary, seasonal or intermittent.

1. Full-time permanent (40 hours per week), a staff member who is regularly scheduled to work 40 hours per week will be considered full-time and will be eligible for the Board approved package of benefits, which include:
 - a. Health Insurance benefits
 - b. sick leave
 - c. vacation
 - d. personal days
 - e. holidays
2. Full-time permanent (30-39 hours per week), a staff member who is regularly scheduled to work 30 to 39 hours per week will be considered full-time and eligible for full medical benefits and other prorated benefits by the Board as listed in A. above,
3. Part-time bus driver (less than 29 hours per week), who is regularly scheduled to work 20 hours per week, is **not** eligible for medical benefits, but receives prorated sick leave, personal days, holidays, and vacation (if they are 12-month employees) as part of their compensation package. Bus drivers who work only nine months of the year are not entitled to vacation leave, regardless of the number of installments in which the salary of such employees is paid.
4. Part-time permanent (fewer than 29 hours per week), a staff member who is regularly scheduled to work fewer than 29 hours per week will be eligible for prorated sick leave.

5. Full-time permanent (seasonal) employees, also referred to in this manual as “nine-month employee”, of a county board of developmental disabilities who work only nine months of the year are not entitled to vacation leave, regardless of the number of installments in which the salary of such employees is paid.”
6. Intermittent or substitute (on call as needed), employees are not entitled to any benefits listed in Section 2.20 of this manual. Usually working on an irregular schedule, which is determined by the fluctuation demands of the work which is not predictable and whose hours are generally less than 1,000 per year.
7. Temporary and intermittent employees are full-time or part-time employees who work in positions that are not considered permanent. Temporary employment is for a limited period fixed by the Superintendent. Intermittent employees are employees working on irregular schedules as determined by the needs of the Board. Both temporary and intermittent employees are used to fill a short-term need without incurring a permanent employment obligation.
8. Probationary Employees.

Probationary employees are full-time or part-time employees who have not completed the established probationary period. Full-time or part-time employees who have successfully completed a probationary period are considered in regular employment status. Regular classified employees who have completed their probationary period are subject to discharge only for just cause. (See also Section 2.09)
9. Exempt and Non-Exempt Employees.

Exempt employees are those employees who hold positions that are administrative, professional or executive as defined by the Fair Labor Standards Act and are exempt from overtime compensation. Non-exempt employees are those employees who do not hold one of the defined positions under the Fair Labor Standards Act and are eligible for overtime compensation in the form of either pay or compensatory time as outlined in Section 6.01: Overtime Compensation.
10. Contract Employees.
 - a. Designated management employees of the Board will hold limited contracts of not less than one (1) year and not more than five years. The Board must approve all contracts for employment of more than one year.
 - b. During the term of a contract, a management employee’s salary may be increased, but will not be reduced unless the reduction is a part of a uniform plan affecting all employees.
 - c. All management employees will receive benefits including sick leave, holidays, and vacation leave as established as per their individual contracts.
11. Seniority.

Seniority with the Carroll County Board of Developmental Disabilities is defined as an employee’s uninterrupted length of continuous service with the Board. Board seniority may be used internally when making decisions such as those regarding assignment of overtime or determining vacation schedules. Board

seniority may also be considered as a factor when determining the order of promotions, but only when all other qualifications are equal. Agency seniority for purposes of layoff is explained in SECTION 7.15 LAYOFF.

SECTION 2.21: BULLETIN BOARDS

A. Official Bulletin Boards.

All county notices, state or federal required notices, and required legal notices shall be posted by designated representatives of the Carroll County Board of Developmental Disabilities on the official bulletin boards or other designated area. Information not directly related to the conduct of Board business shall not be posted on official bulletin boards. Official bulletin boards shall contain the most up-to-date postings on:

1. Minimum Wage/Wage and Hour Laws;
2. Child Labor;
3. Employment Discrimination, including the Americans with Disabilities Act;
4. Workers Compensation;
5. Unemployment Compensation;
6. Family and Medical Leave Act; and
7. Public Employment Risk Reduction Act.

B. Information posted shall not contain:

1. personal attacks upon any employee or public official;
2. scandalous or derogatory attacks upon any employee, public official or government unit or agency; or
3. attacks on and/or unfavorable comments regarding a candidate for public office.

C. Materials posted without prior approval will be removed from the bulletin boards.

D. Supervisors always have the responsibility of maintaining the bulletin boards and keeping them current. Outdated materials will be removed. Employees shall not remove anything from the bulletin boards without the permission of their supervisor or the Superintendent. Employees are required to submit all materials to their supervisors before posting.

E. Board and county equipment other than bulletin boards shall not have any signs or messages posted on it other than approved official notices. Employees violating this policy may be subject to discipline.

F. Employees are expected to consult the bulletin board regularly.

SECTION 2.23: IDENTIFICATION BADGE PROCEDURE

Purpose: To better assure the safety of our consumers and staff, this procedure is developed to establish requirements for the issuance, display and security of identification badges for employees.

Definitions:

- A. "Board" means the Carroll County Board of Developmental Disabilities
- B. "Consumer" means an individual who receives services of any kind through the Board.
- C. "Employee" means full-time, part-time and intermittent workers on the Board's payroll and individuals under contract to provide services on a regular basis on behalf of the Board.
- D. "Employee Identification Badge" (ID Badge) means a laminated card containing a picture of, signature from, and identifying information about an employee that is issued through the Human Resources department.
- E. "Supervisor" means an employee's direct supervisor or another administrator temporarily directing the activities of the employee.
- F. "Temporary Identification Badge" means a laminated card that identifies the wearer as having work related duties on the premises.
- G. "Visitors Identification Badge" means a laminated card that identifies the wearer as an employee of another agency, vendor, and an individual touring the facilities or other person who enters Board facilities but is not an individual working on behalf of the Board.

Procedure:

- A. All employees will be issued an official Employee Identification Badge, with photograph, by the Human Resources department.
 - 1. Upon initial employment, the Human Resources department will issue an Employee Identification Badge form to new employees that must be completed and returned to the Human Resources department within five (5) working days.
 - 2. The employee will present the form to the Computer Systems Administrator, who will produce and issue the Identification Badge, review and complete the form with the employee, and return the form to the Human Resources department.
- B. Identification Badges are always to be worn while working for the Board, unless the employee's direct supervisor grants permission otherwise while working in the community.
- C. Identification Badges shall be displayed on the individual's front, upper torso, approximately between the waist and shoulders. Attaching the badge clip to an untucked blouse or shirt hem, which results in the badge being slightly below the waist, is acceptable, as is clipping to a belt, if such location better avoids interference with consumers or equipment.
- D. Temporary Identification Badges will be issued to volunteers, interns and others working in the facilities for short times. Temporary Identification Badges will be issued by the Administrative Assistant to the Supervisor of the facility or other employee as designated by the Supervisor of the facility. A log will be maintained of all Temporary Identification Badges issued.

- E. Visitors Identification Badges will be issued to employees of other agencies, vendors, individuals touring the facilities and others who enter Board facilities but are not individuals working on behalf of the Board. Visitors Identification Badges will be issued by the Administrative Assistant to the Supervisor of the facility or other employee as designated by the Supervisor of the facility. A log will be maintained of all Temporary Identification Badges issued. Family members may request Temporary Badges to facilitate their movement throughout the Board's facilities. Family members are not required to wear badges, but staff should counsel them that they may be repeatedly queried regarding their activities in the building if they are not wearing a badge.
- F. Forgotten Identification Badges: An employee who has forgotten his/her Identification Badge will be issued a Temporary Identification Badge by the Administrative Assistant to the Supervisor of the facility or other employee as designated by the Supervisor of the facility. A log will be kept of all Temporary Identification Badges issued. If the employee is not known to the issuer, positive identification (i.e., driver's license) will be required before a badge is issued. Temporary Identification Badges must be turned in at the end of the work shift.
- G. Lost Identification Badges: Employees who lose their Identification Badges will be issued Temporary Identification Badges as outlined in paragraph E. Employees who lose their Identification Badges will be required to contact the Human Resources department after five (5) working days for a replacement. If the lost Identification Badge is returned to the Human Resources department within five (5) working days, it will be returned to the employee. If the lost badge is recovered after a replacement is issued, the employee must turn it in to the Human Resources department, where it will be destroyed.
- H. Employees will be allowed one free replacement badge per program year. If an employee loses a subsequent badge, he/she will be charged \$5.00 for replacement.
- I. Clip devices for securing Identification Badges will be provided at the time of issue at no cost to employees. For workstation flexibility, breakaway lanyards will also be provided to be worn around the neck with the badge attached. Employees choosing to wear the lanyard instead of the clip method shall use only lanyards issued by the Board to ensure the safety standard is maintained. Damaged clip devices and/or breakaway lanyards will be exchanged at no cost to employees. However, replacement clips and/or breakaway lanyards without exchange will only be issued at cost to employees.
- J. Identification Badges are to be returned upon cessation of employment to Administration Office and prior to the issuance of the final paycheck.
- K. It is the responsibility of an employee's Immediate Supervisor to ensure that the employees in his/her department wear their Identification Badges and to initiate disciplinary procedures when necessary.
- L. Failure to comply with this policy will result in disciplinary action up to and including termination of employment.

SECTION 2.24: EMPLOYEE & VOLUNTEER BACKGROUND RECORD CHECKS

- The Carroll County Board of DD shall conduct a record check of everyone under final consideration for employment. **A record check may include, but is not limited to, employment history, criminal background, nurse aide registry, and the abuser registry. Verification with different registries. These background elements will need to be verified at least every 5 years after the initial verification. The seven registries are list of Ohio Department of Medicaid Exclusion List, Nurse Aide Registry, OIG LEIE Exclusions, Attorney General Offender Watch, Ohio DODD Abuser Registry, SAM.gov, and Department of Rehabilitation and Correction.**

The Board shall pay the cost of a record check for volunteers and provide a copy of a criminal background check. The Board will **reimburse staff once they are on payroll for 90 days.**

1. CRIMINAL BACKGROUND CHECKS

All information obtained in criminal background checks shall be considered confidential. It is not a public record and shall not be made available to any person, except the applicant, the appointing authority or designee, or any hearing officer involved in a case denying employment.

The Board shall require persons under final consideration for employment, persons being transferred from another agency, employees being recalled after a layoff, and volunteers serving on a regular or long-term basis or having unsupervised contact with enrollees to submit fingerprints for a criminal records check conducted by the Bureau of Criminal Identification and Investigation. A person's criminal records check will include a request to the Federal Bureau of Investigation if that person has not been a resident of Ohio for the past five years.

Persons employed by entities that contract with the Board and serve primarily individuals with DD in a direct services position are subject to the same criminal background check requirements as Board employees.

ALL EMPLOYEES have fourteen (14) days to notify the Superintendent when charged, convicted or pleading guilty to any criminal offense. The Board can then determine whether the situation is related to the employee's continuing employment.

2. FAIR CREDIT REPORTING ACT

The Board will comply with the notification standards of the Fair Credit Reporting Act (FCRA).

CARROLL COUNTY BOARD OF DD

**STATEMENT OF APPLICANT PURSUANT TO
OHIO ADMINISTRATIVE CODE RULE 5123-2-02**

Pursuant to Ohio Administrative Code rule 5123-2-02, _____ states the following:

(Name)

1. The undersigned (referred to in this Statement as the "applicant") is applying for the position of _____ at the _____ County Board of Developmental Disabilities (referred to in this Statement as the "Board").

2. The applicant understands that, in accordance with Ohio Revised Code Section 5123.081 and Ohio Administrative Code rule 5123-2-02, the Board is required to conduct a background investigation of all new employees, including gathering a set of impressions of the applicant's fingerprints for purposes of a criminal records check, a reference check of past and present employers, and a review of certain databases. The applicant further understands that, if the applicant is applying for a position that includes driving Board motor vehicles or transporting individuals with developmental disabilities, the Board will request a copy of the applicant's driving record regarding the record of convictions for violations of motor vehicle laws from the registrar of motor vehicles. The applicant agrees to sign all forms necessary for the Board (or the Board's designee) to receive this information and understands that failure to do so means the Board will not employ the applicant. **By signing below, the applicant hereby consents to the Board conducting the background investigation described in this paragraph as required under Ohio law.**

(Applicants: Check either 3 or 4 but not both)

____ 3. The applicant states that he/she has been a resident of Ohio for the five-year period preceding this application. The applicant agrees to provide documentary proof to the Board in accordance with Ohio Administrative Code rule 5123-2-02 that he/she has been a resident of Ohio for the five-year period preceding this application.

____ 4. The applicant states that he/she has not been a resident of Ohio for the five-year period preceding this application. **As a result, the applicant understands that the Board must request a criminal records check from the Federal Bureau of Investigation, and the applicant hereby consents to the Board requesting such information from the Federal Bureau of Investigation.**

(Applicants: Check either 5 or 6 but not both)

____ 5. The applicant attests that he/she has not been convicted of, plead guilty to, or been found eligible for intervention in lieu of conviction for any of the offenses listed in Exhibit 1. Exhibit 1 is attached to and hereby made a part of this Statement. The applicant states that he/she has read Exhibit 1 as acknowledged by applicant's initials on every page of Exhibit 1.

_____ 6. The applicant attests that he/she has been convicted of, plead guilty to, or been found eligible for intervention in lieu of conviction for one or more of the offenses listed in Exhibit 1. Exhibit 1 is attached to and hereby made a part of this Statement. The applicant states that he/she has read Exhibit 1 as acknowledged by applicant's initials on every page of Exhibit 1. For each offense for which the applicant has been convicted of, plead guilty to, or been found eligible for intervention in lieu of conviction, the applicant states:

- a. The original charge was _____
- b. The conviction was for _____
- c. The date of the conviction was _____
- d. The sentence was _____
- e. The date of the completion of all term of the sentence was _____
- f. The circumstances of the crime were as follows: _____

7. The applicant understands that, in accordance with Section 109.572 of the Ohio Revised Code, the Board is entitled to information regarding all convictions, guilty pleas, or interventions in lieu of conviction of the applicant with respect to offenses listed or described in Exhibit 1, including those that have been expunged or sealed under Ohio law. **The applicant understands that he/she must disclose such expunged or sealed convictions or records to the Board.**

8. The applicant agrees to inform the Board, **within fourteen (14) calendar days**, if, while the applicant is employed by the Board, the applicant is ever formally charged with, convicted of, pleads guilty to, or is found eligible for intervention in lieu of conviction for any of the offenses listed in Exhibit 1. The applicant understands that failure to report to the Superintendent any formal charges, a conviction of, a guilty plea to, or eligibility for intervention in lieu of conviction for any of the offenses listed in Exhibit 1, may result in the applicant being terminated from Board employment.

9. The applicant understands that, if he/she is seeking employment in a direct services position as that term is defined by Ohio Administrative Code rule 5123-2-02, the Board must enroll the applicant in the retained applicant fingerprint database within fourteen (14) calendar days of receiving the criminal records check from the Bureau of Criminal Identification and Investigation or within fourteen (14) calendar days of the applicant's date of hire, whichever is later. Even if the applicant is not seeking employment in a direct services position as that term is defined by Ohio Administrative Code rule 5123-2-02, the Board may nevertheless enroll the applicant in the retained applicant fingerprint database upon hire.

10. The applicant understands that the accuracy of this information is a condition of employment and that the Board is relying on the accuracy of this information in making any offer of employment to the applicant.

11. The applicant understands that the Board may terminate his/her employment if any of the above information is false, incomplete, or misleading.

12. The applicant states that the above information is complete, true and accurate.

Signature of Applicant

Printed Name of Applicant

Date: _____

Revision 2-16-2026

**EXHIBIT TO STATEMENT OF APPLICANT PURSUANT TO
OHIO ADMINISTRATIVE CODE RULE 5123-2-02**

Under Ohio law, there are four tiers of disqualifying offenses with a corresponding time period that preclude an applicant from being employed or an employee from remaining employed by the Board. Each of the tiers and the corresponding time period is listed below.

TIER ONE (Permanent Exclusion):

The Board shall not employ an applicant or continue to employ an employee if the applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the following sections of the Revised Code:

1. R.C. §2903.01 - Aggravated murder
2. R.C. §2903.02 – Murder
3. R.C. §2903.03 - Voluntary manslaughter
4. R.C. §2903.11 - Felonious assault
5. R.C. §2903.15 - Permitting Child Abuse
6. R.C. §2903.16 - Failing to provide for a functionally impaired person
7. R.C. §2903.34 - Patient abuse or neglect
8. R.C. §2903.341 - Patient endangerment
9. R.C. §2905.01 – Kidnapping
10. R.C. §2905.02 - Abduction
11. R.C. §2905.32 – Trafficking in persons
12. R.C. §2905.33 - Unlawful conduct with respect to documents
13. R.C. §2907.02 – Rape
14. R.C. §2907.03 - Sexual battery
15. R.C. §2907.04 - Unlawful sexual conduct with minor
16. R.C. §2907.05 - Gross sexual imposition
17. R.C. §2907.06 - Sexual imposition
18. R.C. §2907.07 – Importuning

19. R.C. §2907.08 – Voyeurism
20. R.C. §2907.12 - Felonious sexual penetration
21. R.C. §2907.31 - Disseminating matter harmful to juveniles
22. R.C. §2907.32 - Pandering obscenity
23. R.C. §2907.321 - Pandering obscenity involving a minor or impaired person
24. R.C. §2907.322 - Pandering sexually oriented matter involving a minor or impaired person
25. R.C. §2907.323 - Illegal use of minor or impaired person in nudity-oriented material or performance
26. R.C. §2909.22 – Soliciting or providing support for act of terrorism
27. R.C. §2909.23 - Making terroristic threat
28. R.C. §2909.24 – Terrorism
29. R.C. §2913.40 - Medicaid fraud
30. R.C. §2923.01 (Conspiracy) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
31. R.C. §2923.02 (Attempt to commit an offense) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
32. R.C. §2923.03 (Complicity) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
33. A conviction related to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct involving a federal or state-funded program, excluding the disqualifying offense set forth in section 2913.46 of the Revised Code (illegal use of supplemental nutrition assistance or WIC program benefits)
34. A violation of an existing or former municipal ordinance or law of this state, or any other state, or the United States that is substantially equivalent to any of the offenses or violations described in this tier of this Exhibit

TIER TWO (Ten-Year Exclusion):

The Board shall not employ an applicant or continue to employ an employee for a period of ten (10) years from the date the applicant or employee was fully discharged from imprisonment, probation, and parole, if the applicant or employee has been convicted of, pleaded

guilty to, or been found eligible for intervention in lieu of conviction for any of the following sections of the Revised Code.

35. R.C. §2903.04 - Involuntary manslaughter
36. R.C. §2903.041 - Reckless Homicide
37. R.C. §2905.04 - Child stealing (as it existed prior to July 1, 1996)
38. R.C. §2905.05 - Criminal child enticement
39. R.C. §2905.11 – Extortion
40. R.C. §2907.21 - Compelling prostitution
41. R.C. §2907.22 - Promoting prostitution
42. R.C. §2907.23 - Enticement or solicitation to patronize a prostitute; procurement of a prostitute for another
43. R.C. §2909.02 - Aggravated Arson
44. R.C. §2909.03 – Arson
45. R.C. §2911.01 - Aggravated robbery
46. R.C. §2911.11 - Aggravated burglary
47. R.C. §2913.46 - Illegal use of supplemental nutrition assistance or WIC program benefits
48. R.C. §2913.48 - Workers' Compensation fraud
49. R.C. §2913.49 - Identity fraud
50. R.C. §2917.02 - Aggravated riot
51. R.C. §2923.12 - Carrying concealed weapons
52. R.C. §2923.122 - Illegal conveyance or possession of a deadly weapon or dangerous ordnance or of object indistinguishable from firearm in school safety zone
53. R.C. §2923.123 - Illegal conveyance of deadly weapon or dangerous ordnance into courthouse –illegal possession or control in courthouse
54. R.C. §2923.13 - Having weapons while under disability

- 55. R.C. §2923.161 - Improperly discharging firearm at or into a habitation, in a school safety zone or with intent to cause harm or panic to persons in a school building or at a school function
- 56. R.C. §2923.162 - Discharge of firearm on or near prohibited premises
- 57. R.C. §2923.21 - Improperly furnishing firearms to minor
- 58. R.C. §2923.32 - Engaging in pattern of corrupt activity
- 59. R.C. §2923.42 - Participation in criminal gang
- 60. R.C. §2925.02 - Corrupting another with drugs
- 61. R.C. §2925.03 – Trafficking, aggravated trafficking in drugs
- 62. R.C. §2925.04 - Illegal manufacture of drugs or illegal cultivation of marijuana-methamphetamine offenses
- 63. R.C. §2925.041 - Illegal assembly or possession of chemicals for manufacture of drugs
- 64. R.C. §3716.11 - Placing harmful or hazardous objects in food or confection
- 65. R.C. §2923.01 (Conspiracy) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 66. R.C. §2923.02 (Attempt to commit an offence) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 67. R.C. §2923.03 (Complicity) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 68. A violation of an existing or former municipal ordinance or law of this state, or any other state, or the United States that is substantially equivalent to any of the offenses or violations described in this Tier Two of this Exhibit

TIER THREE (Seven-Year Exclusion):

The Board shall not employ an applicant or continue to employ an employee for a period of seven (7) years from the date the applicant or employee was fully discharged from imprisonment, probation, and parole, if the applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the following sections of the Revised Code:

- 69. R.C. §959.13 - Cruelty to animals
- 70. R.C. §959.131 - Prohibitions concerning companion animals

71. R.C. §2903.12 - Aggravated assault
72. R.C. §2903.21 - Aggravated menacing
73. R.C. §2903.211 - Menacing by Stalking
74. R.C. §2905.12 – Coercion
75. R.C. §2909.04 - Disrupting public services
76. R.C. §2911.02 – Robbery
77. R.C. §2911.12 – Burglary
78. R.C. §2913.47 - Insurance Fraud
79. R.C. §2917.01 - Inciting to violence
80. R.C. §2917.03 – Riot
81. R.C. §2917.31 - Inducing panic
82. R.C. §2919.22 - Endangering children
83. R.C. §2919.25 - Domestic violence
84. R.C. §2921.03 – Intimidation
85. R.C. §2921.11 – Perjury
86. R.C. §2921.13 – Falsification - in theft offense - to purchase firearm
87. R.C. §2921.34 – Escape
88. R.C. §2921.35 - Aiding escape or resistance to lawful authority
89. R.C. §2921.36 - Illegal conveyance of weapons, drugs or other prohibited items into grounds of detention facility or institution.
90. R.C. §2925.05 – Funding, aggravated funding of drug or marijuana trafficking
91. R.C. §2925.06 - Illegal administration or distribution of anabolic steroids
92. R.C. §2925.24 - Tampering with drugs
93. R.C. §2927.12 - Ethnic intimidation

- 94. R.C. §2923.01 (Conspiracy) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 95. R.C. §2923.02 (Attempt to commit an offense) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 96. R.C. §2923.03 (Complicity) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 97. A violation of an existing or former municipal ordinance or law of this state, or any other state, or the United States that is substantially equivalent to any of the offenses or violations described in this Tier Three of this Exhibit

TIER FOUR (Five-Year exclusion):

The Board shall not employ an applicant or continue to employ an employee for a period of five (5) years from the date the applicant or employee was fully discharged from imprisonment, probation, and parole, if the applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the following sections of the Revised Code:

- 98. R.C. §2903.13 – Assault
- 99. R.C. §2903.22 – Menacing
- 100. R.C. §2907.09 - Public indecency
- 101. R.C. §2907.24 – Soliciting; solicitation after a positive HIV test
- 102. R.C. §2907.25 – Prostitution after a positive HIV test
- 103. R.C. §2907.33 - Deception to obtain matter harmful to juveniles
- 104. R.C. §2911.13 - Breaking and entering
- 105. R.C. §2913.02 – Theft
- 106. R.C. §2913.03 - Unauthorized use of a vehicle
- 107. R.C. §2913.04 - Unauthorized use of property - computer, cable, or telecommunication property
- 108. R.C. §2913.05 - Telecommunications fraud
- 109. R.C. §2913.11 - Passing bad checks
- 110. R.C. §2913.21 - Misuse of credit cards

- 111. R.C. §2913.31 – Forgery - forging identification cards or selling or distributing forged identification cards
- 112. R.C. §2913.32 - Criminal simulation
- 113. R.C. §2913.41 - Defrauding a rental agency or hostelry
- 114. R.C. §2913.42 - Tampering with records
- 115. R.C. §2913.43 - Securing writings by deception
- 116. R.C. §2913.44 - Personating an officer
- 117. R.C. §2913.441 - Unlawful display of law enforcement emblem
- 118. R.C. §2913.45 - Defrauding creditors
- 119. R.C. §2913.51 - Receiving stolen property
- 120. R.C. §2919.12 - Unlawful abortion
- 121. R.C. §2919.121 - Unlawful abortion upon minor
- 122. R.C. §2919.123 - Unlawful distribution of an abortion-inducing drug
- 123. R.C. §2919.124 – unlawful performance of a drug-induced abortion
- 124. R.C. §2919.23 - Interference with custody
- 125. R.C. §2919.24 - Contributing to unruliness or delinquency of a child
- 126. R.C. §2921.12 - Tampering with evidence
- 127. R.C. §2921.21 - Compounding a crime
- 128. R.C. §2921.24 - Disclosure of confidential information
- 129. R.C. §2921.32 - Obstructing justice
- 130. R.C. §2921.321 – Assaulting or harassing a police dog or horse or a service dog
- 131. R.C. §2921.51 - Impersonation of peace officer or private police officer
- 132. R.C. §2925.09 – unapproved drugs-dangerous drug offenses involving livestock
- 133. R.C. §2925.11 - Possession of controlled substances other than a minor drug possession offense

- 134. R.C. §2925.13 - Permitting drug abuse
- 135. R.C. §2925.22 - Deception to obtain a dangerous drug
- 136. R.C. §2925.23 - Illegal processing of drug documents
- 137. R.C. §2925.36 - Illegal dispensing of drug samples
- 138. R.C. §2925.55 - Unlawful purchase or receipt of pseudoephedrine or ephedrine product
- 139. R.C. §2925.56 - Unlawful sale of pseudoephedrine or ephedrine product
- 140. R.C. §2923.01 (Conspiracy) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 141. R.C. §2923.02 (Attempt to commit an offense) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 142. R.C. §2923.03 (Complicity) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 143. A violation of an existing or former municipal ordinance or law of this state, or any other state, or the United States that is substantially equivalent to any of the offenses or violations described in this Tier Four of this Exhibit

TIER FIVE (No Exclusion):

The Board may employ an applicant or continue to employ an employee if the applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the following sections of the Revised Code:

- 144. R.C. §2925.11 - Possession of controlled substances
- 145. R.C. §2925.14 - Illegal use or possession of drug paraphernalia
- 146. A violation of an existing or former municipal ordinance or law of this state, or any other state, or the United States that is substantially equivalent to any of the offenses or violations described in this tier of this Exhibit

Exclusionary Periods for Multiple Disqualifying Offenses

A. Fifteen (15) year exclusionary period

If an applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for multiple disqualifying offenses, including an offense listed under Tier Two (10-year exclusion), and another offense or offenses listed under Tier Two (10-year exclusion), Tier Three (7-year exclusion), or Tier Four (5-year exclusion), the applicant or employee is subject to a fifteen (15) year exclusionary period beginning on the date the applicant or employee was fully discharged from imprisonment, probation, or parole for the most recent offense.

B. Ten (10) year exclusionary period

If an applicant or employee candidate has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for multiple disqualifying offenses, including an offense listed under Tier Three (7-year exclusion), and another offense or offenses listed under Tier Three (7-year exclusion) or under Tier Four (5-year exclusion), the applicant or employee person is subject to a ten (10) year exclusionary period beginning on the date the applicant or employee was fully discharged from imprisonment, probation, or parole for the most recent offense.

C. Seven (7) year exclusionary period

If an applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for multiple disqualifying offenses listed under Tier Four (5-year exclusion), applicant or employee is subject to a seven (7) year exclusionary period beginning on the date the applicant or employee was fully discharged from imprisonment, probation, or parole for the most recent offense.

SECTION 3.00: STAFF PERFORMANCE

SECTION 3.01: PERSONNEL RECORDS

A. General.

Administrative staff will be responsible for and have access to all personnel files. Review of personnel files by other individuals will require permission from the staff member unless the request is made under Section 149.43 of the Revised Code and the requesting party signs an acknowledgment.

B. Content of Personnel Records.

Personnel Records shall include the following when applicable, but not be limited to:

1. Name, current address, home telephone number or other contact number, and the name and address of the person to notify in case of an emergency. Employees may request their Social Security Number not be released as public information.
2. Job description and civil service classification and title as established by the Ohio Department of Administrative Services for County Boards of Developmental Disabilities. A written copy of this information shall be given to each staff member.
3. Vacation and sick leave usage records. A sick leave statement signed by a physician and attached to the usage form is confidential information and not subject to review under Section 149.43. These records may be kept in a separate file from the personnel file.
4. Education and Experience Data Sheet, when applicable.
5. Education Summary.
6. A copy of the staff member's initial employment application.
7. Record(s) of physical examination (within one [1] year of the date of employment for persons providing direct service to enrollees, annually for permanent, temporary, or substitute staff members holding the classification of Bus Driver; such records are confidential and not subject to review under O.R.C. 149.43. Records that deal with protected health information will always be kept separate and confidential.
8. Record of permanent or temporary certification/registration or required license.
 - (a) Each staff member is responsible for updating all his certification documentation.
 - (b) Certification/registration documentation is to be filed within thirty (30) days of completion of necessary course work.
9. Records of all in-service training.
10. Copies of all Personnel Action Forms.
11. Annual performance evaluation, signed by the staff member, indicating his/her awareness of or concurrence with the evaluation.
12. Additional evaluation data determined by the Board or Superintendent.

13. Records of Workers Compensation claims; any physician's or medical statement is confidential and not subject to review under ORC 149.43, these records may not be part of the personnel file, but maintained separately.
 14. Insurance enrollment records, Public Employees Retirement System (PERS) and State Teachers Retirement System (STRS) enrollment records.
- C. Anonymous letters or materials shall not be placed in a staff member's file, nor shall they be made a matter of record.
- D. All materials placed in the staff member's personnel file after initial employment shall be available for his/her review at reasonable times. The Board strongly recommends that each staff member review his/her personnel file annually. One (1) copy of an item (such as evaluation for or disciplinary action) may be given to the staff member at no cost. Additional copies of any such item may be obtained by said staff member for ten cents (\$.10) per copy. Staff will be charged for multiple copies requested at any one time and will be required to sign a receipt for same.
- E. A separate sheet in the file shall be maintained on employees containing wage and salary information for public review or questions.
- F. Derogatory Material.
1. Each staff member shall have the opportunity to read any material, which may be considered derogatory to his/her conduct, service, character or personality before it is dated and placed in his/her personnel file. The staff member shall acknowledge that he/she has read the material by affixing his/her signature to the copy to be filed and a copy shall be given to the employee. The signature shall not indicate agreement with the content of the material but shall indicate that the employee has inspected the material. It is further recommended that when an employee does disagree with the content that the following be used.

"I have read this but do not agree with the content."

Signature of Staff Member Date of Review
 2. The staff member shall have the opportunity to reply to such derogatory material in written statement to be attached to the filed copy.
 3. Derogatory material with the exception of MUI's or UI's may be removed from the file of the staff member upon the expiration of four (4) years, provided that no reoccurrence or additional related incident(s) has occurred. Derogatory material may be removed by mutual agreement of the staff member and the Superintendent prior to the expiration of four (4) years. No anonymous material shall be kept in a staff member's file.

SECTION 3.02: PERFORMANCE EVALUATION PROGRAM

A. General.

1. The performance **evaluation** program of the Carroll County Board of Developmental Disabilities is intended to be a system of communication between the supervisors and staff members. The evaluations are used in considering candidates for promotion and also as a basis for the continuance or discontinuance of employment.
2. When an evaluation review is completed, said **evaluations** shall be reviewed and discussed by the supervisor and the staff member. The staff, at this time, will be asked to sign the evaluation as acknowledgment that he has read the evaluation. The staff member's signature on the evaluation does not signify agreement or disagreement with the **evaluation** and reviews. The Superintendent will assure the staff member receives a copy of the completed evaluation for any appropriate action; this procedure assures the staff member has a copy of the evaluation and no other comments after the conference may be added to the evaluation.

B. Types of Ratings.

1. Probationary Period Ratings.
 - a. **Probationary staff should be rated at 90 days, 180 days, 270 days, and 350 days. The last evaluation must occur before 365 days.**
 - b. If the probationary period has been satisfactorily completed, the entry "staff member to be retained" shall be made on the last evaluation form and signed by the Superintendent. If the probationary period has not been satisfactorily completed, the entry "probationary removal" should be made at that point.
2. Annual **Evaluations**.

All staff members who are not on probationary status are to have **evaluation** twice a year. The **evaluation** should cover the staff member's performance during the entire year preceding the date of **evaluation**, or during the time since completion of his/her probationary period. 6-month evaluations are completed in December and 12-month evaluations are completed in May. The 6-month evaluation gives staff feedback on performance. The 12-month evaluation counts for incentive pay.
3. Special Ratings.

Use may be made of additional rating procedures at the discretion of the Board or the Superintendent.

SECTION 3.03: STAFF ORIENTATION, TRAINING & DEVELOPMENT

- A. Orientation. All staff, including volunteers and trustees, must complete an appropriate orientation which should include:
 - 1. All staff, volunteers, and trustees will be trained regarding services such as person-centered planning, community participation and integration, self-determination, self-advocacy, and the rights of Individuals served.
 - 2. All staff and volunteers must be trained in addressing major unusual incidents, unusual incidents, and emergency procedures.
 - 3. All staff must be trained annually in HIPAA Security Awareness.
 - 4. All orientation must include an appropriate HIPAA training within a reasonable period of time after the person joins as an employee, volunteer, or trustee, and a record of this training shall be permanently maintained in the trainee's personnel file. Upon completion of this HIPAA training, the trainee will sign-off that he or she has read and understands the relevant HIPAA policies and procedures. Additional HIPAA training may be required in case there is a material change to the HIPAA policies that affects the employee, trustee, or volunteer's functions takes effect or as a form of sanction. A record of each HIPAA training must be maintained permanently in the personnel file.
- B. All personnel employed or under contract with the Board are encouraged to participate in staff development activities such as formal course work, workshops, clinics, local area meetings, and observations of other programs.
- C. Records of in-service participation shall be maintained in the personnel file of each staff member. It is the staff member's responsibility to submit such records to the Administrative Office in a timely manner.
- D. Individuals participating in in-service activities may be given Professional Leave in accordance with the Board's policy on Professional Leave. Such individuals may be asked to submit a report or give a presentation concerning their observations and learning experiences.
- E. Although a staff member may be fully certified and/or licensed for his/her position, the Superintendent may request and/or require additional training or course work to be obtained in order to remain abreast of current information, improve upon weaknesses which appear in a staff member's performance evaluation, and/or assist the staff member in keeping up with the changes within his profession.
- F. Regular staff meetings will be scheduled within each department. Attendance is required for all staff members within the department. Such staff meetings will allow time for discussion of topics of current concern within the program such as new policies and procedures, methods of training, instruction, curriculum and other matters as needed. **A recording of the staff meeting will be uploaded to YouTube. It is staff member's responsibility to view the videos if they were not in attendance at the live meeting.**

SECTION 3.04: EMPLOYEE CERTIFICATION/LICENSURE AND REGISTRATION

- A. It is the responsibility of each staff member to acquire, maintain, update and/or renew any license, certificate or registration as required for his/her position with the Carroll County Board of Developmental Disabilities and to transmit immediately the proof of such acquisition, maintenance, updating and/or renewal to the Superintendent. Upon becoming aware, Employer will post notice of any changes or additions to requirements on license, certifications, or registrations.
- B. It is also the responsibility of each staff member to acquire, maintain, and/or renew certification. The Board will pay fees for license or registration, applications and course work related to certification, licensing and/or registration for classified staff upon pre-approval.
- C. All staff members whose registration or certificates are time-limited must obtain a renewal, new certification or application with certification of mailing and must provide such proof before the expiration date of their current certificate. Any staff member who fails to acquire and/or maintain certification or registration will be terminated in accordance with Section 5126.25 of the Revised Code unless the staff member has met all the requirements and, through no fault of the staff member, has not had the certificate or registration issued. The Board will pay the cost of the state mandated certificate and/or license fee.
- D. Staff members will not be permitted to work for or receive a paycheck from the Carroll County Board of Developmental Disabilities unless they have the appropriate, valid certificate, license or registration on file in the Personnel Office.
- E. Newly hired staff members of the Carroll County Board of Developmental Disabilities must obtain a valid certificate, license or registration by the thirtieth (30th) working day after they officially begin their employment. If staff members do not have in their possession a valid certificate by the 30th working day after the start of their employment, they must be able to show that the certificate has not been issued and they have not received the certificate through no fault of their own. This is provided the staff member and the Superintendent have examined the employee's credentials and believe that the Ohio Department of DD or the Ohio Department of Education will be issuing a certificate for that staff member.
- F. Time spent by a staff member relating to acquiring, maintaining, updating and/or renewing a required license, certificate or registration is not considered hours worked when computing overtime.
- G. It is the employee's responsibility to maintain any and all applicable driving license and insurability for vehicle insurance. Employees, who can't maintain any and all driving licenses and insurability, shall be transferred to another position within the classification, unless driving restriction is for failure of a drug or alcohol test.

SECTION 4.00: STAFF CONDUCT

SECTION 4.01: HOURS OF OPERATION

A. Program Calendar.

Each year the Board will adopt calendars for the various programs. The work year for all full-time staff shall be for twelve (12) months including Board approved holidays.

B. Regular Hours.

The hours of work are determined by the Administration for each staff member's position and shall be assigned by the program authority within the total annual contracted hours. However, an employee may be required to work different schedules to provide required services at times when Carroll County Board of Developmental Disabilities offices are closed, or additional coverage is necessary. Each supervisor will set the work hours for his/her employees.

C. Lunch Breaks.

1. Each 40 hour per week full-time employee is entitled to one (1) hour meal period each workday. Each full-time employee that works 30 to 39 hours per week is entitled to (1) thirty (30) minute meal period and a 15-minute break each workday. The meal period and break will be taken at the time set by the employee's supervisor. **(lunch should not be approved before 10:00 am)**
2. An employee may not work through a meal break in exchange for arriving at work late or leaving early, unless expressly authorized by the supervisor.

D. On-Call Duties.

1. The Superintendent or his/her designee may assign an employee to on-call status for specified periods. When in on-call status, the employee may be furnished a cell phone or beeper.
2. On-call employees are free to engage in personal activities, but must remain available, without delay, to perform on-call duties, as necessary.
3. An on-call, non-exempt employee when called to duty will be compensated for all time actually worked, including travel time. Such time is considered "time worked" for purposes of calculating overtime for non-exempt employees. Exempt employees will be compensated through the flextime system.

E. Procedures for Inclement Weather.

1. When a calamity day is declared, 9 months full or part-time school employees will be compensated at their hourly rate and salary time during the calamity day period (bus drivers = 6 hours, teachers and classroom assistant = 7 hours). 12-month full time or scheduled part time employees are required to report on any calamity day. (The Board will pay staff for any calamity days as established by the Superintendent. It is staff responsibility to pay attention to instructions on One Call Now). 9-month school staff is required to make up any calamity days that are below the required hours for students set by the Ohio Department of Education.
2. An employee may be required to work even though the Board is closed due to an emergency. Janitor/maintenance staff will report for their regular (8) hours of

work during a calamity day. Janitor/maintenance staff will come in when it is light outside and afternoon shift may come in on day shift. Only supervisor can shorten your shift. The employee is entitled to straight time pay for regular hours worked, unless he/she is on overtime status. Employees will not be paid double for calamity day and straight time pay for hours worked.

3. The Superintendent has the authority to close Programs due to weather or building emergency. In such cases, all employees will be required to leave the office and cancel appointments. When a program is closed for an emergency, the on-call person will be responsible for any emergency services.
4. An employee not scheduled to work because of a scheduled vacation or continuing sick leave will not be charged for the leave on the day of the declared emergency.
5. An employee who is absent, tardy or leaves work early on a day when weather conditions interfere with travel, but when no emergency has been declared, will not be paid for the missed time. The employee may, with approval of the Superintendent, account for the time by charging it to vacation, personal leave, or to leave without pay. Inclement weather is not a valid use of sick leave. On any day the facilities are open, any staff member who is unable to report for work due to weather conditions is required to contact his/her immediate supervisor's office no later than thirty (30) minutes after his/her scheduled starting time. Any staff member who fails to contact his/her immediate supervisor will automatically be docked one day's pay.
6. Employees will be required to make-up emergency days subject to the terms of the Board-approved calendar.
7. Staff members whose hours of work would not be affected by a program delay shall work their regular number of hours.

F. Lactation Breaks

Employees who have recently given birth will be allowed a reasonable break time in order to nurse or express breast milk, for up to one year after the child's birth. The employee will be provided appropriate space, other than a bathroom, which is shielded from view and free from intrusion from workers and members of the public. Lactation breaks under this policy should, to the extent possible, run concurrently with any other break time available to the employee.

SECTION 4.02: CODE OF ETHICS

- A. The Carroll County Board of Developmental Disabilities is a local unit of government established by the Ohio Revised Code to provide services for the benefit of the citizens of Carroll County. All staff members of the Board must be aware of the importance placed upon them as staff members of the Board and being employed by a governmental agency, must realize that they are bound to uphold the Constitutions of both the United States of America and the State of Ohio, and the rules and policies established by the Carroll County Board of Developmental Disabilities. Board staff should cooperate fully with all public officials and public employees and should have no personal or financial interest, which may interfere, or conflict with their functions as Board staff.
- B. All staff members are to be aware of the Copyright Law (P.L. 94-553), which exists to protect copyrighted materials. The Copyright Law limits what may be copied, how much may be copied, for what purposes material may be copied and under what conditions material may be copied. The law contains provisions for "fair use" which allows for a limited amount of material under certain conditions to be copied without obtaining permission from the owner. All staff members must understand that violations of the Copyright Law will subject both the individual staff member and the Board to litigation. Specific questions regarding duplicating copyrighted materials should be directed to the Principal/Curriculum Supervisor and/or the Administrative Office.
- C. All staff members are expected to maintain the highest ethical and moral standards, to perform their duties within the guidelines established by the appropriate statutes, certification and licensing standards, and other rules and regulations as may be set forth by the Board.
- D. A staff member's responsibility for protecting and preserving an individual citizen's right includes both a moral and a legal obligation. Conduct, which interferes with normal operations, brings discredit to the Carroll County Board of Developmental Disabilities, is illegal or is offensive to the public, program participants, or fellow staff member will not be tolerated. Any staff member having doubt as to the applicability of a provision of this code should consult his immediate supervisor or the Superintendent.

Such conduct shall include, but shall not be limited to:

- 1. Engagement in any transaction, business or any other interest which is in conflict with the proper discharge of official duties;
- 2. Disclosure of confidential information without proper authorization, regarding program, participants, staff or other confidential information so designated;
- 3. Use of confidential information or influence of positions to advance personal, financial or other private interest;
- 4. Acceptance of any gift, in the form of service, loan item or promise from any person; or from an organization which maintains an interest in any business dealing with the Carroll County Board of Developmental Disabilities.
- 5. Acceptance of a gift, in the form of service, loan, item or promise from any person, in an organization that may tend to influence a staff member in the proper discharge of official duties; and

6. Engaging in any matter, which represents a conflict of interest with the Carroll County Board of Developmental Disabilities or undermines the integrity of the Board.
 7. Any staff member offered a gift or favor who is not sure whether its acceptance is a violation of the Code of Ethics should inform his Supervisor who will make a decision or refer the individual to the Superintendent. No staff member will accept from any contractor or supplier doing business with the Board, any material or service for the private use of the staff member.
 8. Engaging in conversations with the public that discredit the program or talk badly about program services, staff, or individuals receiving board services.
- E. Staff members of the Carroll County Board of Developmental Disabilities shall not accept outside employment which conflicts with the objectives and the policies of the Board. Neither shall they become involved in outside interest that interfere with the responsibilities and duties to which that staff member has committed himself upon being employed by said Board.
- F. Staff members are prohibited from having a consensual sexual relationship with a client or individual with mental retardation and developmental disabilities. Conduct of his nature will be reported as in M.U.I.

SECTION 4.04: ATTENDANCE, CALL-OFFS AND TARDINESS

- A. Staff attendance is a critical element in delivering quality services to individuals served by the Board. Staff absenteeism severely impairs the Board's ability to provide quality care by destroying the continuity of the programming and requires programming funds to be spent on substitutes and in payment of sick leave to absent employees. Absenteeism increases the workload of other employees and thus affects the quality of services being provided. Good attendance habits are encouraged and required.
- B. Each staff member has regularly scheduled hours to work, and it shall be their responsibility to be present on their job during these regularly scheduled hours.
- C. Staff shall be expected to maintain good records of attendance and timely appearance for work. This is done using the time sheet. Excessive call-offs, tardiness and absenteeism may be grounds for disciplinary action. NPE is only allowable while on FMLA, but progressive discipline will occur when using NPE without FMLA protection.
- D. Call offs are considered unexcused absences. **Call offs will be tracked for discipline. Staff have one week to produce a doctor's excuse in order for a call-off to be excused and to avoid possible discipline.** Friday and Monday call offs are considered two occurrences. If a staff member would call off Monday through Friday without a doctor's excuse, the five days off will result in three occurrences: Monday/Tuesday-one occurrence; Wednesday/Thursday-a second occurrence; and Friday-a third occurrence.
- E. Nine-month employee call offs will be tracked during a nine-month period (school year as per program calendar). These employees may incur six calls off occurrences during a nine-month period without receiving any form of discipline. On the seventh occurrence, the employee will receive instruction and cautioning via verbal warning from the supervisor. Eight occurrences will result in a written warning and the loss of half of the incentive pay, if earned. Nine occurrences will result in a one-to-three-day suspension without pay, also negating the chance of receiving incentive pay as per No Pay Earned Policy. Ten occurrences will result in a four-to-thirty-day suspension with potential reduction in pay or position and a last chance agreement. Eleven call off occurrences in a nine-month period will result in termination.
- F. Twelve-month employee call offs will be tracked during a twelve-month period (June – May). These employees may incur eight call off occurrences during a twelve-month period without receiving any form of discipline. On the ninth occurrence, the employee will receive instruction and cautioning via verbal warning from the supervisor. Ten occurrences will result in a written warning and the loss of half of the incentive pay, if earned. Eleven occurrences will result in a one-to-three-day suspension without pay, also negating the chance of receiving incentive pay as per No Pay Earned Policy. Twelve occurrences will result in a four-to-thirty-day suspension with potential reduction in pay or position and a last chance agreement. Thirteen call off occurrences in a twelve-month period will result in termination.
- G. An incident of tardiness occurs when not showing up to regularly scheduled workday. The employee will have the right to explain the situation to their immediate supervisor. **Tardiness is starting 1 minute past the scheduled workday.** This will be tracked by Fob

report. Staff will need to report to Executive Secretary or Director of Education if they forget their Fob. No Fob will be counted as tardy and will be tracked for one year which is June 1st through May 31.

- H. Nine-month employee tardiness will be tracked during a nine-month period (school year as per program calendar). These employees may incur six tardy instances during a nine-month period without receiving any form of discipline. When the seventh incident occurs, the employee will receive instruction and cautioning via verbal warning from the supervisor. Eight incidents will result in a written warning, and the loss of half of the incentive pay, if earned. Nine incidents will result in a one-to-three-day suspension without pay, also negating the chance of receiving incentive pay as per No Pay Earned Policy. Ten incidents will result in a four-to-thirty-day suspension with potential reduction in pay or position and a last chance agreement. Eleven instances of tardiness in a nine-month period will result in termination.
- I. Twelve-month employee tardiness will be tracked during a twelve-month period (June – May). These employees may incur eight tardy instances during a twelve-month period without receiving any form of discipline. When the ninth incident occurs, the employee will receive instruction and cautioning via verbal warning from the supervisor. Ten incidents will result in a written warning, and the loss of half of the incentive pay, if earned. Eleven incidents will result in a one-to-three-day suspension without pay, also negating the chance of receiving incentive pay as per No Pay Earned Policy. Twelve incidents will result in a four-to-thirty-day suspension with potential reduction in pay or position and a last chance agreement. Thirteen instances of tardiness in a twelve-month period will result in termination.
- J. If tardiness exceeds fifteen (15) minutes, the employee must use paid leave to cover the absence from work and employees are not permitted to work over at the end of the day to make up for the missed time.

SECTION 4.05: SAFETY AND HEALTH

- A. Work safety and health are primary concerns of the Board. The safe and healthful performance of all work assignments is the responsibility of both supervisor and non-supervisory personnel. It is the staff member's responsibility to ensure that all equipment is used safely, and all safety procedures and/or practices are observed.
- B. Any staff member found to be negligent in equipment operation, resulting either in damage to the equipment or an accident shall be disciplined according to Section 5.02 of this Policies and Procedure Manual.
- C. Any staff member found to have acted willfully in equipment operation that results in either damage to the equipment or an accident shall be subject to immediate termination.
- D. All staff members are charged with the responsibility of reporting the existence of any hazardous condition or practice in the workplace to their supervisor.
- E. All staff are responsible to ensure personal property are not hazardous to individuals receiving services, the public, other staff, volunteers, etc. Staff should ensure all medications are in secure locations and are not in a purse where others have access.

SECTION 4.06: REPORT OF STAFF AND ENROLLEE ON-THE-JOB INJURIES AND ACCIDENTS

- A. It is the responsibility of the staff member to report immediately to his/her supervisor or designee, or the Superintendent any injury to the staff member or an enrollee incurred on-the-job no matter how minor the injury may seem to the staff member. All accidents regardless of whether an injury is incurred shall be reported immediately by the staff member(s) involved to the staff member's supervisor and the Program Nurse. If it is determined that immediate treatment or examination is needed, the supervisor or the Program Nurse shall arrange transportation to a medical facility, hospital or physician's office and shall make any other necessary arrangements.
- B. It is the responsibility of the injured staff member's supervisor and the Human Resources Director to initiate and oversee the completion of an accident report within twenty-four (24) hours after the injury was incurred (i.e., the staff member should complete an accident report form by the end of the workday) and submit the completed report promptly to the Superintendent. If a staff member or the supervisor is uncertain as to whether an injury is considered to be job related, an injury report shall be completed and submitted to the Superintendent for review and determination.
- C. The form used for reporting accidents and injuries is included in the Appendix of this Manual.
- D. Staff will be sent for drug screens for vehicle accidents, on the job accidents, and/or reasonable suspicion especially when an injury occurs. It is up to the supervisor discretion to send employees for a drug screen for certain types of vehicle accidents. If a vehicle accident occurs where no one was in the vehicle, then a drug screen may not be warranted. If an employee on company time is in an accident where they were backed into and have no injury, then a drug screen may not be needed. A supervisor should be called about any vehicle accident for instruction on the need of a drug screen. A drug screen does help with Bureau of Workers Compensations claims.

SECTION 4.07: APPROPRIATE USE OF TOOLS, SUPPLIES AND EQUIPMENT

- A. When tools, supplies, and equipment needed to perform job duties are provided by the employer, it is the responsibility of supervisor to see that they are properly used and maintained.
- B. Misuse, neglect, theft, and/or abuse of tools, supplies and/or equipment are prohibited. Accidents involving the misuse of tools or equipment will be cause for disciplinary action. Loss of tools on more than one occasion may require payment by the staff member for those items lost at the discretion of the Superintendent.
- C. Any staff needing to use Board equipment for Board related purposes outside of the program must obtain permission from the Superintendent and comply with those restrictions and conditions as imposed by the Superintendent for use of said equipment.
- D. Staff wishing to use Board equipment onsite for any purpose other than Board business is required to obtain permission from the Superintendent and be responsible for any costs associated with or assessed for said usage. Staff may not use Board equipment such as tables, chairs, vehicles, etc. for personal use offsite.
- E. Each employee is responsible for all keys and equipment assigned to him/her. Damaged or missing items, including lost keys, are to be reported to the Superintendent or designee immediately. An employee may be required to pay for lost or damaged equipment. All keys and equipment must be returned upon termination.
- F. Telephones.
 - 1. Telephones are provided for Board business. They should be answered promptly and in a courteous manner.
 - 2. Personal use of Board telephones is discouraged. Use of phones for personal calls is limited to scheduled breaks, before or after work hours, emergency situations and those calls approved by the employee's supervisor.
 - 3. Each department supervisor will determine the location of a designated phone for his/her staff.
 - 4. Personal business calls and long distance or toll calls are prohibited on Board time using Board telephones. Staff discovered using Board telephones for personal business, long distance or toll calls may be subject to disciplinary action. Abuse of telephone usage will result in disciplinary action.
- G. Toll calls for personal reasons charged to the Board without proper approval by the Supervisor or the Superintendent, will result in disciplinary action. Staff are encouraged to use personal cellphones for any toll calls.
- H. Cell phones can be used in designated locations. They are not to be used during instructional time or during work time unless the employee is on break or in a designated area. Cell phone use during instructional or working time distracts the employee and can result in disciplinary action. Cell phones use while driving for the Board is prohibited.
- I. Personal phone calls, personal cell phones, and personal pages in the workplace.

Telephones are provided for Board Business. They shall be answered promptly and in a courteous manner. Use of the telephones for personal reasons should be kept to a minimum and used in designated areas only at designated time. Incoming personal calls shall be directed to the appropriate extension. If no extension is available, a message

will be taken and either forwarded to the appropriate supervisor for delivery to the employee or placed in the employee's mailbox. Employees who are expecting an emergency call should notify their supervisor and facility secretary so that they can be more easily contacted when the emergency call is taken. Every effort will be made to contact the employee immediately so that he/she can take the call.

Cell Phone and Agency Phone Usage

a. While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of agency telephone. Excessive personal calls and electronic devices use during the workday, regardless of phone used, can interfere with employee productivity and be distracting to others. Use of personal cell phones during working hours while at a Board operated facility is prohibited unless the facility supervisor of the facility where the employee is working, grants specific permission to the employee, for good cause shown, to have and use a cell phone. Employees are asked to make personal calls on non-work time and to ensure that friends and family members are aware of the County's policy.

b. Board employees are prohibited from using personally owned equipment for Board business unless approved by the Superintendent, and the equipment has been properly equipped with mobile device management (MDM) software. Employees may not use personally owned equipment to text Protected Health Information. If texting is used for messages other than PHI, the employee must screen shot the text and save the message for case notes, then delete the message. The County will not be liable for the loss of or damage to personal cellular phones brought into the workplace. Whenever possible, employees should use their work computers to **send emails**".

c. Employees required to carry a cell phone for agency business must use a CCBDD-issued phone solely for agency business.

d. Cell phones issued by CCBDD are the property of CCBDD. Mobile devices are password protected. Employees are responsible for Board-issued cell phones and accessories. Employees are required to carry the CCBDD-issued cell phone, to keep it charged, and to be available for contact.

e. If a public records request reveals inappropriate personal use of the CCBDD-issued cell phone, the employee will be subject to disciplinary action.

f. If employees required to use CCBDD-issued cell phones prefer to use their personal cell phone, the employee will be required to follow all the security requirements established by CCBDD. The employee may request reimbursement for the business use of the personal cell phone. An itemized bill will be turned in for reimbursement of work-related calls and texts. Those employees must also agree to have their personal cell phone remotely deactivated by CCBDD in the event the cell phone is lost or stolen. Usage of personal cell phone for business purposes may subject the phone to Public Records Law obligations.

g. Photos and videos may be taken with cell phones only with approval from the employee's supervisor and upon completion of a release of information signed by the individual or guardian, when necessary.

h. Employees must immediately report a lost, stolen, or misplaced cell phone to their supervisor and the Information Technology Coordinator. Employees shall return CCBDD-issued cell phones/electronic devices when placed on administrative leave, suspended, and upon termination of employment.

Safety Issues for Cellular Phone Use

a. Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their personal or County issued cellular phone while driving County vehicles or personal vehicles on County business. Texting while driving a Board vehicle and/or a personal vehicle on Board business is strictly prohibited. Persons needing to make a call using a cell phone must stop their vehicle and pull off the road before placing their call or use a hands-free device. Calls should be kept short, and staff should refrain from complicated and emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic or inclement weather or where the employee is driving in an unfamiliar area. Employees driving County owned bus and vans are prohibited from cell phone use.

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

No Privacy Expectations

a. All employees must understand that they have no expectation of privacy regarding the use of desks, lockers, computers, vehicles, CCBDD-issued cell phones, or electronic devices and other such CCBDD property, even if keys are issued to lock a desk, locker, etc.

b. CCBDD reserves the right to open/access and examine any contents contained in CCBDD-owned equipment, cell phones, computers, CCBDD-issued electronic devices or CCBDD property, facilities or locations.

J. Portable space heaters are generally discouraged from use because of significant fire hazards and/or shock hazards and additional energy consumption they can present. However, the Board may permit use of electric space heaters on a case-by-case basis, as long as the Maintenance Supervisor reviews the location to be used and concurs with the need for their use in order to provide reasonable individual comfort. Maintenance Department should first attempt to rectify any heating problems by correcting or improving the mechanical systems involved or, by working with the agency to relocate an individual if the problem could be resolved.

- a. Only Underwriters Laboratory (UL) or Factory Mutual (FM) rated portable electric heaters will be allowed for use when and if approved. Heater should be properly marked and safety tag or marking visible.
- b. Users must strictly adhere to all manufactures' instructions for proper and safe use along with required operational or preventative maintenance.
- c. Electrical space heaters should be plugged directly into an electrical outlet. Use of extension cords with portable space heaters should be avoided.
- d. Space heaters approved for use by Maintenance Supervisor should be equipped with safety features including safety cutoff switches, element guards, and on/off indicator lights, among other features.

- e. Location of space heater, should be at least three feet from combustibles, placed on floors and never located on furniture where they may fall, causing possible damage to the heater components. Follow the manufacturer's instructions when locating and placing a portable electric space heater in service. Never attempt to replace parts or repair an electric space heater.
- f. Always turn off (unplug) portable space heaters when leaving the area for an extended time period.
- g. Never use portable space electric heaters in wet or moist places (including bathrooms) unless the type of heater is designated and certified for that purpose.
- h. Do not hide cords under rugs or carpet, in case the cord overheats. An whenever possible electric portable space heaters should be plugged into outlets protected by ground fault circuit interrupter (GFCI). If the electric portable space heater repeatedly trips the GFCI, it should be checked by a qualified service center before being placed back in use.
- i. Portable electric space heaters should not be used in areas where young children would have access (supervised or unsupervised) since, severe burns, electric shock, or fire ignition may occur if they either come in direct contact with the heater's element, heating coil, protective guard, plug, or cord.

SECTION 4.08: USE OF MOTOR VEHICLES

This policy is applicable to all full or part-time employees, summer workers, co-op students, volunteers, and contract employees of Carroll County Board of Developmental Disabilities who are required to drive a motor vehicle in the course of their employment or activities on behalf of Carroll County Board of DD. For purposes of this Policy, the above-listed categories of persons are referred to as “Employees.” This policy applies to vehicles titled to, purchased or leased by, or insured by or through the Carroll County Board of DD and also applies to privately-owned vehicles operated by Board Employees in the course of their employment or activities on behalf of Carroll County Board of DD and vehicles rented by Employees for travel in and out of Carroll County for authorized reasons. For purposes of this Policy, the above-listed categories are referred to as “Vehicles” and “Operating a Vehicle” and “Operate a Vehicle.”

Employees are responsible to ensure safe Vehicle operation. It is the responsibility of every Carroll County Employee who drives a Vehicle to comply with the following:

1. All drivers must be at least eighteen (18) years of age.
2. All drivers must maintain a valid Driver’s License that applies to the type of vehicle to be operated. (e.g. Commercial Driver’s License).
3. All drivers must operate the vehicle in a safe, courteous and economical manner and obey all traffic laws.
4. All drivers and all passengers in vehicles so equipped shall wear safety belts. Infant/child car seats are required to be used in accordance with the laws of the State of Ohio and manufacturers’ product manuals.
5. All drivers and passengers shall comply with motor vehicle laws of the State of Ohio.

DRIVER ELIGIBILITY

- I. PRE-EMPLOYMENT QUALIFICATIONS. Hiring of persons who will be required to drive as a function of his/her job duties will be in the sole discretion of Carroll County. An applicant may be denied employment based on an unsatisfactory driving record. At the direction of the appointing authority, denial of employment may be made without regard to the number of points or violations, whether they occurred within the past thirty-six (36) months or whether they occurred within the State of Ohio.
 - A. Employees or applicants for employment may be considered qualified to drive when the following are met to the satisfaction of Carroll County:

1. A review of the Employee's Motor Vehicle Record (MVR);
 2. A review of the Employee's MVR and a recommendation by Carroll County's insurance carrier ("Insurer");
 3. Proof of insurance or compliance with State of Ohio's Financial Responsibility Laws.
 4. Employees whose position requires a commercial driver's license (CDL) will follow the driving policy specific to their department and position. In the event of a conflict, the department-specific policy controls, but only if the department-specific policy meets or exceeds the provisions of this policy.
- B. Employees, as defined above, who, in the sole discretion of Carroll County, have an MVR record that demonstrates poor driving habits shall not drive any Vehicle on behalf of Carroll County without receiving additional training and/or intervention and/or discipline and/or until otherwise exhibiting to the appointing authority's satisfaction that there has been substantial improvement in driving abilities, performance and skills. Carroll County's Insurer may exclude coverage for any driver or drivers on a temporary or permanent basis.
- II. ACTIVE EMPLOYMENT QUALIFICATIONS. Carroll County's insurance office shall maintain an Eligible Drivers List containing the names of all employees eligible under this policy and authorized to drive a Vehicle. Motor Vehicle Records of drivers will be submitted annually for review and approval by Carroll County's Insurer. Upon completion of such review, Insurer will forward to the employer recommendations regarding continuation of eligibility restrictions, etc.
- A. Upon evaluation by Carroll County of an Employee's MVR and a recommendation by Carroll County's Insurer, drivers may have their driving eligibility temporarily or permanently revoked and/or be required to participate in driving or alcohol/controlled substance intervention programs. Any conviction of one or more of the ten violations below appearing on an Employee's MVR during the prior 36 months may result in such action:
1. Driving under the influence of alcohol or drugs,
 2. Leaving the scene of an accident.
 3. Vehicular homicides or manslaughter.
 4. Driving during a period of suspension or revocation.
 5. Reckless operation or other intentional and dangerous use of a motor vehicle.
 6. Attempting to elude or flee a law enforcement officer after a traffic violation.
 7. Road rage statute violations.
 8. Falling asleep while driving.
 9. Use of a motor vehicle in the commission of a crime.
 10. Non-Compliance with Ohio Financial Responsibility Law.
- An arrest or conviction for one or more of the above violations on or off County time must be reported within 24 hours of arrest/conviction to the employee's immediate supervisor.

B. The following list of motor vehicle-related occurrences, the appearance of which on the MVR of an Employee during the prior thirty-six (36) month period may result in the temporary or permanent revocation of the Employee's driving eligibility or other disciplinary action as:

1. Two or more "At Fault" accidents
2. Two or more moving violations
3. One "At Fault" and one moving violation.

C. In any case where the appointing authority or the County's Insurance carrier has temporarily or permanently suspended/revoked the Employee's driving eligibility and driving is an essential function of the employee's job, the appointing authority may take appropriate disciplinary action, up to and including termination, as permitted by department policy, laws and regulations of the State of Ohio, and any applicable collective bargaining agreement.

1. An Employee who has his/her license suspended, but who has acceptable court-ordered driving privileges, may nevertheless have his/her driving privileges suspended by the County. When the County suspends driving privileges, the employee may be temporarily reassigned at the discretion of his/her immediate supervisor.

III. CONTINUED ELIGIBILITY. Each Employee's eligibility to operate a Vehicle is within the discretion of the appointing authority and extends only so long as the Employee is in compliance with this Policy.

IV. VIOLATION REPORTING. Any Employee eligible to operate a Vehicle must notify his/her immediate supervisor in any case where his/her license has expired or is suspended or revoked. Employee further must report any and all accidents, arrests, violations, and citations issued to him or her. Failure to do so may result in disciplinary action.

V. ALCOHOLIC BEVERAGES OR CONTROLLED SUBSTANCES

- A. No Alcoholic beverages, illegal drugs or controlled substances are permitted in or on a Vehicle except as a function of law enforcement or medical emergency vehicles.
- B. No Alcoholic beverages or illegal drugs are permitted to be transported in or on a Vehicle except as a function of law enforcement.
- C. No employee shall operate a Vehicle under the influence of alcohol or illegal drugs or illegal use of prescription drugs.

VI. FIREARMS. Employees, other than law enforcement officers or other persons specifically authorized to carry a firearm, are prohibited from carrying firearms in any Vehicle.

VII. ACCIDENTS AND TRAFFIC CITATIONS. In the event of a traffic accident or traffic stop for a violation while in the course of employment, Employees shall adhere to the guidelines

outlined in the Injury Reporting Procedure/Accident Investigation Forms attached as Addendum #3.

In the event of a collision, Supervisor shall forward the following information to Janice Leggett, Loss Control Coordinator:

- i. A copy of all law enforcement reports, citations including all statements made at the scene or afterward to law enforcement, attached.
- ii. Repair estimates, when appropriate, in due course.

In all investigations of the accident by Carroll County, the emphasis will be on fact-finding, however, discipline may result. In the State of Ohio, insurance follows the vehicle. In the event an Employee is in an accident using a privately-owned vehicle on County business, the Employee's personal auto insurance will be the primary insurance for coverage.

The Employee's appointing authority may take such disciplinary action as permitted by department policy, laws and regulations of the State of Ohio, or any applicable collective bargaining agreement.

VIII. USE OF PERSONAL VEHICLES ON OFFICIAL COUNTY BUSINESS

- A. Use of personal vehicles by Employees on County business is discouraged unless a County vehicle is not available, the use of a County vehicle would cause serious inconvenience, extreme hardship or the use of personal vehicles is otherwise authorized by the department supervisor or his/her designee.
- B. This policy applies in all respects to Employees who use personal Vehicles while on County business.
- C. Employees who use personal Vehicles while on County business shall abide by all County rules, including department rules.
- D. Insurance coverage for personal vehicles used on County business shall be the responsibility of the owner of the vehicle. A staff member's signature on a travel expense report will be considered as affirmation of possession of the insurance called for in Section 4509.51 of the Revised Code.
- E. All employees who use their own vehicle on County business shall, upon request, show proof of liability insurance to Janice Leggett, Loss Control Coordinator for Carroll County in the amounts of at least the state minimum requirements which, as of March 13, 2015, are \$25,000 per person for bodily injury; \$50,000 per occurrence for bodily injury; and \$25,000 property damage per occurrence.
- F. Employee's supervisor must approve use of personal Vehicles on County business in advance of any such use.

- G. Employees who are authorized and required to use their personal vehicles on County business will be reimbursed per mile at the authorized County rate.
- IX. DRIVING POLICY IMPLEMENTATION. The driving record (MVR) of all Carroll County employees holding a position as of June 1, 2015 in which driving is an essential function of their job will be reviewed upon implementation of the Carroll County Driving Guidelines. Any employee with 4 or more accumulated points or 2 or more occurrences on the MVR shall be required to attend a driving course to be scheduled during working hours at no cost to the employee.
- X. MISCELLANEOUS.
- A. Parking tickets, moving violations, and other fines received while operating a Vehicle are the responsibility of the driver.
 - B. Report theft of or from a Vehicle to the law enforcement agency with jurisdiction for investigation.
 - C. Employees shall not use or permit the use of County vehicles for any purpose other than official County business.
 - D. Cell phone usage shall be limited to hands free devices while vehicle is in motion.
 - E. For personal safety and County liability, employees and passengers shall comply with the State statute on seatbelt usage.
 - F. The use of tobacco products is prohibited in all County-owned or leased vehicles.
 - G. Passengers not on official County Business (i.e. children, spouses, friends, etc.) are not permitted in County-owned vehicles.
 - H. Employees who drive County vehicles or who drive their personal vehicles for County business are required to complete the Defensive Driving Course provided by the County every three (3) years and complete a refresher course as required.
 - I. No Board-owned motor vehicle may be used for any purpose outside its public functions during working hours or any other time unless the Superintendent has authorized such.
 - J. Reckless or destructive operation of vehicles is grounds for disciplinary action as outlined in Section 5.02 of this Manual. Further, if an employee who is required to utilize his/her own personal vehicles for Board business or who operates a Board owned or leased vehicle accumulates six (6) or more points under Ohio point law, s/he will be subject to discipline as outlined in Section 5.02 of this manual.
 - K. Any staff member on official Board business involved in any traffic accident, either moving or stationary, shall make an immediate report, in complete detail to the Superintendent, Transportation Director or designee. Any staff member that was driving a Board owned vehicle or personal vehicle on official Board business who is involved in

a traffic accident in Carroll County must go for an immediate drug test. Any staff member that uses a Board owned or personal vehicle to conduct official Board business and is involved in an accident outside of Carroll County must get a police report to turn into their supervisor.

- L. Any staff member who discovers any problems with the operating condition of a Board owned vehicle is required to report such condition to the Transportation Director within one (1) day of the discovery.
- M. All Bus Drivers shall have physical examinations annually in accordance with Section 2.08(C) of this Manual.
- N. All staff shall report to the Superintendent or the Nurse all drugs taken including those prescribed by a physician and those purchased "over the counter". This does not include aspirins or antacids, but medication that can affect performance or reflexes.
- O. Staff members shall not consume any intoxicating or reflex altering substances while operating a Board-owned vehicle. Any staff member who is required to utilize their own vehicle for Board business or operates a Board owned or leased vehicle and is cited for DUI, DWI, OMVI, etc., will be immediately restricted from driving and upon resolution of the citation, will be subject to discipline up to and including termination depending on the resolution.
- P. A staff member whose position requires transporting citizens or consumers with disabilities in Board-owned vehicles (or who chooses to transport such consumers), must obtain and maintain a valid, current driver's license, a copy of which will be kept in the staff member's personnel file and must be insurable under the fleet policy of the Board.
- Q. The Board requires each employee who is expected to use their private vehicle in the course of performing their job or duties to maintain current insurance coverage on their automobile or form of transportation. The employee will annually provide proof of insurance coverage to the Board's business office. Such proof will show coverage for bodily injury and property
- R. All staff will have Defensive Driving class once every three (3) years. Refresher courses are offered each year.
- S. Any staff member cited for a moving violation while transporting a consumer(s) will be disciplined under Section. 5.02 of this manual.

DRIVER ELIGIBILITY GUIDELINES

The driving of a County vehicle is a privilege. The driving of a private vehicle while on County business is an event of trust and impacts upon the Risk Management of the County. The Board recognizes that it must take steps to decrease the risk of those employees who have poor driving histories driving on County business. Therefore, the Board adopted a Resolution on Driver Eligibility Guidelines on July 26, 2012 as follows:

1. Employees will be suspended from driving either county-owned or privately-owned vehicles during the scope of their employment according to Schedule A.
2. For current employees the points outlined in Schedule A will begin to accumulate thirty (30) days after passage of this resolution. The guidelines in Schedule A shall also apply to new applicants. Any applicant who has accumulated more than four points, per Schedule A, should not be hired in positions requiring the applicant to drive a vehicle on behalf of the County.
3. All current Board employees will be informed of this resolution by their respective department heads. All newly hired employees will be informed of this resolution at the time they begin work.
4. To the extent allowed by law, this resolution acts as a condition of the employment of those County employees whose duties require driving on the job, and any employee who is suspended under this resolution may, at the discretion of the County, be disciplined, including but not limited to, suspension from work without pay or the duration of the driving suspension, or dismissed.
5. Those suspended from driving will sign the form attached at Schedule B.
6. All newly hired employees will complete and sign the application at Schedule C.
7. This resolution will take effect 30 days after passage.
8. This resolution supersedes all previous resolutions dealing with driver eligibility requirements.

SCHEDULE A

The following points will be assessed against officials and employees of the County, regardless of where the incident occurs and regardless of whether the incident occurs while in the scope of the employment:

Traffic Violations not involving an accident or injury to others except parking violations or those listed separately below:

First offense	1 point
Second offense	2 points
Third or more offenses	3 points (each)

Speeding:

First offense	1 point
Second offense	2 points
Third or more offenses	3 points (each)

Accidents:

First at fault or contributory accident	3 points
Second at fault or contributory accident	4 points
Third or more at fault or contributory accidents	6 points (each)

If a driver has three not at fault accidents within a three-year period, the driver must be counseled by Loss Control Coordinator or other person, as appointed by the Board of

Commissioners, who may in their discretion determine that the driver is required to attend a driver education course on the avoidance of accidents.

Reckless Operation:

First offense	4 points
Second offense	8 points

Falling asleep while driving:

First offense	4 points
Second or more offenses	8 points

Driving While Under the Influence of Alcohol or Drugs:

First offense	6 points
Second offense	12 points

Failure to Comply with Ohio Financial Responsibility Laws 4 points

If an existing employee or prospective employee fails to report any accident, arrest, and/or violation prior to operating a county vehicle or any other vehicle on behalf of the county, said employee or prospective employee shall be charged triple points for any accident, arrest, and/or violation which has been accumulated. This shall be in addition to any other penalty or discipline that the county employer shall impose.

In computing number of points to be charged, each accident, arrest and/or violation shall be charged the appropriate number of points. All points accumulated will be added together to determine the total number of points charged.

Points will be accumulated within a 3-year period, without regard to whether the employee was employed during the entire 3-year period. The following are the penalties to be assigned to any driver, regardless of their position, who either drives a county controlled vehicle or any other vehicle on behalf of the county, and has accumulated points due to accidents, arrests, or violations while operating a county vehicle or any other vehicle, and whether such incident occurred during the course of employment or at any other time.

0 to 2 points	No action required.
2 to 3 points	Written warning from employer
4 to 5 points	Defensive driving course required at employee's expense
6 to 7 points	30-day suspension from driving. Remedial driving course required at employees' expense. Except if any incident involved a conviction for use of alcohol or drugs the suspension shall be for 90 days, unless the court imposes a greater suspension, in that case, the court-imposed suspension shall apply.
8 to 9 points	180-day suspension from driving. Prior to driving shall complete a remedial driving course at employee's expense. In the event that any two or more incidents involved a conviction for the use of alcohol or drugs, the employee

shall complete a drug/alcohol rehabilitation program in the event the court imposes a greater penalty that shall apply.

10 to 11 points 365 days suspension from driving. Prior to driving shall complete a remedial driving course at employee's expense. In the event that any two or more incidents involved a conviction for the use of alcohol or drugs the employee shall complete a drug/alcohol rehabilitation program. In the event the court imposes a greater penalty that shall apply.

12 or more points Three (3) year suspension from driving. Prior to driving shall complete at employee's expense a remedial driving course. In the event any incident involved the conviction for the use of alcohol or drugs, the employee shall complete an alcohol/drug rehabilitation program. Additionally, the employee shall have a mental health evaluation, and complete therapy if required. In the event the court imposes a greater penalty that shall apply.

SCHEDULE B

STATEMENT OF UNDERSTANDING OF EMPLOYEE

SUSPENDED FROM DRIVING FOR THE COUNTY

I understand that I have been suspended from driving on behalf of the County. Any driving that I do during the term of the suspension will not be in the scope of my employment with the County for any reason, even if a supervisor directs me to drive during the term of the suspension. Although I understand that I may have consequences on the job for the actions which caused my license suspension, I understand that I cannot be disciplined for refusing to drive during the term of my suspension

Dated this _____ day of _____, _____.

Witness:

_____ Employee

SCHEDULE C

To Be Included in the Application For all Prospective New Employees Especially Those Who May on Occasion Drive a County Vehicle or any Other Vehicle on Behalf of the County.

First, Middle and Last Name: _____

Address: _____

Ohio Driver License Number: _____

Social Security Number: _____

Date of Birth: _____

The above information is required by the State of Ohio to Run an MVR

Position applied for _____

I understand that as a condition of employment I must have a current and valid Ohio Driver's License and an acceptable driving record which meets the standards of the county's auto liability insurer.

I further understand that I must provide, with my application, proof of personal auto liability insurance that meets the requirement of the State of Ohio and existing county minimum requirements.

I further understand that I must provide, with my application a copy of the Bureau of Motor Vehicles Report showing my driving record for all States that I have resided in during the past thirty-six-month (3 years) period.

Questionnaire:

During the previous thirty-six months have you been involved in any of the following:

1. Can you do the requirements of the job, to include driving, if necessary, with a reasonable accommodation?

2. If you answered yes to question no 1, what is the accommodation you need, if any, to do the job?

3. Had automobile insurance rejected, cancelled, refused or been in a high-risk insurance program?

4. Been involved in any accidents either at fault or not at fault?

5. Been arrested for any traffic related incidents?

6. Had any traffic violations other than overtime parking?

Please provide all details including date and location for any question that was answered by yes

SECTION 4.09: DRESS CODE

The Superintendent reserves the right to prescribe appropriate dress and grooming, and to set standards which are in the best interest of the program.

The Superintendent requires the employee's clothing and overall appearance to be appropriate, in good taste, and should present a favorable public image as well as serve as a role model for enrollees. Clothing, which is dirty, torn, or frayed is not acceptable.

The following guidelines are intended to ensure that:

- Our individual appearance or dress always positively influences the Community perception of the Board and the Individuals we serve.
- We lead by example and serve as positive role models for Individuals we serve.
- Our dress maintains an awareness of possible safety issues and assists in the prevention and reduction of accidents or injuries to Individuals we serve and ourselves.
- Our appearance and dress mirror the standards and expectations of similar roles and positions found in our Community for public employees.
- Our appearance or dress does not intimidate or make others feel uncomfortable.

The following guidelines are not meant to be all-inclusive. A good rule of thumb for all employees to follow is, "If in doubt, ask first"

If an employee reports for work dressed (or whose hygiene is) in violation of this policy, the employee shall be instructed by his supervisor to return home to change clothes or to take other appropriate corrective action. The employee will not be compensated for such time spent away from work.

CLOTHING

Teacher Dress Code: Professional dress expected. No jeans permitted unless Supervisor gives consent.

Clothing should be consistent with each Staff member's role with the Board. It should be functional and professionally appropriate for duties performed both on and off Board sites.

Employees are expected to wear comfortable and functional clothing.

Dresses and skirts of modest length may be worn. Skirts should be no higher than four (4) inches above the knee.

Jeans, clean with no holes, or other long pants (no spandex) are encouraged (except for Teachers, as indicated in Teacher Dress Code). Leggings are not pants. Any sheer or tight-fitting pants are not appropriate to wear alone. Leggings must be covered by a long shirt, skirt, or shorts as appropriate. Exercise clothing are not professional apparel.

Shorts, no higher than four (4) inches above the knee, may be worn when appropriate to the climate. Short shorts or spandex bicycle shorts may not be worn.

Any top not fully covering a person's torso is not professionally appropriate at any time.

Cut-off tee shirts, muscle shirts, tube tops, spaghetti straps, halter-tops, backless or open midriff tops are not professionally appropriate at any time.

Necklines on shirts, blouses or sweaters must be modest. Sheer clothing worn alone is not appropriate.

Failure to wear undergarments is considered inappropriate attire.

Loose clothing styles or accessories which could be caught on wheelchairs or braces, or be used for or become choking hazards, and tight-fitting clothing which could limit movement should not be worn.

When working in an area where heavy equipment, power tools and/or chemicals are being used, long pants must be worn, and appropriate safety equipment must be used.

Maintenance employees should dress appropriately for specific job assignments.

Employees who serve in general office areas where interaction with the public is frequent are expected to dress in casual business attire with heels no higher than three (3) inches.

Dress and casual dress sleeveless may be permitted at supervisor's discretion. Sleeveless dress or casual dress must be modest. Tank tops are not permitted.

Sweatpants and pajama pants are not appropriate attire for any employees. Exceptions include on special designated days and staff providing direct service where the activity may cause stains to clothing with supervisor approval. When in doubt please ask your supervisor.

SHOES

Shoes must provide safe, secure footing and offer protection against accidental hazards. Shoes must also be functional and professionally appropriate for job duties performed and consistent with Community standards for similar job duties.

Employees are not permitted to wear flip-flops, athletic slides, or platform shoes for work. A flip-flop is defined as a shoe that is held onto the foot by a strap between the toes. Other types of sandals are permitted.

Tennis shoes or shoes constructed of a strong material are recommended. Use of outdoor power equipment requires a protective boot of a minimum of steel toe construction. Flip-flops and platform shoes are not appropriate. Heels higher than three (3) inches are not appropriate.

Transportation employees is not permitted to wear shoes that are not securely fastened to the foot. Hose and socks may not be required for transportation employees during appropriate climate conditions.

HAIR

Hair must be worn with Health, Safety and Appearance standards kept in mind and mirror the standards and expectations of similar roles and positions found in our community for public employees.

Hair must be clean, neatly groomed and clear of the face.

Beards and/or mustaches must be clean and neatly groomed.

JEWELRY

Jewelry should be appropriate to the Employee's role, not functionally restrictive, not pose a danger to Staff or Individuals served, and not be excessive.

Jewelry of any type could be broken, grabbed, or pulled by an enrollee, and/or could inhibit moving enrollees safely and should be carefully considered before being worn. If any jewelry is broken, the Board will not replace it.

Earrings must be minimal.

Facial jewelry, such as eyebrow rings, nose rings, lip rings and/or tongue studs may not be worn at any time when working with Individuals or when on Board sites.

TATTOOS

The Board has a "no visible tattoo" policy. Employees are expected to keep tattoos covered at all times during work hours. This includes while working from home during video calls or meetings, working in the community or at provider agencies, home visits or conducting any other official Board business, or when on Board owned property during Board sponsored events. **Tattoos must be covered while volunteering on CCBDD property, including after-hours activities. They may be visible when volunteering off-site, such as at The Lion Burger Stand, the Carroll County Fair, and similar community events.**

MISCELLANEOUS GUIDELINES

Each employee, regardless of his job, shall come into work clean, using generally accepted personal hygiene standards.

Supervisors will closely monitor employee members and will caution any employee member whose dress and/or hygienic mode is not in compliance with this policy. Violation of this dress code will subject the employee member to being sent home to obtain proper attire. The employee will not be compensated for such time spent away from work. Continued violations may result in disciplinary action.

If there is any question regarding the propriety of a particular attire or personal appearance mode, the question should be resolved by obtaining approval of the supervisor and/or Superintendent prior to attending the workplace.

If an employee reports for work dressed (or whose hygiene is) in violation of this policy, the employee shall be instructed by his supervisor to return home to change clothes or to take other appropriate corrective action. The employee will not be compensated for such time spent away from work.

SECTION 4.10: POLITICAL ACTIVITY

- A. Political activity of classified civil service staff member of the Board is covered by rules and regulations promulgated by the State of Ohio and the Federal Government through the Hatch Act. A copy of these regulations is on file in the Superintendent's office and the County Law Library. A brief list of prohibited activities is as follows:
1. candidacy for public office in a partisan election;
 2. candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party;
 3. filing of petitions meeting statutory requirements of partisan candidacy to elective office;
 4. circulation of official nominating petitions for any candidate participating in partisan election;
 5. service in an elected or appointed office in any partisan political organization;
 6. acceptance of a party-sponsored appointment to any office normally filled by partisan election;
 7. campaigning, by writing for publications, by distributing political material, or by writing or making speeches on behalf of a candidate of partisan elective office, when such activities are directed toward party success;
 8. solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in kind, for any political party or political candidate;
 9. solicitation of the sale, or actual sale, of political party tickets;
 10. partisan activities at the election polls such as solicitation of votes for other than nonpartisan candidate and nonpartisan issues;
 11. service as recorders, checker, watcher, challenger, judge, or board of election poll worker for any party or partisan committee;
 12. participation in political caucuses of a partisan nature;
 13. participation in a political action committee which supports partisan activity.
- B. Unclassified staff is not restrained from taking part in partisan politics.
- C. Staff may not, at any time, utilize Board owned vehicles, equipment, supplies or facilities to influence the outcome of a partisan election or to further the cause of a political party or candidate.
- D. No federal funds may be used by any staff member on behalf of partisan politics.
- E. Serving enrollees participating in the program of the Board takes precedence over any personal activities of a staff member during the course of the workday.
- F. Political activities permitted to classified employees include:

1. Registering and voting;
 2. Expressing opinions, either orally or in writing;
 3. Making voluntary financial contributions to political candidates;
 4. Circulating petitions on legislation related to their employment;
 5. Attending political rallies that are open to the public;
 6. Signing nominating petitions in support of individuals; or
 7. Displaying political stickers, badges and buttons on their cars or persons.
- G. Violations of this policy will result in disciplinary action, up to and including discharge from employment.

SECTION 4.11: STAFF MEMBER ORGANIZATION

- A. The Board will not restrict or penalize any staff member who exercises his right to organize, join or refrain from joining a union or like organization.
- B. Staff must abide by Board adopted work rules and solicitation policies, always keeping foremost in their minds that their duty is to serve the enrollees of the programs of the Board.

SECTION 4.12: PROHIBITION AGAINST ACCEPTANCE OF GIFTS AND GRATUITIES

Staff members of the Carroll County Board of Developmental Disabilities are prohibited from accepting gifts, money or any gratuity from any person in exchange for services or benefits provided by the Board. Staff members shall not accept from enrollees, gifts, or gift certificates that have a value equal to or greater than a penny (\$0.01). No cash can be accepted from anyone. If someone wishes to give a gift the employee needs to talk to their supervisor. Gifts may be given that are shared with the staff such as food and snacks.

SECTION 4.13: SOLICITATION POLICY

- A. Solicitations left unrestricted would interfere with the orderly and normal operations of the Board, be detrimental to discipline and productivity on the part of the employees, be annoying to clients and pose a threat to client confidentiality.
- B. It is the policy of the Carroll County Board of Developmental Disabilities to prohibit solicitations on Board property, whether made by staff or by individuals or groups not associated with the Carroll County Board of Developmental Disabilities, except in circumstances as outlined below.
 - 1. The Board may permit charities to solicit contributions on the premises for specified periods of time. The Superintendent shall approve any such activity in advance. All other solicitations of funds or signatures, membership drives, distributions of literature or gifts, and offers for sale of merchandise or tickets by individuals or groups not associated with the Carroll County Board of Developmental Disabilities are prohibited. Instances of such activity shall be reported immediately to the supervisor of the employee(s) involved or the Superintendent.
 - 2. A staff member wishing to solicit money or other goods for gifts or expressions of sympathy for a fellow employee or his/her family must first obtain permission from the supervisor. The supervisor can permit this type of solicitation on certain occasions, provided prior notification is given to the Superintendent.
 - 3. Staff members are permitted to solicit support for, or opposition to, union representation and to distribute literature in support or of in opposition to union representation subject to the following restrictions:
 - a. Distributions and solicitations by a staff member during his working time are prohibited on the premises of the Carroll County Board of Developmental Disabilities. However, this does not apply to time when the staff member is not actually engaged in work, such as lunch breaks.
 - b. Distribution of literature in work areas by a staff member is prohibited, whether during the staff member's working time or during his own time.
 - c. Distribution of literature in such a manner as to cause litter on the premises will not be permitted.
 - 4. Solicitations in support of or in opposition to union representation and the distribution of literature in support of, in opposition to, union representation by individual or groups not associated with the Carroll County Board of Developmental Disabilities are prohibited on the premises.
 - 5. All activity in violation of the restrictions established in this policy shall be reported immediately to the staff member's supervisor and the Superintendent.
 - 6. The Superintendent shall personally ensure that solicitations and distributions authorized under this policy are conducted so as not to interfere with the duties of the staff and/or the confidentiality of the enrollees.

SECTION 4.14: TOBACCO AND VAPE POLICY

[See Section 7.04 for Smoke Free Campus]

The Carroll County Board of Developmental Disabilities is concerned about the results of recent research conducted by the Federal Office on Smoking and Health and many independent medical authorities, which indicates that smoking accounts for more than one of every six deaths in the United States. The Board is further concerned about protecting non-smokers from exposure to environmental risk or lung and throat cancers and obstructive lung diseases such as emphysema and chronic bronchitis.

- A. Therefore, in the interest of promoting the wellness of staff and enrollees as well as enjoying a smoke-free environment the use of legalized tobacco products is prohibited in any building, facility or vehicle owned, leased, rented or chartered (by the Carroll County Board of Developmental Disabilities) or on-Board grounds, athletic grounds, or parking lots. No staff, volunteer, or enrollee is permitted to use tobacco products at any time, including during non-Board hours, at any Board sponsored event off campus.
- B. Tobacco promotion is prohibited on all Board owned property including Board sponsored events. Tobacco promotional items including clothing, bags, lighters and personal articles, are not permitted on board grounds, in board vehicles, or at board sponsored events.
- C. Compliance with the tobacco use policies and procedure is the responsibility of each staff member. Violations are subject to progressive corrective action.
- D. **The Board classifies all vaping devices as tobacco products. As they deliver nicotine and other drugs, their use is strictly prohibited.**

SECTION 4.15: ANTI-HARASSMENT/ANTI-BULLYING POLICY

The Carroll County Board of Developmental Disabilities is committed to providing all employees a healthy and safe work environment. The Board will ensure that procedures exist to allow complaints of bullying and harassment to be dealt with promptly, sensitively, and confidentially. The Board will not in any instance tolerate bullying or harassing behavior and is committed to the elimination of all forms of bullying and harassment. This policy applies to all employees of the Board. It applies during normal working hours, off-hours, at work related or sponsored functions, and while traveling on work related business.

Prohibited Activity.

No employee shall either explicitly or implicitly ridicules, mock, deride, or belittle any person.

Employees shall not make offensive or derogatory comments based on race, color, sex, religion or national origin either directly or indirectly to another person. Such harassment is a prohibited form of discrimination under state and federal employment law and is also considered misconduct subject to disciplinary action by the Board. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and verbal physical and visual conduct of a sexual nature when:

- submission to such conduct (either implicitly or explicitly) is made a term or condition of employment; or
- submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual; or
- the conduct has the purpose or effect of unnecessarily or unreasonably interfering with work performance, or creates a hostile, intimidating, or offensive work environment.

Such conduct includes but is not limited to:

- Unwanted physical contact or conduct of any kind such as
- Sexual flirtations, touching, advances or propositions;
- Verbal harassment of a sexual nature, such as lewd comments and sexual jokes;
- Demeaning, insulting, intimidating or sexually suggestive comments about an individual's personal appearance;
- Using sexually degrading words to describe an individual.
- Possessing demeaning, insulting, intimidating or sexually suggestive objects or pictures, including nude photographs.
- Possessing demeaning, insulting, intimidating or sexually suggestive written, recorded or electronically transmitted message.

Bullying is unwelcomed or unreasonable behavior that demeans, intimidates or humiliates people either as individuals or as a group. Bullying behavior is often persistent and part of a pattern, but it can also occur as a single incident. It is usually carried out by one person but can also be an aspect of group behavior known as mobbing. Bullying behavior can be verbal, non-verbal, or psychological. Some examples of bullying are:

- Verbal: Slandering, ridiculing or maligning a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of **jokes**;

abusive and offensive remarks, shouting or raising one's voice, spreading rumor or innuendo, etc.

- Non-verbal: Using obscene gestures or facial expressions that convey threatening messages or insults, which include rolling of one's eyes, glaring, etc.
- Psychological: Use of exclusion: socially or physically excluding or disregarding a person in work-related activities, setting people up for failure, excessive supervision, belittling, disregarding opinions or suggestions, criticizing in public, inflicting menial tasks not in keeping with normal job responsibilities, not allowing the person to speak or express themselves (I.E., ignoring or interrupting), etc.
- Cyberbullying: Bullying through the use of technology or any electronic communication. Posting slurs or rumors or displaying defamatory, inaccurate, disparaging, violent, abusive, profane, or sexually oriented material about an employee on a website or other online application. Sending e-mail, text messages, IM, or leaving voice mail messages that are mean or threatening.

Employee's Responsibilities.

Each employee of the Board is responsible for assisting in the prevention of harassment and bullying through the following acts:

- Refraining from participation in or encouragement of actions that could be perceived as harassment or bullying
- Reporting acts of harassment or bullying to a supervisor in writing on the appropriate form; and
- Encouraging any employee, who confides that he or she is being harassed or bullied , to report these acts to a supervisor or Superintendent.

Supervisors shall be responsible for assisting in preventing acts of harassment and bullying. This responsibility includes:

- Monitoring the work environment on a daily basis for signs that harassment or bullying may be occurring;
- Counseling all employees on the types of behavior prohibited, and the Board procedures for reporting and resolving complaints of harassment and bullying.
- Stopping any observed acts that may be considered harassment or bullying, and taking appropriate steps to intervene, whether or not the involved employees are under their direct supervision.
- Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment and bullying pending investigation.

All supervisors have the responsibility to assist any employee who comes to that supervisor with a complaint of harassment or bullying, in the documenting and filing a complaint.

Failure to take action to stop known harassment or bullying shall be grounds for termination.

Workplace Romances:

To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are required to inform their immediate supervisor and superintendent if they are currently or if they intend to become romantically involved with a co-worker. Such relationships are not necessarily prohibited but must be appropriately addressed. Should the Board determine that a conflict exists between an employee's employment and a personal relationship with a co-worker, the Board will attempt to work with the employees to resolve the conflict. Should operational needs prevent resolution, the relationship must cease or one or both of the parties must separate from employment. Supervisors are expressly prohibited from engaging in romantic or sexual relationships with an employee they directly, or indirectly, supervise.

Complaint Procedures.

Employees encountering harassment or bullying shall tell the person engaging in the conduct that their actions are unwelcome and offensive. The employee shall document all incidents of harassment and bullying in order to provide the fullest basis for investigation. Forms are available in the Administration offices.

Any employee who believes that he or she is being harassed or bullied shall report the incident to his or her supervisor in writing on the appropriate form, as soon as possible so that steps may be taken to protect the employee from further harassment and appropriate investigative measures may be initiated. Where this is not practical, the employee may instead file a complaint with the Superintendent.

- The supervisor or other person to whom a complaint is given shall meet with the employee and document the incident(s) surrounding the complaint, the person(s) performing or participating in the harassment or bullying, and the dates on which it occurred.
- The employee taking the complaint shall expeditiously deliver the complaint to the Superintendent.

The Superintendent shall be responsible for initiating the investigation of any complaint alleging harassment or bullying. Complaints of harassment or bullying shall be promptly investigated. Every effort will be made to handle all such complaints in a fair, impartial, and efficient manner. If an employee is not satisfied with the way a complaint is handled, they should bring this to the attention of the Board. In all cases, the employee will be advised of the conclusion of the investigation.

There shall be no retaliation against any employee for filing a harassment or bullying complaint, or assisting, testifying or participating in the investigation of such a complaint.

Complainants or employees accused of harassment or bullying may file a grievance when they disagree with the investigation or disposition of a harassment or bullying claim.

Employees knowingly filing a false claim of harassment or bullying may be subject to disciplinary action.

Employees have the right to file discrimination charges with the Ohio Civil Rights Commission and the Federal Equal Employment Opportunity Commission under Title VII of the Civil Rights Act of 1964 (as amended).

SECTION 4.16: INFECTIOUS DISEASE POLICY

- A. It is the policy of the Carroll County Board of Developmental Disabilities that in providing the necessary services to the public, together with working in harmony with one another, all employees are to be educated and thus knowledgeable in dealing with infectious diseases and the issues surrounding them. The Board will endeavor to conduct ongoing training and provide information as to the appropriate response in dealing with Acquired Immune Deficiency Syndrome (AIDS), Hepatitis B (see Section 2.09), T.B. and other infectious diseases.
- B. The Superintendent will appoint a committee of employees to serve voluntarily in formulating a response to the issues surrounding infectious diseases in accordance with the policies of the Carroll County Board of Developmental Disabilities.
- C. Staff coming into contact with other staff or members of the public who are known to have any serious infectious disease should immediately notify their supervisor. Staff is hereby admonished, however, of the confidentiality surrounding the services rendered to the public and should act in accordance therewith.
- D. The Ohio Civil Rights Commission's policy statement of October 5, 1987 and the Americans with Disabilities Act of 1990 recognize AIDS victims as being handicapped. Therefore, neither the program, nor any of its staff, may lawfully discriminate against a person suffering from AIDS whether that person is a member of the public or another employee.
- E. Any staff member who believes that he has been exposed to an infectious disease should immediately report the incident to his Supervisor and seek medical attention. Said reporting shall be held in the strictest of confidence and the employee shall not be the subject of any Employer reprisal.
- F. Provisions dealing with sick leave under the Ohio Revised Code and Ohio Administrative Code are applicable to employees suffering from infectious diseases, providing for sick leave and disability leave. The Board has a statutory right to require the employee to submit to a medical examination in order to determine the employee's capability to perform the essential functions of his/her position when requested under reasonable circumstances.
- G. In order to alleviate the fears of the public and co-workers, it is important that employees are aware the most recent guidelines issued by the Centers for Disease Control provide that AIDS is not spread by the kind of nonsexual, person-to-person contact that occurs among workers, clients and consumers in such settings as offices, schools, factories and construction sites. Therefore, there is no evidence that AIDS can be spread by any of the following:
 - 1. using a telephone or headphone;
 - 2. eating at a cafeteria table;
 - 3. sharing a word processor or other office machine;
 - 4. sharing a drinking fountain;
 - 5. sharing a restroom;
 - 6. using the same tools;
 - 7. conversing in a meeting;
 - 8. riding in the same car;

9. washing in the same sink;
 10. wearing the same protective outer clothes; or
 11. sharing a desk or chair.
- H. In the case of accidents at the work setting, equipment that is contaminated with blood or other body fluids from any person, whether known to be infected or not, should be cleaned with soap and water or a detergent. A disinfectant or fresh solution of household bleach should be used to wipe the area after cleaning.
- I. The Board asks the staff's help in dispelling unfounded public fears by continuing to emphasize that AIDS is not easy to catch and is not spread by casual contact.

SECTION 4.17: ENROLLEE MEDICATION DISTRIBUTION

The Board recognizes that persons served by the programs of the Board have medication needs that must be met during working/school hours. Until the individual enrollee's goal of independent self-medication is met, Program Nurse will receive medications in Board approved containers and medication order on Board Approved Medication Forms properly signed by physician and parent/guardian. Program Nurse/Delegated Nursing Personnel/Contracted Nurse will administer medications and record same as ordered.

SECTION 4.18: STAFF-ENROLLEE RELATIONSHIPS

- A. Each enrollee has the right:
 - 1. to be treated by staff members with courtesy and respect at all times and with full recognition of his/her dignity and individuality;
 - 2. of access to opportunities that enable him to develop his/her full human potential;
 - 3. to be treated equally as citizens under the law;
 - 4. to be free from emotional, psychological and physical abuse; and
 - 5. to be free from unnecessary chemical and physical restraints.
- B. Accordingly, each staff member will endeavor to protect these rights at all times. Each employee is required to report any suspected abuse or neglect of any consumer's rights to his/her immediate supervisor and shall cooperate in investigations regarding abuse or neglect.
- C. No staff member shall subject a consumer to physical, verbal or psychological and emotional abuse. Procedures that cause physical, visual and/or auditory pain are strictly prohibited. Attacks on personal dignity, such as foul language, name-calling, shouting and other types of verbal abuse are forbidden. Actions such as threats, whether founded or unfounded, or the use of objects that are frightening to a consumer constitute psychological and/or emotional abuse and are forbidden. Each staff member shall comply with the proper procedures for Behavior Management Intervention as adopted by the Board.
- D. No staff member shall subject a consumer to sexual abuse or take advantage of him/her by procuring sexual favors either during work hours or non-working hours.
- E. At no time shall a staff member betray the trust relationship that exists between himself and the student/consumer. In particular, relationships outside the school/work environment require caution regarding social contacts, financial dealings or any other activities which could take advantage of the trust the consumer has in the staff member who is working for the wellbeing of the consumer.
- F. No employee shall violate Section 5123.541 of the Ohio Revised Code on having prohibited sexual relations with clients served by the Carroll County Board of DD Program.
- G. Should a staff member be in a position to provide services to an enrollee outside of Board employment (e.g., providing respite, supported living, etc.) and violates any of the preceding sections of this Section 4.18 or by some act places the enrollee in harm's way, the staff member will be disciplined as provided for in Section 5.02 of this manual.

SECTION 4.19: EMPLOYMENT OF PROGRAM ENROLLEES BY BOARD STAFF MEMBERS AND BOARD MEMBERS

- A. It is the intent of this policy to inform Board staff members and Board members that engagement of the services of program consumers to perform tasks outside the normal programming scope is viewed as employment. Employment as used in this section means engagement in work for which remuneration is customary including, but not limited to, babysitting, lawn mowing, assistance with moving, janitorial/custodial tasks.
- B. Remuneration at the usual or prevailing rate, as established for sheltered workshops, is expected for program participants who perform personal work for Board staff members or Board members.
- C. Services of an enrollee are to be arranged through the Superintendent or the Administrative office to ensure compliance with ethical and legal standards.

SECTION 4.20: PROTECTION OF “WHISTLEBLOWERS”

Definitions

- (a) Act Purposely: acts with specific intention to cause a certain result.
- (b) Act Knowingly: acts with awareness that the conduct will probably cause a certain result or be of a certain nature and has knowledge of the underlying circumstances.
- (c) Act Recklessly: with heedless indifference to consequences, disregards a known risk that the conduct is likely to cause a certain result or is likely to be of a certain nature.
- (d) Privacy Violation: use or disclosure of individually identifiable health information in content or format other than that prescribed by Board policy and procedure.
- (e) Retaliatory Action: includes, but is not limited to, removing or suspending employee from work; withholding salary increases or employee benefits to which employee is otherwise entitled; denying an employee a promotion that would otherwise have been received; transferring or reassigning an employee that otherwise would not have occurred; reducing the employee in pay or position.
- (f) Appropriate ethics commission means the Ohio Ethics Commission.

Procedures

A. Reports to be made

An employee of the Board who learns of the following shall make a report as required by Section B of this policy:

- (1) a violation of local, state or federal statutes, including, but not limited to, Medicaid fraud per the Deficit Reduction Act of 2005, which the Board could correct, and the employee reasonably believes that the violation is a criminal offense that is likely to cause an imminent risk of physical harm to persons or a hazard to public health or safety, a felony, or an improper solicitation for a contribution;
- (2) a violation by a fellow employee of any state or federal statute, any ordinance or regulation of a political subdivision, or any work rule or company policy of the Board, and the employee reasonably believes that the violation is a criminal offense that is likely to cause an imminent risk of physical harm to persons or a hazard to public health or safety, a felony, or an improper solicitation for a contribution;
- (3) a violation of Ohio Revised Code Chapters 3704. (Air Pollution Control Act), 3734. (Solid and Hazardous Wastes Act), 6109. (Safe Drinking Water Act), or 6111. (Water Pollution Control) that is a criminal offense;

(4) a violation of state or federal statutes, rules, or regulations that the employee reasonably believes is not a criminal offense, which his/her supervisor or the Superintendent could correct;

(5) the misuse of public resources, which his/her supervisor or the Superintendent could correct; or

(6) a violation of state or federal statutes, such as HIPAA, rules, or regulations or misuse of public resources that is also a violation of Ohio Revised Code Chapter 102., section 2921.42, or section 2921.43.

B. Reporting Procedures

(1) For reports to be made under **A.(1)** and **(2)** above, the employee orally shall notify the employee's supervisor, Department Director, or the Superintendent of the violation and subsequently shall file with the supervisor, Department Director, or the Superintendent a written report that provides sufficient detail to identify and describe the violation. The employee is to submit the written report in a timely manner (no later than the end of the next working day). Failure to report within 24 hours will not prohibit the Board from taking action. If the issue to be reported falls within the definition of MUI/UI reporting, the employee must follow those guidelines set forth in Ohio law and Board policy.

(2) For reports made under **A.(4)** and **(5)** above, the employee shall file a written report identifying the violation or misuse with the employee's supervisor, Department Director, or the Superintendent. In addition to or instead of filing a written report with the employee's supervisor, Department Director, or the Superintendent, the employee may file a complaint with the Auditor of State's fraud-reporting system under Ohio Revised Code Section 117.103. The Auditor of the State has an established fraud reporting-system to be used for reporting fraud, including misuse of public money by any public official or office. Employees are able to make anonymous complaints via the fraud hotline (866-372-8364), the Auditor of the State's website (www.ohioauditor.gov) or through the United States mail (Special Investigations Unit, 88 East Broad Street, Columbus, OH 45215). Moreover, if the employee believes the violation or misuse is a criminal offense, in addition to or instead of filing a report with the employee's supervisor, Department Director, or the Superintendent, the employee may report it to the _____ County Prosecuting Attorney or a peace officer, such as the _____ County Sheriff or a municipal police officer.

(3) For reports made under **A.(3)** above, the employee directly may notify, either orally or in writing, any appropriate public official or agency that has regulatory authority over the Board.

(4) For reports made under **A. (6)** above, in addition to filing a report with the employee's supervisor, Department Director, or the Superintendent, the employee may report the violation or misuse to the appropriate ethics commission.

(5) Supervisory staff receiving initial reports (oral or in writing) are to immediately relay this information to the Superintendent/designee. If the issue involves a privacy violation under HIPAA, the Privacy Officer shall also be notified by the supervisory staff receiving the initial report. Reports of Medicaid fraud shall also be reported to the Superintendent/designee by the supervisory staff receiving the initial report. The Superintendent will inform the Board President

of the allegation and begin an investigation into the matter. Should the matter appear to be criminal in nature, the appropriate authorities shall be informed.

(6) For potential HIPAA violations, an employee may also disclose information to an attorney for the purpose of determining his or her legal options with regard to the conduct in question in addition to the reporting requirements of B (4).

C. Employee Responsibilities

It is the employee's responsibility to make a reasonable and good faith effort to accurately report the alleged impropriety to the appropriate authority. There are consequences for purposely, knowingly or recklessly reporting false information. Those consequences may include discipline, up to and including termination. Failure to report may also result in disciplinary action, up to and including termination, subject to due process.

Reports made in good faith are encouraged and expected. A false complaint is not the same as an unsubstantiated complaint. Employees who file reports in good faith shall not be subject to retaliatory action from supervisors or co-workers. If retaliation occurs, the employee should immediately notify the Superintendent/designee.

D. Board Responsibilities

(1) After an employee submits a report, the Superintendent/designee is to notify the employee, in writing, of any effort the Board has taken to correct the alleged violation, hazard, or misuse, or the absence of the alleged violation, hazard, or misuse. The Board is to notify the reporting employee of its efforts/findings within 24 hours after the oral notification was made or the report was received, or by 4:30 p.m. on the next regular business day (Monday-Friday) following the day on which the oral notification was made or the report was received, whichever is later.

(2) If the Superintendent does not correct the violation or make a reasonable and good faith effort to correct the violation within twenty-four (24) hours after the oral notification or the receipt of the report, whichever is earlier, the employee may file a written report that provides sufficient detail to identify and describe the violation with the ____ County Prosecuting Attorney, a peace officer, such as the ____ County Sheriff or a municipal police officer, or any appropriate public official or agency that has regulatory authority over the Board.

(3) Neither the Board nor any employee of the Board shall take any disciplinary or retaliatory action against an employee for making any report under this procedure or as a result of the employee having made any inquiry or taken any other action to ensure the accuracy of any information reported under this procedure.

E. Employee Appeal Rights

(1) If the Board takes any disciplinary or retaliatory action against an employee as a result of the employee's having filed a report under (A).(1), (2), or (3) of this procedure, the employee may file a civil action for appropriate injunctive relief, or for reinstatement to the same position that the employee held at the time of the disciplinary or retaliatory action and at the same site of

employment or to a comparable position at that site, the payment of back wages, full reinstatement of fringe benefits and seniority rights, or any combination of these remedies, within one hundred eighty (180) days after the date the disciplinary or retaliatory action was taken, in a court of common pleas in accordance with the Ohio Rules of Civil Procedure.

- (2) If the Board takes any disciplinary or retaliatory action against an employee as a result of the employee's having filed a report under (A).(4), (5), or (6), the employee's sole and exclusive remedy, notwithstanding any other provision of law, is to file an appeal with the State Personnel Board of Review within thirty (30) days after receiving actual notice of the disciplinary or retaliatory action.

F. Effect of Policy

This procedure does not supersede any rights of any employee under a collective bargaining agreement or permit disclosures that would diminish or impair the rights of any person to the continued protection of confidentiality of communications, if a statute or common law provides such protection.

SECTION 4.21: DRUG-FREE WORKPLACE AND DRUG AND ALCOHOL TESTING

A. Drug-Free Workplace

Alcoholism and drug addiction are treatable diseases. Therefore, employees who believe that they may have an alcohol or drug addiction problem are encouraged to seek professional treatment and assistance. No employee who seeks such treatment or assistance prior to detection will have his job security, promotional opportunities, or other job conditions jeopardized by a request for treatment. The individual's right to confidentiality and privacy will be recognized in such cases. The County will reasonably accommodate a recovering employee's alcohol or drug addiction in accordance with federal and state law.

Treatment pursuant to this accommodation policy will not result in any special regulations, privileges, or exemptions from standard administrative procedures, practices, or policies including disciplinary action. The County may take disciplinary action for any violations of work rules, regardless of the effect of alcohol or drug abuse. Nothing in this policy shall be construed to condone or exonerate employees from their misconduct or poor performance resulting from a drug or alcohol problem.

The County maintains a drug and alcohol-free workplace¹ in order to eliminate the inherent risks and liability to the County, the affected employee, co-workers and the public. Employees are hereby notified that the manufacture, distribution, dispensing, possession, use or being under the influence of alcohol, drugs or other controlled substance is strictly prohibited during working hours at any location where employees are conducting County business. Also prohibited is the illegal use of legal substances.

In order to further the County's objective of maintaining a safe, healthful, and drug-free workplace, the County may require an employee to submit to a urine and/or blood test if there is reasonable suspicion to believe that an employee is under the influence of a controlled substance or alcohol. Refusal to submit to a drug or alcohol test and/or to release the results of the same shall be considered insubordination and will be construed as a positive test result.

Employees are put on notice that an employee who is under the influence of drugs or alcohol may forfeit their right to obtain workers compensation benefits. The law establishes a rebuttable presumption that if an injured worker tests positive for the use of drugs or alcohol, the worker will have to prove the use of drugs or alcohol did not cause the accident. A refusal to test for the use of drugs or alcohol will also establish the presumption. Employees who are involved with a workplace accident may be required to undergo drug and/or alcohol testing in accordance with this policy.

¹ As set forth in detail in paragraph B 8 below medical marijuana use as authorized by state law is not exempted from the County's drug and alcohol free workplace policy, constitutes a violation of this policy, and employees are subject to discipline up to and including discharge for any violation of this policy, including use of medical marijuana.

B. Drug Policy

1. Controlled Substance: Means any controlled substance contained in Schedules 1 through V of Section 202 of the Controlled Substance Act (21 U.S.C. § 812; or as defined in § 3719.01 O.R.C.).
2. Conviction: Means any finding of guilt, including a plea of *nolo contendere* (no contest) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
3. Criminal Drug Statute: Means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance. For purposes of this policy all definitions will be consonant with O.R.C. § 3719.01 *et seq.*
4. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee which takes place in whole or in part in the employer's workplace is strictly prohibited and will result in criminal prosecution and employee discipline
5. Any employee arrested or convicted of any Federal or State criminal drug statute must notify the employer of that fact immediately, but in no event longer than five (5) calendar days, of the arrest or conviction.
6. Any employee who reports for duty in an altered or impaired condition which is the result of the illegal use of controlled substances and/or alcohol will be subject to disciplinary action up to and including removal. Any decision to take disciplinary action may be held in abeyance pending the completion by the employee of a drug rehabilitation program.
7. Any employee arrested or convicted of a drug or alcohol offense, who fails to timely report the arrest or conviction, may be terminated from employment and/or held civilly liable for any damage caused, including a loss of state or federal funds, resulting from the misconduct.
8. The Board has a zero-tolerance policy for employees who are under the influence of illegal drugs and alcohol while at work. For purposes of this policy, employees who use medical marijuana pursuant to a medical marijuana card under ORC chapter 3796 or who use, possess, or distribute adult use cannabis in compliance with ORC Chapter 3780 are not exempt from this policy in any way. The use of marijuana in any form, with or without a card or compliance with Ohio law, will be treated the same as the use of all other controlled substances, illegal drugs, or the abuse of legal drugs.

The Board is not required to permit or accommodate an employee's use, possession or distribution of either medical marijuana or adult use cannabis. The Board is permitted by law to refuse to hire, discharge, discipline, or **otherwise take an**

adverse employment action against an individual with respect to hire, tenure, terms, conditions, or privileges of employment with the Board because of that individual's use, possession, or distribution of either medical marijuana or adult use cannabis. An employee's use, possession or distribution of adult use cannabis in the Board's buildings and on the Board's grounds is prohibited, and employees are not permitted to use medical marijuana or adult use cannabis while on lunch or other breaks.

C. Drug/Alcohol Testing Policy.

1. In order to maintain a safe and healthful work environment, the County reserves the right to set standards for employment and to require employees to submit to physical examinations including blood or urine tests for alcohol, illegal drugs, or the misuse of legal drugs where there is reasonable suspicion that an employee's work performance is, or could be, affected by the condition.
2. Where the County has a reasonable suspicion to believe that the employee is in violation of this policy, it may require the employee to go to a medical clinic, at the County's expense, to provide blood and/or urine specimens. Reasonable suspicion shall generally mean suspicion based on personal observation by a County representative, including descriptions of appearance, behavior, speech, breath, or inexplicable behavior.
3. If requested, the employee shall sign a consent form authorizing the clinic to withdraw a specimen of blood or urine and release the test results to the County. Refusal to sign a consent form or to provide a specimen will constitute insubordination and a presumption of impairment and may result in discharge.
4. Any employee who tests positive may request retesting of the original specimen at their own expense.
5. Employees who test positive for illegal substance abuse or misuse of legal drugs and/or alcohol may be offered rehabilitation through a local treatment facility. Any costs related to the rehabilitation shall be paid by the employee. Employees must take any available, accumulated, paid or unpaid leave during their absence. Failure to fully participate in or successfully complete such a rehabilitation program may result in disciplinary action. As of the date of this manual, the main treatment facility in Carroll County is Quest (330-627-0087). For additional assistance, please contact the Alcohol, Drug Addiction & Mental Health Services (ADAMHS) Board at 330-627-7912.
6. Employees who return to work after the successful rehabilitation will be subject to random drug tests for a period of two years from the date of their return.
7. Employees subject to random drug tests who refuse to participate in the drug/alcohol testing and/or rehabilitation program or who continue to test positive for substance abuse will face additional disciplinary actions, up to and including removal.

8. Employees who are required to hold a commercial driver's license (CDL) will be required to participate in the County's drug and alcohol testing program as required by federal law which includes pre-employment testing, post-accident testing, random testing, reasonable suspicion testing, and return-to-work testing. Policies and procedures for these programs will be consistent with federal law and will be made available to employees required to hold CDL's and their supervisors.
9. All employee positions are considered safety sensitive job descriptions. At any time, employees with valid driver's license may be asked to drive for their job including transport of individuals with developmental disabilities. It is imperative that all employees are drug/alcohol free. Therefore, all Carroll County Board employees are required to participate in the County's drug and alcohol testing program which includes pre-employment testing, post-accident testing, random testing, reasonable suspicion testing, and return-to-work testing.

D. Post Accident Drug and Alcohol Testing

An accident for the purpose of this policy may include but is not limited to an unplanned, unexpected, or unintended event that occurs during the employee's workday and in relation to the County's business. In addition to personnel, it may involve personal, or business property/equipment or vehicles used in performance of the employee's job.

Post-accident drug and alcohol testing is mandatory in all cases for all individuals who are employed in a safety sensitive position and for those employees who may have caused or contributed to an on-the-job accident which meets any of the following criteria

1. A fatality results from the accident;
2. An employee is at fault in an employment-related accident that causes bodily injury requiring off-site medical treatment of the employee or another person;
3. An employee is at fault in an employment-related accident that results in property damage; or
4. An employee is cited in an employment-related vehicular accident that results in damage.

Specimen collection is to occur as soon as possible after a need has been determined, and any necessary medical attention has been rendered, in accordance with items 1-4 above. Every reasonable effort shall be made to assure that the total elapsed time before a drug specimen has been collected does not exceed thirty-two (32) hours. Alcohol testing will be performed within eight (8) hours of the employment-related incident; if not performed, documentation of the reason for non-testing is required.

Any employee at fault or cited in an employment-related accident expressly grants unto the County, its officers and management, the right to request that medical personnel obtain appropriate specimens for the purpose of conducting alcohol and/or drug testing. Employees are expected to cooperate with any County investigation into the employment-related accident, including potential release of medical information concerning injuries incurred as a result of the accident.

The refusal of an employee to allow the collection of these specimens, any attempt to block the release of the results of any substance abuse tests taken, or failure to report a work-related accident will be considered and managed the same as a refusal to test.

Employees are specifically required to timely file a “First Report of Injury” (FROI) with the County for any injury related to their employment in compliance with the County’s injury policy.

E. Follow-Up Testing.

Employees who test positive for prohibited substances or who self-report a drug/alcohol problem may be subject to no-notice follow-up testing at any time for a period not exceeding two (2) years from the date of the initial positive test. A minimum of four (4) follow-up tests will be required within the first year following the negative return to duty test. A positive result on any of these follow-up tests may result in the employee being immediately terminated from the County for cause.

F. Discipline.

The County may discipline an employee, for any violation of this policy. Nothing herein shall be construed as a guarantee that the County will offer an opportunity for rehabilitation. Failure to successfully complete or participate in a prescribed rehabilitation program, if offered, shall result in the employee’s discharge, including a refusal to test or a positive test result on a return to duty or follow-up test. No employee shall be provided more than one opportunity at rehabilitation. The County’s decision whether to discharge an employee shall be made on the basis of the circumstances surrounding the employee’s positive drug or alcohol test and considerations such as any other misconduct resulting from the employee’s substance abuse (e.g., injury, property damage, etc.) the employee’s work record, and other factors traditionally considered when determining whether to retain an employee.

G. Refusal to Test.

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

1. Failure to provide an enough sample provided there does not exist a valid medical explanation as to why the employee was unable to do so;
2. Any conduct that attempts to obstruct the testing process such as unavailability, leaving the scene of an accident without proper authorization, delay in providing a sample, adulterating, substituting or attempting to adulterate or substitute a specimen during the testing process, regardless of whether such attempt results in a negative or positive diluted sample;
3. Failure to execute or release forms required as part of the testing process.

H. Prescription/OTC Medications.

Employees must inform the County if they are taking any medication that may impair their ability to perform their job. Employees on such medications must provide a written release from their treating licensed medical practitioner indicating that they are capable of performing their essential job functions, with or without reasonable accommodation. Employees are prohibited from performing any County function or duty while taking legal drugs that adversely affect their ability to safely perform any such function or duty.

Employee use of prescription or over-the counter drugs must be utilized for medical reasons, taken at the dosage and frequency of use prescribed on the label, and, in the case of prescription drugs, prescribed to employees for medical reasons by a licensed medical practitioner. An employee's use of the prescription or over-the-counter drugs shall not affect the employee's job performance, threaten the safety, productivity, public image or property of the County or its employees, or result in criminal behavior.

I. New Hire/Pre-Employment Screening.

Unless otherwise required by law, all applicants considered for employment may be required to consent to, take and pass a pre-employment drug screening test and to release the laboratory results for such tests to the County as a condition of employment. A licensed testing facility, designated by the County, will administer the drug testing. Any applicants refusing to take the drug screening will not be hired or will have their employment terminated if they have already commenced work. When a drug screening is required for pre-employment purposes, the applicant shall be asked to sign the Consent Form included in Addendum #4.

J. Workers' Compensation

R.C. 4123.54 provides a rebuttable presumption that an employee may dispute or prove untrue the presumption (or belief) that alcohol or a controlled substance not prescribed by the employee's physician is the proximate cause (main reason) of the work-related injury.

The burden of proof is on the employee to prove that the presence of alcohol or a controlled substance was not the proximate cause of the work-related injury. An employee who tests positive or refuses to submit to chemical testing may be disqualified for compensation and benefits under the Workers' Compensation Act.

SECTION 4.22: TRANSPORTATION OF CONSUMERS OTHER THAN ON BUSES

- A. The Transportation Office will annually compile a list of Board employees who are authorized to transport consumers and a copy will be kept in the Commissioner's Office. Employees selected must periodically provide the Board with information required for insurance purposes and to evaluate driver safety. Only authorized Board employees may transport individuals.
- B. Employees authorized to transport individuals must:
 - 1. Have an acceptable driving record. (See Section 2.02: DRIVING RECORD CHECK);
 - 2. Be a minimum of eighteen (18) years of age and have a valid Ohio driver's license;
 - 3. Operate the vehicle in a cautious and safe manner, observing all safety regulations;
 - 4. Always use the Board-required restraint systems; and
 - a. All children less than four (4) years of age, or weighing fewer than forty (40) pounds, must be transported in an approved child safety seat.
 - b. All children over four (4) years of age, or over forty (40) pounds, are to be restrained in a seat belt. All children up to age eight (8) or 4'9" are to be in a booster seat.
 - c. All adults must use seat belts.
 - 5. Be able to verify acceptable liability insurance on private vehicles that are used for job-related travel. (See also Section 4.08)
 - 6. Employees are not to use cell phones while transporting consumers/individuals.

SECTION 4.23: OUTSIDE EMPLOYMENT/CONFLICT OF INTEREST

- A. Under no circumstances shall an employee have other employment which conflicts with the policies, objectives and operations of the Board.
- B. Under this policy, employment "conflicts" are defined as the impairment of an employee's ability to perform the duties of his/her position with the Board. Two common employment conflicts, which may arise, are:
 - 1. Time conflict - when the working hours required of a "secondary job" directly conflict with the scheduled working hours of the employee's job with the Board, or when the demands of a secondary job prohibit adequate rest, thereby adversely affecting the quality standard of the employee's job performance with the Board.
 - 2. Interest conflict - when the employee engages in outside employment which tends to compromise his/her judgment, actions and/or job performance with the Board or which impairs the Board's reputation in the community, or breeches confidentiality rules.
- C. Full-time employment with the Board shall be considered the employee's primary occupation, taking precedence over all other occupations.
- D. Outside employment, or "moonlighting," shall be a concern to the Superintendent only if it adversely affects the job performance of the employee's duties with the Board or constitutes a conflict of interest.
- E. Should it become apparent that an employee's outside employment is adversely affecting his/her job performance, the Superintendent may request that the employee refrain from such activity. Any conflict, policy infraction or other specific offense which is the direct result of an employee's participation in outside employment shall subject him/her to discipline in accordance with the policies set forth in this Manual.
- F. The Superintendent may request an opinion from the Carroll County Prosecuting Attorney on any specific question concerning conflict of interest.

SECTION 4.24: HAZARD COMMUNICATION POLICY

- A. In order to comply with the Occupational Health and Safety Regulations, 29 CFR 1910.1200, Hazard Communication Regulation, and the following written Hazard Communication Policy has been established for The Carroll County Board of Developmental Disabilities. All divisions and sections of this Association are included in this program. The written program will be available in each supervisor's office, the teacher's lounge, and the nurse's room in each building for review by any interested employee.

The Carroll County Board of DD will meet the requirements of this rule as follows:

1. Hazard Determination – The Carroll County Board of DD will rely on the Chemical Manufacturer's Safety Data Sheets (SDS) for the hazard determination.
2. Container Labeling – The following labeling systems will be used at the Carroll County Board of DD.

- a. Chemical Manufacturer's Labeling System.

The Transportation/Maintenance Director will verify that all containers received for use will:

- a. Be clearly labeled as to contents.
- b. Note the appropriate hazard warning.
- c. List the name and address of the manufacturer.

It is the policy of this Board that no container will be released for use until the above data is verified. The Supervisor in each section will ensure that all containers are labeled. For refill bottles, labels will be obtained from the manufacturer. The area supervisor will ensure that all hazardous chemicals in their area remain properly labeled, by notifying the Safety Committee if a container has no label.

3. Safety Data Sheets (SDS)

Copies of SDS's for all hazardous chemicals to which employees of the Board may be exposed will be kept in Carroll Hills Industries main hallway, Carroll Hills School main hallways, and Carroll Hills Administration main hallway. SDS's will be available to all employees in their work area to review during each work shift. If SDS's are not available or new chemicals in use do not have SDS's please immediately contact the Safety Committee. The Transportation/Maintenance Director is responsible for ensuring that all SDS's have been received and are current. If a SDS is not received with the first shipment of hazardous chemicals, the following methods will be used to obtain an SDS:

- a. A letter requesting a SDS will be sent to the manufacturer or distributor of the hazardous chemical. (A copy of that letter will be kept on file.)
- b. A phone call will be made to the manufacturer or distributor requesting a SDS. (A log of this phone call will be kept.)

4. Employee Training and Information.

Prior to starting work each new employee (or transferred employee) of the Carroll County Board of DD will attend a Health and Safety Orientation and will receive information and training on the following:

- a. An overview of the requirements contained in the Hazard Communication Rules.
- b. Chemicals present in their workplace operations.
- c. Location and availability of our written Hazard Program.
- d. Physical and Health effects of the Hazardous Chemicals.
- e. Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work areas.
- f. How to lessen or prevent exposure to these hazardous chemicals through usage of control/work practice and personal protective equipment.
- g. Steps the Board has taken to lessen or prevent exposure to these chemicals.
- h. Safety emergency procedures to follow if they are exposed to these chemicals.
- i. How to read labels and review SDS's to obtain appropriate hazard information.

After attending the training class, each employee will sign a form to verify that they attended the training, received our written materials and understood this organization's policies on Hazard Communication.

Prior to a new Hazardous Chemical being introduced into any section of this organization, each employee of that section, be it workshop, enclave or school, will be given information as outlined above. The Transportation/Maintenance Director is responsible for ensuring that SDS's on the new chemicals are available.

5. List of Hazardous Chemicals.

The following is a list of all known Hazardous Chemicals used by employees of the Carroll County Board of DD. Further information on each noted chemical can be obtained by reviewing Safety Data Sheets located in Custodian's Office in Golden Rule School and the Safety File in the Sign-in Room in GI Workshop.

HAZARDOUS CHEMICAL WORK LOCATION

6. Hazardous Non-Routine Tasks.

Rarely, employees may be required to perform hazardous, non-routine tasks. Prior to starting work on such project, each affected employee will be given information by his/her section supervisor about hazardous chemical to which they may be exposed during such activity.

This information will include:

- a. Specific Chemical Hazards.
- b. Protective/Safety measures the employee can take.
- c. Measures the Board has taken to lessen the hazards including ventilation, respirators, presence of another employee, and emergency procedures.

Examples of non-routine tasks performed by employees of this organization are:

TASK HAZARDOUS CHEMICAL

7. Chemicals in Unlabeled Pipes.

Work activities are not performed in any areas where chemicals are transferred through unlabeled pipes.

8. Informing Contractors.

It is the responsibility of the Safety Committee to provide contractor the following information:

- a. Hazardous Chemicals to which they may be exposed while on job sites.
- b. Precautions the employees may take to lessen the possibility of exposure by usage of appropriate protective measures.

CARROLL COUNTY BOARD OF DD

HAZARD COMMUNICATION

TRAINING CERTIFICATION

I have received Hazard Communication training as described in the Hazard Communication Program. The Training was conducted on _____(Date).

Employee's Signature

Social Security Number

Work Area

I hereby certify that the above-named employee has been provided with the Hazard Communication Training on _____(Date).

Instructor's Signature

**SECTION 4.25: BLOODBORNE PATHOGENS/INFECTION CONTROL
POLICY/INFECTION CONTROL PLAN/BLOODBORNE PATHOGENS EXPOSURE
CONTROL PLAN**

[OSHA Blood borne Pathogens Standard – Title 29 Code of Federal regulations, Part 1910.1030 (Federal Register 56(235): 64004-64182, December 6, 1991]

FACILITY NAME: CARROLL COUNTY BOARD OF DD

DATE OF PREPARATION: _____

It is the policy of the Carroll County Board of DD to assure, as far as possible, safe and healthful working conditions for each employee over the period of his/her employment with this organization. We will attempt to do this by eliminating or minimizing any occupational exposure to any potentially infectious material. We will do this in the following ways:

In accordance with the OSHA Blood borne Pathogens Standards 29 CFR 1910.1030, the following infection control plan, blood borne pathogens exposure control pan has been developed for the Carroll County Board of DD.

1. Exposure Determination.

OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment. (Employees are considered to be exposed even if they wear personal protective equipment.) This exposure determination is required to list all job classifications in which employees may be expected to incur such occupational exposure at this facility. The following job classifications are in this category.

Superintendent Adult Services Director

Job Procurement Supervisor Director of Children Programs

Program Nurse Habilitation Specialist I and II

Workshop Specialist I and II Hab. Paraprofessional Specialist

Habilitation Counselor Service and Support Administration

Instructor Instructor Aide

Bus Driver Bus Aide

Cook Custodian

Job Coach Recreation Coordinator

Registered Adult Svc. Worker I&II Transportation/Maintenance Director

Mechanic Business Manager

Fiscal Officer Administrative Assistant

Superintendent's Secretary Human Resource Director

Substitutes Early Intervention Specialist

Compliance Methods:

- A. Universal precautions will be observed at this facility in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.
- B. Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees within this work force. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized. At this facility, the following engineering controls will be utilized.
 - 1. Sharp containers in nursing rooms in the school and workshop will be checked monthly by the Program Nurse. Empty containers will be obtained at the Health Department. Full containers will be taken to the Health Department.
 - 2. Needles – contaminated needles and other contaminated sharps will not be bent, recapped, removed, sheared, or purposely broken. OSHA allows an exception to this if the procedure would require that the contaminated needle be recapped or removed, and no alternative is feasible, and the action is required by the medical procedure. If such action is required, then the recapping or removal of the needle must be done by the use of a mechanical device or a one-handed technique. It is only permitted for the following procedure:
 - a. If a syringe has not been used and the nurse must answer an emergency page, she may use the one-handed recapping technique.
 - 3. We will have a separate container for contaminated sharps labeled hazardous. These sharps will be stored in containers that do not require hand processing. The program nurse will be responsible for decontamination of these sharps.
 - 4. Any broken glass will be cleaned up with disposable whiskbrooms and dustpans. The glass will be put into puncture proof containers labeled as hazardous. Container will be taken to the Health Department to be disposed of.
- C. CPR/First Aid/AED Certifications will be up to date on all full-time personnel. Instruction will be given, records kept by program nurse. Behavior management techniques will be taught ongoing.
- D. All hand washing locations have antiseptic soap dispensers/paper towels and wastepaper baskets. These are cleaned and emptied daily by custodial staff.
- E. Hand washing facilities are also available to the employees who incur exposure to blood or other potentially infectious materials. OSHA requires that these facilities be readily accessible after incurring exposure. At this facility, hand-washing facilities are located:
 - 1. Women's Restroom/GI
 - 2. Men's Restroom/GI
 - 3. Office Restroom/GI
 - 4. Nurse's Restroom/GI

5. Dept 2/GI
6. Dept. 3/GI
7. Boy's Restroom/GRS
8. Girls' Restroom/GRS
9. Office Restroom/GRS
10. Teacher's Lounge/GRS
11. Gym Restroom/GRS
12. All Classrooms/GRS
13. Early Intervention/GRS
14. Habilitation Center Restroom/Hab. Center

After removal of personal protective gloves, employees shall wash hands and any other potentially contaminated skin area immediately or as soon as feasible with soap and water.

- F. There will be closed, lined trash containers to dispose of incontinent diapers. These will be emptied and disinfected daily by custodial staff. These containers will be separate from regular trash containers.
- G. Custodial trainees will be thoroughly trained in proper disposal of waste products by job training staff. This is done during the training period.
- H. Where there is a minimum availability of hand washing materials, waterless hand washing liquid will be available.
- I. There will be ready availability of disposable gloves, gowns, and disposable wet wipes in all classes and departments. Nurse will assess supplies on an ongoing basis.
- J. MSDS will be available to all employees as a part of the hazardous communication program. Safety committee will be responsible for staff updates.
- K. Gloves shall be used one (1) time only and disposed of in lined trash containers.
- L. Safety shields shall be maintained on all machinery and inspected daily by Workshop Specialists or Adult Service Workers.
- M. Safety meetings will be conducted only in each department by Workshop Specialists or Adult Service Workers.
- N. In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, employees are not to eat, drink, apply cosmetics, or lip balm, smoke or handle contact lenses. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets, or on counter tops or bench tops where blood or other potentially infectious materials are present. All procedures will be conducted in a manner which will minimize splashing, spraying and generation of droplets of blood or other potentially infectious materials.

Methods which will be employed at this facility to accomplish this goal are:

1. Consumer restrooms will be used for toileting individuals needing assistance.

2. Nurse will use restrooms in both nurse rooms for first aid.
3. Sink in living skills will not be used for first aid.
4. Staff will use gloves when toileting individuals.

O. Specimens

There is a minimal chance of any need to collect specimens to be transported. Dental accidents may account for transportation of a tooth. A tooth will be put in a clean leak proof container with milk and transported by individual or guardian. The Specimen will be known as potentially infectious using red hazard bags to transport initial container.

P. Personal Protective Equipment

All personal protective equipment used at this facility will be provided without cost to employees. Personal protective equipment will be chosen based on anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious material to pass through or reach the employee's clothing, skin, eyes, mouth or other mucous membranes, under normal conditions of use and for the duration of time, which the protective equipment will be used.

Disposable protective equipment will be provided in the following manner:

EQUIPMENT TASK

Gloves	Hygiene/Toileting/First Aid
(Check this section for accuracy)	
Puncture Proof Sharps Containers	Janitorial Work
	Dispose of syringes, broken glass,
	Store contaminated sharps
Face Shield	CPR/First Aid
Protective Eyewear	First Aid
Disposable Gown	First Aid
Hair Covers	First Aid
Shoe Cover	First Aid
Face Mask	First Aid
Disposable Broom/Dustpan	Clean up broken glass

All personal protective equipment will be disposable. All replacements will be made by the employer at no cost to employees.

Any garment which might have become penetrated by blood shall be removed immediately or as soon as feasible. Staff and employee should have a change of clothing at work for any unforeseen accident. Emergency changes of clothes will be available. Contaminated clothing will be sent home double bagged in hazard warning bags.

This facility will be cleaned and decontaminated according to the following schedule:

1. Janitorial staff cleans daily.
2. Janitorial staff will clean after any infectious spill using all precautions available.

Q. Hepatitis B Vaccine

All employees will be offered Hepatitis B Vaccine, at no cost to the employee. The vaccine will be offered within ten (10) working days of their initial assignment to work. Employees who decline the Hepatitis B Vaccine will sign a waiver which uses the wording in Appendix A of the OSHA Standard. Employee who initially declines the vaccine, but who later wishes to receive the vaccine may have the vaccine as soon as possible. The Program Nurse is responsible for educating staff regarding Hepatitis B and administration of vaccine.

R. Post Exposure Evaluation and Follow-Up:

When the employee incurs an exposure incident, it should be reported to the Program Nurse. All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up in accordance with the OSHA Standard. This follow-up will include the following:

1. Documentation of the route of exposure and the circumstances related to the incident.
2. The employee will be given appropriate counseling concerning precautions to take during the period after the exposure incident. The employee will also be given information on what potential illnesses to be alert for and to report any related experiences to appropriate personnel.
3. The following person has been designated to assure that the policy outline here is effectively carried out as well as to maintain records related to this policy: Program Nurse
4. Interaction with health care professionals:
 - a. A written evaluation shall be obtained from the health care professional who evaluates employees of this facility. Written opinions will be obtained in the following instances:
 - (1) When the employee has not had Hepatitis Vaccine.
 - (2) When the employee is sent to a health care professional following exposure.
 - (3) Health care professional shall be instructed to limit their opinions to:
 - i. Is Hepatitis B indicated
 - ii. Inform employee test results
 - iii. Employee has been informed of results of contact and shall be given a written report to the evaluation.

S. Training.

Training for all employees will be conducted prior to initial assignment to tasks where occupational exposure may occur. Training will be conducted in the following manner:

1. Training for employees will include the following:
 - a. OSHA Standard for Blood borne Pathogens
 - b. Epidemiology and Symptom logy of BBP
 - c. Modes of Transmission of BBP
 - d. Exposure Control Plan Explanation
 - e. Possibility of Exposure Tasks
 - f. Exposure Control Methods
 - g. Personal Protective Equipment
 - h. Post Exposure Evaluation
 - i. Signs and Labels Used Here
 - j. Hepatitis Vaccine Procedure
2. The training shall be conducted by program nurse/safety committee members/supervisors. All will have copies of the OSHA Blood borne Pathogens Standards 29 CFR 1910.1030.
3. Record Keeping
 - a. All records required by the OSHA Standard will be maintained by the Safety Committee, Transportation/Maintenance Supervisor/Program Nurse.
 - b. All provisions required by the standard will be implemented by:

All employees of the Carroll County Board of DD in an effort to support and maintain a safe working environment.

SECTION 4.26: WORKPLACE VIOLENCE

The Carroll County Board of DD has adopted the Carroll County Policies on Workplace Violence of the Carroll County Commissioners.

A. Zero Tolerance Policy

The County Commissioners and other appointing authorities of the County are committed to providing a work environment that is safe, secure and free of harassment, threats, intimidation and violence. In furtherance of this commitment, the County enforces a zero-tolerance policy for workplace violence. Consistent with this policy, threats or acts of physical violence including intimidation, harassment, and/or coercion which involve or affect County employees, or which occur on County property will not be tolerated. County employees who are found to have committed acts of workplace violence will suffer discipline, up to and including termination, and possible criminal prosecution, depending on the nature of the offense.

B. Prohibited Acts of Violence

Prohibited acts of workplace violence include, but are not limited to, the following:

1. Hitting or shoving an individual.
2. Threatening to harm an individual or his family, friends, associates, or property.
3. The intentional destruction or threat of destruction of County property.
4. Making harassing or threatening telephone calls or sending harassing or threatening letters or other forms of written or electronic communications, including e-mail.
5. Intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, and policy or work rule.
6. The willful, malicious and repeated following of another person, also known as "stalking" and making threats with the intent to place another person in reasonable fear for his/her own safety.
7. Suggesting or otherwise intimidating that an act to injure persons or property is "appropriate", without regard to the location where the suggestion or intimidation occurs.
8. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on County property.

C. Warning Signs and Risk Factors

The following are examples of warning signs, symptoms and risk factors which may indicate an employee's potential for violence. Employees should be aware of these indicators. In all situations, if violence appears imminent, employees should take the precautions necessary to assure their own safety and the safety of others. An employee should immediately notify his supervisor if he witnesses any of the following behaviors:

1. Dropping hints about a knowledge of firearms.
2. Making intimidating statements such as "You know what happened in Oklahoma City," "I'll get even," or "You haven't heard the last from me."

3. Keeping records of other employees, the individual believes to have violated departmental policy.
4. Physical signs of anger, such as, hard breathing, reddening of complexion, menacing stares, loudness, and profane speech.
5. Acting out violently either verbally or physically.
6. Excessive bitterness by a disgruntled employee or an ex-employee.
7. Being a loner, avoiding all social contact with co-workers.
8. Having a romantic obsession with a co-worker who does not share that interest.
9. History of interpersonal conflict.
10. Domestic problems, unstable/dysfunctional family.
11. Brooding, depressed, strange behavior, a "time bomb ready to go off."

SECTION 4.27: FRAUD REPORTING

All new hire employees are required to sign a form confirming they have been made aware of the Ohio Fraud Reporting System maintained by the Ohio Auditor of State's office in accordance with applicable state law.

Any employee suspecting fraudulent activity, including misuse or misappropriation of public money within the **Carroll County Board of Developmental Disabilities** may anonymously report such activity to the Auditor of State's office by use of the toll free number (1-866-372-8364), the State's web site (www.auditor.state.oh.us/fraudcenter/default.htm)

Or by U.S. mail: Ohio Auditor of State's Office
 Special Investigation Unit
 88 East Broad Street
 P.O. Box 1140
 Columbus, Ohio 43215

Additionally, any employee utilizing such reporting mechanism is protected by the Whistle Blower protections within the Ohio Revised Code.

SECTION 5.00: DISCIPLINE AND GRIEVANCE PROCEDURE

SECTION 5.01: DISCIPLINE PRINCIPLES

- A. The tenure of every staff member of the Carroll County Board of Developmental Disabilities shall be during good behavior and efficient service. The Superintendent may take disciplinary action against any staff member for cause.
- B. Causes for disciplinary action shall include, but not be limited to: incompetence, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, absence without leave, or any other failure of good behavior or any other acts of malfeasance, misfeasance or nonfeasance in office, or any violation of such sections of the rules of the Department of Administrative Services or the Director of Administrative Services, or any other causes. Further, any violation of the Carroll County Board of DD Personnel Policies and Procedures, Board Policies, including HIPAA Privacy and Security Policies or Operations Policies are grounds for disciplinary action.
- C. It is the intent of the Board that, where applicable, the purpose of discipline is to correct a staff member's behavior. Generally, discipline will be applied uniformly and consistently. Unless warranted by the particular circumstances, discipline will be administered on a progressive basis as outlined in 5.02.
- D. Certain instances may arise wherein, for the good of the program, a staff member should be removed immediately from the premises of the program prior to a suspension hearing. The Superintendent shall take such action when necessary. A staff member so removed shall be afforded his/her rights in accordance with Section 5.04(B) of these Policies. The Superintendent also retains the right to reassign an employee pending the outcome of an investigation. Employees charged with a felony may be placed on an unpaid administrative leave without pay for up to two (2) months for alleged violations of law involving acts committed which do not involve the employees assigned work duties. Employees found not guilty of the felony charges may be reimbursed their pay at the employee's base rate of pay plus interest.
- E. The Superintendent or designee is obligated to investigate the nature of alleged infractions to determine if a violation of law or policy has occurred. Staff members must provide complete and accurate information during any investigation.

DISCIPLINE/CORRECTIVE ACTION

Preamble.

While this discipline policy is a guide for the uniform administration of discipline, it is not to be construed as a delegation of or a limitation upon the statutory rights as set forth in the Ohio Revised Code.

Applicability.

All non-management employees of the Board are subject to this policy. In the case of probationary employees, this policy does not apply. Probationary employees may be terminated during their probationary period at the sole discretion of the Superintendent.

Policy.

The Board follows an established system of progressive discipline for correcting job-related behavior.

Progressive Discipline.

The Board has adopted this disciplinary policy as a guide for the uniform administration of discipline. It is not, however, to be a limitation upon the statutory rights of the Board or the Superintendent as set forth in the Revised Code of Ohio. This policy provides standard penalties for specific offenses, however, the examples of specific offenses given in any groupings are not all inclusive, but merely serve as a guide.

The standard penalties provided in this policy do not preclude the application of a more or less severe penalty for a given infraction when specific circumstances exist.

Grounds for Disciplinary Action and Penalties.

The examples of Group I, II and III Offenses, set forth below, are characteristic of those offenses which are of such a nature so to warrant those penalties established for the group.

In general, Group I Offenses may be defined as those infractions which are of a relatively minor nature, and which cause only a minimal disruption to the organization in terms of a slight, yet significant, decrease in organizational productivity, efficiency and/or morale.

Group II Offenses may be defined as those infractions which are of a more serious nature than Group I Offenses and which, in turn, cause a more serious and longer lasting disruption to the organization in terms of decreased organizational productivity, efficiency and/or morale.

Group III Offenses may be defined as those infractions which are of a very serious or possibly a criminal nature and which cause a critical disruption to the organization in terms of decreased productivity, efficiency and/or morale.

Group I Offenses.

First Offense	Instruction and cautioning (verbal reprimand);
Second Offense	Written reprimand;
Third Offense	One (1) to three (3) day suspension without pay;

Fourth Offense	Four (4) or more day suspension up to thirty (30) day suspension without pay and/or potential reduction in pay or position with the potential of a last chance agreement;
Fifth Offense	Termination.

1. Discourteous treatment of the public, coworkers, supervisor, or other County employees
2. Failing to provide proper notification of his/her absence within 1 or 1 and ½ hours prior to his/her scheduled starting time unless emergency conditions exist.
3. Making preparations to leave the work site before the scheduled quitting time.
4. Taking a scheduled break or lunch period before the specified authorized time.
5. Failing to report back to the work area on time after a scheduled break, lunch period or scheduled recess periods.
6. Failing to commence duties at the beginning of the workday or work periods as scheduled.
7. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping.
8. Distracting the attention of others. unnecessary shouting demonstration or otherwise causing disruption on the job.
9. Malicious mischief, horseplay, wrestling or other undesirable conduct, including use of profane or abusive language.
10. Threatening, intimidating, coercing or interfering with subordinates, other employees, clients or students.
11. Failure to cooperate with other employees as required by job duties.
12. Failure to use reasonable care of County property or equipment.
13. Use or possession of another employee's working equipment without authorization.
14. Neglect or carelessness in observance of official safety rules or disregard of common safety practices.
15. Failure to observe program rules.
16. Obliging the County for any expenses, service or performance without authorization.
17. Failure to report accidents, injury or equipment damage.
18. Disregarding job duties by neglect or work or reading for pleasure during working hours.
19. Unsatisfactory work or failure to maintain required standard of performance.
20. Discussing or commenting on student or client in their presence.
21. Failure to arrive at the program at the proper time without a legitimate excuse.
22. Leaving the bus or worksite unattended at any time while enrollees are on the bus or in worksite.

23. Failure to account for all enrollees scheduled on a bus route to ensure everyone is off/on the bus.
24. Failure to notify the Superintendent of a bus problem before 7:00 A. M.
- 25.** Violating the tobacco free campus policy.
26. Failure to attend a mandatory meeting.
27. Accidental disclosing of Protected Health Information of an Individual served, for example, mistakenly sending an email to an incorrect recipient.
28. **Any No Pay Earned unless it is FMLA.**

Group II Offenses.

First Offense Instruction and two (2) or three (3) day suspension without pay

Second Offense Four (4) or more day suspension up to a thirty (30) day suspension without pay and/or reduction in pay or position with the potential of a last chance agreement.

Third Offense Termination.

1. Failing to report to work without any notification. The employee shall also not be paid for such time. An employee who fails to report to work without any notification for three (3) consecutive days shall be subject to immediate termination.
2. Reporting for work or working while unfit for duty.
3. Sleeping during working hours.
4. Being in possession of or drinking alcoholic beverages on the job (first offense).
5. Conduct violating morality or common decency, e.g., sexual harassment.
6. Leaving the work site without proper authorization and notification before the scheduled work hours. Additionally, the employee shall not be paid for such time.
7. Unauthorized use of County property or equipment.
8. Performing private work on County time.
9. Willful failures to make required reports, in a timely fashion.
10. Solicitation on County premises without authorization.
11. The making or publishing of false, vicious or malicious statements concerning employees, supervisors, the County or its operations.
12. Refusing to provide testimony in court before the State Personnel Board of Review during an accident investigation or any type of public hearing.
13. Giving false testimony during a complaint or grievance investigation or hearing.
14. Unauthorized posting or removal of notices or signs from bulletin boards.

15. Distributing or posting written or printed matter of any description on County premises unless authorized.
16. Unauthorized presence on County property.
17. Willful disregard of department rules.
18. Use of abusive or threatening language toward supervisors or other employees, vendors or contractors.
19. Unauthorized political activity.
20. Confidentiality, breach of.
21. Neglect or carelessness on observance of official Department of DD Transportation Safety Rules or disregard of common safety practices.
22. Guilty of a substantiated MUI or UI.
23. Receiving a traffic citation other than DUI, OMVI or DWI during working hours.
- 24.** Unauthorized absence from work for 1 or 2 consecutive workdays.
25. Engaging in off-duty employment that the Employer has determined to be an interest of conflict or time conflict.
26. Intentional internet browsing on websites not related to work, in violation of CCBDD HIPAA Security Policies, which results in infection of the agency's computer network with malicious software.

Group III Offenses.

First Offense	Ten (10) day or more suspension without pay; and/or reduction in pay or position and/or a last chance agreement.
Second Offense	Termination.

1. Willful neglect in the performance of assigned duties or in the care, use or custody of any County property or equipment. Abuse or deliberate destruction in any manner of County records, property, tools, equipment or the property of employees.
2. Falsifying testimony when accidents are being investigated, falsifying or assisting in falsifying or destroying any County records, including work performance reports or giving false information or withholding pertinent information called for in making application for employment.
3. Making false claims or misrepresentation in an attempt to obtain any County benefit (sick leave, leave of absence).
4. Gambling during working hours.
5. Stealing or similar conduct, including destroying, damaging or concealment of any property of the County or of other employees.
6. The use of narcotics or the sale of narcotics (first offense).

7. Carrying or possession of firearms on County property at any time without proper authorization.
8. Knowingly concealing a communicable disease such as TB which may endanger other employees.
9. Misuse or removal of County records or information without prior authorization.
10. Investigating, leading or participating in any walkout, strike, sit-down, stand-in, refusal to return to work at scheduled time for the scheduled shift or other concentrated curtailment, restriction or interference with work in or about the County's work stations.
11. Dishonesty or any dishonest action. Some examples of what is meant by "dishonesty" or "dishonest action" are : theft, pilfering, opening desks assigned to other employees without authorization; theft and pilfering through lunch boxes, tool kits or other property of the County or other employees without authorization; inserting slugs in vending machines without paying the proper change therein; making a false statement to secure an excused absence or to justify an absence or tardiness; making or causing to be made, inaccurate or false reports concerning any absence from work. The foregoing is examples only and does not limit the terms "dishonesty" or "dishonest action".
12. Insubordination by refusing to perform assigned work or to comply with written or verbal instruction of the supervisors.
13. Receiving a traffic citation while on duty for DUI, DWI or OMVI.
14. Knowing distribution of Protected Health Information, for example, sending the entire agency's list of Individuals served to a private provider to assist them with their marketing efforts.

Procedure.

Oral and written reprimands shall be on record for twelve (12) months unless there has been an intervening disciplinary action. Records of other disciplinary actions, such as reductions, demotions and suspensions, shall cease to have force and effect, or be considered in future discipline matters twenty-four (24) months after their effective date.

Pre-Disciplinary Conference.

Except in cases where the facts require the Superintendent to act immediately, the Superintendent will not fine, reduce in position and/or pay, suspend without pay or discharge a non-probationary employee without first arranging for a pre-disciplinary conference. When the Superintendent determines that the facts require a pre-disciplinary conference, the employee will be suspended with or without pay from the active performance of his/her regular duty until the pre-disciplinary conference is held regarding the specific allegations. Unless an employee is suspended without pay, disciplinary hearings and/or pre-disciplinary conferences scheduled by the Superintendent during the employees' normal workday usually will not result in a loss of pay for the employee for the time spent in the conference. No pre-disciplinary conference shall be held for a probationary employee in cases where the employee is to be terminated prior to the conclusion of the probationary period.

Guidelines.

For non-probationary employees, pre-disciplinary Conferences shall be conducted according to the following guidelines:

Pre-disciplinary conferences will be conducted by an agency supervisor who will be selected by the employer, or his designee, from those supervisors not directly in the chain of command of the employee.

Not less than forty-eight (48) hours prior to the scheduled starting time of the conference, the employer will provide to the employee a written outline of the charges which may be the basis for disciplinary action. The employee must choose to: 1) appear at the conference to present an oral or written statement in his/her defense; 2) appear at the conference and have a chosen representative present an oral or written statement in defense of the employee; 3) elect in writing to waive the opportunity to have a pre-disciplinary conference.

At the pre-disciplinary conference, the conference officer will ask the employee or his/her representative to respond to the allegations which were outlined to the employee. Failure to respond truthfully may result in further disciplinary action.

An employee has the following rights at the conference: the right to be represented by legal counsel or persons of his choice; the right to present witnesses; the right to present document(s) and other exhibits.

The employee shall provide a list of witnesses to the conference officer as far in advance as possible, but not later than twenty-four (24) hours prior to the pre-disciplinary conference. It is the employer's responsibility to notify witnesses that their attendance is desired.

A written report will be prepared by the conference officer concluding as to whether or not the alleged conduct occurred. The Superintendent will decide what discipline, if any, is appropriate within fifteen (15) calendar days after the date the Superintendent receives the conference officer's report.

A Department of Administrative Services form 4055 must be completed and sent to the State Personnel Board of Review 65 East State Street, 12th Floor, Columbus, Ohio 43215-4213 for any suspension over 3 days. Any suspended staff must be given the 4055 forms with their appeal rights.

SECTION 5.02: WORK RULES

The orderly and efficient operation of the Carroll County Board of Developmental Disabilities requires reasonable standards of work rules. Work rules cannot cover every job function or duty or responsibility or behavior in the workplace. The rules are to ensure high quality of service to meet the needs of the consumers. Violations of work rules will result in discipline as set forth in Section 5.01.

Work rules may be established by any supervisor and/or Director.

1. All employees must sign acknowledgement of receiving discipline. This does not mean you are in agreement but that you have received it.
2. All employees must sign acknowledgement of receipt and disclaimer.

SECTION 5.03: APPEALS

- A. A staff member shall have the right to appeal a disciplinary action through the grievance procedure as contained in Section 5.06 of this Manual or as follows:
 - 1. Personnel actions affecting classified staff, such as non-probationary dismissals, suspensions of over three (3) days, fines, reductions, demotions and layoffs, may be appealed to the State Personnel Board of Review.
 - 2. Written appeals of removal, fines, demotion/reduction or suspension must be filed with the SPBR within ten (10) calendar days after the filing of an order with the SPBR. If the order is received after it is filed, the ten (10) calendar day period for filing an appeal begins on the date of receipt by the staff member. Written appeals of layoffs must be made within ten (10) days after the effective date of the action.
 - 3. The SPBR maintains authority to decide whether an appeal warrants a hearing. When an appeal is heard, the SPBR may affirm, disaffirm or modify the personnel decision made by the Superintendent.
 - 4. Voluntary written agreement by the staff member to a fine, demotion or reduction constitutes a waiver of the SPBR appeal procedure.
- B. Suspension of not more than three (3) working days is not governed by the appeal process to the SPBR but may be appealed through the Grievance Procedure as contained in these policies. Last Chance Agreements may be entered into by the Appointing Authority and the employee or a representative of the employee which permits an employee to keep their position but may call for automatic discipline up to and including termination on any subsequent violation of the program's rules or policies without appeal to the State Personnel Board of Review (SPBR).
- C. Appeals for disciplinary action against a Management staff member are covered under Section 5.01 (C) of this Manual.
- D. Appeals of staff members are covered Grievance Procedure of the Carroll County Board of Developmental Disabilities policy procedures.

SECTION 5.04: GRIEVANCE PROCEDURE

A. General.

1. The term "grievance" as used herein is defined as a timely written complaint by a staff member over the alleged violation, misinterpretation or misapplication of this manual.
2. The parties may, by mutual written agreement, waive the time limits of this provision.
3. For the purpose of this Section, a "working day" is defined as a day the business office of the Carroll County Board of Developmental Disabilities is open.
4. A staff member may have a representative of his choice present at any and all steps of the grievance procedure.

B. Grievance Procedure.

Any grievance or dispute or interpretation of this Manual shall be settled in the following manner.

STEP I

The aggrieved staff member(s) shall discuss the grievance with his/her immediate supervisor within ten (10) working days after the occurrence of the act or acts giving rise to the grievance. The supervisor will reply to the grievant with a verbal response within five (5) working days. If the grievant wishes to reduce the grievance to writing, he/she shall do so within ten (10) working days of the immediate supervisor's verbal answer. The grievant shall submit the written grievance to the Director of the Program in the grievant's work area. The Director may hold a conference to review the facts of the dispute with the involved parties at a conference but will render a decision within ten (10) working days of receipt of the grievance.

STEP II

If the grievance is not satisfactorily resolved at Step I, within three (3) working days of receipt of the answer of the Program Director or Superintendent, if he is the direct supervisor of the staff member, the staff member may refer the grievance to the Superintendent. Following receipt of the written grievance, the Superintendent will investigate and may make inquiries into the matter of the grievance. The Superintendent may hold a conference with all concerned parties. The Superintendent will then respond to the grievance in writing within ten (10) working days of receipt of the grievance. The decision of the Superintendent is final and binding.

This grievance procedure is not to be utilized to adjudicate allegations of discrimination by reason of a staff member's race, color, religion, sex, age, national origin, political affiliation, veteran status or disability. Staff alleging such discrimination shall refer to the appeal procedures outlined in Section **5.05** of this Manual.

SECTION 5.05: EQUAL EMPLOYMENT OPPORTUNITY (EEO) COMPLAINT POLICY AND PROCEDURE

A. Filing a Discrimination Complaint.

1. Any staff member, or applicant having a complaint of discrimination based on race, color, religion, sex, national origin, handicap and/or disability, veteran status or age (40 and over) may file a written discrimination complaint with the Equal Employment Opportunity (EEO) Coordinator. A compliant form is available for this purpose and can be obtained from the EEO Coordinator.
2. The complaint must be filed within thirty (30) days of the alleged discriminatory action, except that this time limit may be extended if the complainant can show that he/she did not have notice of the time limit, or was not given notice of the time limit, or was prevented by circumstances beyond his/her control from submitting the complaint within the time limit, or for other reasons considered sufficient by the Coordinator.
3. A complaint shall be deemed filed on the date it is received or on the date postmarked, if mailed. The EEO Coordinator shall acknowledge receipt of the complaint in writing. All staff has the right to file with the EEO Commission and the Ohio Civil Rights Commission.

B. Complainant's Right to Representation.

At any time during the course of the procedure, the complainant shall have the right to be accompanied, represented and advised by a representative of his choosing. If the complainant is a staff member and has designated another staff member as his representative, both the representative and the complainant shall be given a reasonable amount of time off work during normal working hours to present the complaint. Time spent during non-working hours to prepare the complaint will not merit compensation under this policy.

C. Informal Resolution of a Complaint.

1. Upon receipt of a complaint, the EEO Coordinator shall have thirty (30) days in which to investigate and attempt to resolve the complaint informally. If an informal resolution of the complaint is achieved, the terms of the resolution shall be set forth in writing, made a part of the complaint file and a copy shall be provided to the complainant.
2. If an informal resolution of the complaint is not achieved, the EEO Coordinator shall notify the complainant in writing of the proposed disposition of the complaint.

D. Freedom from Reprisal.

Complaints, their representative and witnesses shall be free from restraint, interference, coercion, discrimination or reprisal during all states and following the completion of the complaint procedure.

SECTION 6.00: EMPLOYEE COMPENSATION AND BENEFITS

SECTION 6.01: COMPENSATION

- A. Compensation, through salaries, wages and fringe benefits, for each job classification is based upon degree of responsibility and/or difficulty of work and assumes equal pay for equal work.
 - 1. The Board shall establish compensation for all staff. No teacher shall be paid less than the salary to which they are entitled under Section 3317.13 of the Revised Code.
 - 2. The Superintendent shall approve compensation for staff within the limits set by the salary schedule/range and budget set by the Board and in accordance with O.R.C. 5126.26. He shall notify all Management staff of their salaries no later than thirty (30) days before the first day of the new contract year.
 - 3. No person shall be compensated by the Board if he/she does not hold the certificate or license required for the position under the rules of the Ohio Department of Developmental Disabilities and the Ohio Department of Education. The Superintendent may employ, and the Board shall compensate a person pending the issuance of an initial certificate or license if his/her education and experience meet the requirements for certification or licensure to the appropriate licensing authority, and the application has not been denied. A person's employment shall be terminated if a required license or certificate is permanently revoked or is not renewed.
- B. Employees will have their pay direct deposited. Necessary deductions for the Public Employees Retirement System or State Teachers Retirement System, Federal Withholding Tax, State of Ohio Income Tax, and local tax will be made from each staff members pay.
 - 1. Optional deductions may be made for health insurance.
 - 2. Any other optional deductions made from paychecks will depend upon the approval of the Board and the Auditor as to the capabilities of the payroll department to make such deductions.
- C. Staff members are responsible for turning in sick leave forms properly completed and submitted during the payroll period the usage occurs.
 - 1. The appropriate sections of the sick leave form must be checked and a description of the illness, etc., must be entered on the form.
 - 2. In case of a death in a staff member's immediate family, the relationship must be specified on the form.
- D. A staff member with ten (10) or more years of service with the Board is eligible for a lump sum payment for his/her accrued but unused sick leave at the time of retirement in accordance with the Ohio Revised Code Sections 124.38 and 124.39. See Section 6.14(B) of this Manual for a detailed discussion of this benefit.
- E. Staff members who are required to use their own private vehicles in the performance of their job for official business will be reimbursed at the rate presently approved by the Board.

1. Staff members must turn in an itemized travel expense report to claim reimbursement for travel at the beginning of each month (Auditor's office limit is 60 days).
 2. Parking tolls, ferry charges, bridge, highway, meals and tunnel tolls will be reimbursed if the staff member lists them separately on his/her travel report, attaching receipts for all expenses incurred. Meal reimbursement will be as follows: **\$15 breakfast, \$15 lunch, and \$30 dinner** for out of office overnight trainings when meals are not provided. You must turn in an itemized bill and the Board will not reimburse for alcoholic beverages. **Staff** will have meals and other expenses reimbursed by the Board.
 3. Staff members will be reimbursed for out-of-pocket expenses while traveling in official County vehicles, provided that the appropriate section is completed on the travel report. Cell phones will be reimbursed at \$.10/minute and/or \$.10/text for business related calls upon providing an itemized bill.
- F. A staff member will be paid overtime or compensatory time when the Superintendent authorizes the extra hours. Overtime provisions will comply with the Fair Labor Standards Act. This policy is in place of ORC 4111.03(B) and (C).
1. Staff members will be compensated for overtime for working more than forty (40) hours in a week. Work weeks or days during which a staff member utilizes sick, vacation, or personal leave time will not have the hours or leave usage included for overtime calculation.
 2. Hours paid for calamity day, vacation leave, personal leave, jury duty, holidays not worked, funeral leave and compensatory time shall not be considered hours worked for calculating overtime. Sick leave will not be counted as hours worked for calculating overtime. (OAG 72-074) (FLSA)
 3. Staff members who are eligible for overtime are required to work on a day designated as a holiday under ORC 325.19 will receive their regular rate of pay for the holiday and one and one-half (1 ½) their regular rate of pay for all hours worked on the holiday in addition to their holiday pay (OAC 123:1-43-01 [D]).
 - a. Staff members who work on a day the program or agency has scheduled to be closed will receive their normal hourly rate, unless they are working over forty (40) hours; then they will receive the rate of time and one-half (1 ½) for each hour worked over forty (40) hours in the week. Compensatory time in place of overtime pay must be used within five (5) working days. There will be no accumulation of compensatory time.
 4. Staff members required to work on holidays (as defined in Section 6.02) will be given two and one-half (2-1/2) times their usual rate of pay. (OAC 123:1-43-01D) and (B))
- G. A staff member with zero tardy will receive \$500 bonus pay at evaluation time of June of each year. A staff member with zero call offs will receive \$500 bonus pay at evaluation time of June each year. 12-month Staff member and teachers with a final evaluation score of 3.3 or higher will earn incentive of \$1,650 or a score of 3.1 to 3.29 half incentive \$825. 9-month employees with final evaluation score of 3.3 or higher will earn full incentive of \$1,100 or half incentive for score 3.1 to 3.29 of \$550.

H. The Board will pay stipends to employees in good standing to do extra job duties that meets the needs of the business. These include the following:

1. SSA incentive stipend for completing billable units equal to or greater than 3,300 units in a calendar year. SSA Director will track this and give a report to Business manager and executive secretary. SSA will earn \$5.5 a unit up to \$1,650 (300 units) which will be added to pay in February if earned.
2. SSA staff assigned by SSA Director to mentor a new SSA will receive a stipend of \$100 a month for a year (\$1,200). The expectation is to mentor for a year following the year probation.
3. County Board staff who are delegated staff will receive an extra dollar an hour to work in the school. This will be approved by the Director of Education.
4. County Board staff who are delegated on a bus route will receive \$10 a route. This will be approved by the Director of Education.
5. On Call Stipend of \$500 for a week. This is for SSA staff.

I. The Board will pay bonus to employees in good standing for not tardy or call offs. They will be eligible for \$500 for tardy and \$500 for call offs. The exception is any NPE is used for any reason, staff will not be eligible for no call off, no tardy bonus, incentive pay, nor SSA incentive stipend during the evaluation period.

SECTION 6.02: HOLIDAYS

[O.R.C. 325.19]

A. Staff members working on a per diem, hourly or salary basis shall be entitled to holiday pay for the following holidays:

1. New Year's Day, January 1
2. Martin Luther King Day, third Monday in January
3. President's Day, third Monday in February
4. Memorial Day,
5. Juneteenth, June 19
6. Independence Day, July 4
7. Labor Day, first Monday in September
8. Columbus Day, second Monday in October
9. Veterans Day, November 11
10. Thanksgiving Day, fourth Thursday in November
11. The Day after Thanksgiving Day
12. Christmas Day, December 25

Holidays for nine (9) month employees are the same as for twelve (12) month employees except the Fourth of July and Juneteenth is not included.

B. Holidays which fall on Saturday will be observed on the preceding Friday. Holidays which fall on Sunday will be observed on the following Monday. A part-time employee will be

paid holiday pay for that portion of any holiday for which he/she normally would have been scheduled to work. (O.R.C. 124.18)

- C. If a holiday occurs during a period of paid sick leave or vacation, the staff member will be entitled to the holiday pay and will not be charged for any sick leave or vacation leave for that day. A staff member absents without paid leave on a workday immediately preceding or following a holiday will normally be denied pay for the holiday.
- D. Staff members assigned to work on the holidays listed above who forfeit the day off will receive one and one-half (1 ½) days off at full pay in compensatory time for each holiday worked in addition to their normal eight (8) hours pay. These hours will be scheduled by mutual agreement of the staff member and supervisor provided a one-week notice is provided to the Superintendent for approval.
- E. Special religious holidays may be observed by staff members and charged to accrued vacation leave, compensatory time, and personal leave or taken without pay. This must be done with notification to the staff member's supervisor or the Superintendent. Staff members may not use sick leave for such holiday observances.

SECTION 6.03: SICK LEAVE

All permanent Carroll County Board of DD staff will earn four point six (4.6) hours of sick leave per eighty (80) hours in pay status.

- B. Unused sick leave may be accumulated without limit; however, upon resignation, retirement or the death of a staff member who has ten (10) or more years of service, said staff member or his/her beneficiary will be paid for earned but unused sick leave according to the sick leave conversion plan located in Section 6.14(B) of these Policies.
- C. An employee may use sick leave for the following purposes:
 - (1) Illness, injury, or pregnancy-related condition 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) Examination of the employee, including medical, psychological, dental, or optical examination, by an appropriate licensed practitioner.
 - (4) Death of a member of the employee's immediate family. Subject to the provisions below, such usage shall be limited to a reasonably necessary time beyond any bereavement leave benefit, not to exceed five days.
 - (5) Illness, injury, or pregnancy-related condition of a member of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member.
 - (6) Examination, including medical, psychological, dental, or optical examination, of a member of the employee's immediate family by an appropriate licensed practitioner where the employee's presence is reasonably necessary.
- D. To justify the use of sick leave, a staff member is required to complete and sign a leave request form. If medical attention is required, a certificate stating the nature of the illness from a licensed physician shall be required to justify the use of sick leave. Falsification of either the written or signed statement or a physician's certification will be grounds for disciplinary action up to and including dismissal.
- E. A staff member may utilize paid sick leave to care for ailing members of his/her immediate family. "Immediate family" is defined to mean an employee's spouse, parents, children, grandparents, siblings, grandchildren, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, stepparents, stepchildren, stepsiblings, or a legal guardian or other person who stands in the place of a parent (in loco parentis). Grandparent-in-law, aunts, and uncles shall also be considered immediate family for bereavement leave purposes only.
- F. If an employee member needs to take a leave of absence for the care of a family member other than one of those listed above, the employee may request to use vacation leave, personal leave, compensatory time off, or unpaid leave, which must be approved by the Superintendent.
- G. When sick leave is requested for the care of a member of the immediate family, the Superintendent may require a physician's certificate stating that the presence of the staff member is reasonably necessary for the health and welfare of the employee or affected family member.

- H. A staff member who is unable to report to work and who is not on a previously approved day of vacation, personal leave, leave of absence or sick leave, shall be responsible for notifying the Director of Education if you work at the school or the Executive Secretary if you work at the Board at least one (1) hour before his/her scheduled work starting time. Depending on the circumstances, staff members who do not call one (1) hour prior to the start of their shift may have their sick leave denied.
- I. A staff member who transfers from one County office to another, or who transfers from other public employment in Ohio to Carroll County employment without interruption in service, shall be credited with the unused balance of his/her sick leave accumulated in his/her prior service. The staff member is responsible for obtaining certification of his/her previously accumulated sick leave for Carroll County records.
- J. A staff member who has been separated from Carroll County employment (not retired from Carroll County) but who is re-employed by the County shall be credited with his/her previously accumulated sick leave, provided the reemployment occurs within ten (10) years of the date of the staff member's last separation from Carroll County employment. The staff member is responsible for obtaining certification of his/her previously accumulated sick leave.
- K. Staff members who are off work and utilizing paid sick leave are expected to be at home or traveling to or from a physician's office, pharmacy, hospital or such facility.
- L. Sick leave is to be taken in increments of no less than one-quarter (1/4) hour.
- M. If necessary and requested, upon the commencement of employment with the Board, a newly hired staff member shall be advanced a maximum of five (5) days for sick leave.
- N. Each staff member shall receive a record of the number of days accrued at least semi-annually.
- O. Bereavement leave is granted to staff members. Two days will not be charged to any leave balance, and any days approved for funeral leave over two working days will be charged to the staff member's accumulated sick leave balance. One of the two days of paid funeral leave must be the day the employee attends the funeral.

SECTION 6.04: CREDIT CARD POLICY

The use of Carroll County Board of DD credit card is a restricted privilege and subject to regulations and procedures contained in this policy. Failure of employees to follow these regulations and this policy will be sufficient cause to revoke the use of the credit card and may subject the individual who violates this policy to disciplinary action up to and including discharge.

- A. The Board will only authorize business-necessitated expenses to be charged to the Board credit card. Personal expenditures may not be charged to a Board credit card. Personal expenditures are to be paid by the person directly.
 - 1. Employees may not charge alcoholic beverages to the Board's credit card.
 - 2. Employees may not charge personal telephone calls, cellular phones or internet usage to the Board's credit card.
 - 3. Employees may not charge personal services, such as laundry, dry cleaning, shoeshines, or repairs, clothing items, tips, flowers, or other personal items to a Board credit card. This list is not meant to be exhaustive but illustrative.
- B. The Board's credit card may not be used without prior authorization of the Commissioners or his/her designated representatives or Department Heads. The Department Head should issue a signed authorization with a copy of this policy to the employee approved to use the Board's credit card.
- C. Expenses incurred on behalf of a governmental unit are tax exempt. When using the Board's credit card, make sure you tell the vendor that you represent a tax-exempt governmental unit. It is your responsibility to assure that sales tax is not put on the card. If you use the credit card for gasoline purchases, you need to be vigilant since it is difficult to determine the taxes. No gasoline purchases are to be charged to the Board's credit card for placement in the employee's personal vehicle. The Board has a policy in place for reimbursement of mileage for private vehicle usage.
- D. Employees are to promptly turn in receipts to their Department Head.
- E. Board credit cards are not to be used for cash advances. Online purchases must be authorized by the Superintendent or Board. All credit card slips must be completely filled out so the Auditor can clearly determine the governmental purpose.
- F. Employees are not to exceed the present credit card limit.
- G. Employees are to immediately report any lost or stolen credit cards. Failure to do so promptly could result in a suspension without pay depending on the circumstances surrounding the incident. Employees are responsible for the Board credit card while they are authorized to use it.
- H. The Auditor is responsible for monitoring credit card usage and reporting any suspected violations to the Superintendent.

SECTION 6.05: JURY DUTY/WITNESS AND COURT LEAVE

- A. The Board shall grant court leave with full pay to a staff member who is summoned for jury duty by a court of competent jurisdiction during working hours.
- B. Any compensation or reimbursement for jury duty, when such duty is performed during a staff member's normal working hours, shall be kept by the staff member.
- C. Any staff member who is subpoenaed to appear in a legal matter by the Board shall be granted leave with pay. A staff member who is subpoenaed to appear in a legal matter by someone else involving an enrollee shall be granted leave with pay. Employer/staff member conflicts are not subject to these provisions.
- D. Leave without pay, vacation, or personal leave shall be granted to staff members subpoenaed in other legal matters.

SECTION 6.06: PERSONAL LEAVE

A. Personal Leave

1. The Board grants upon approval of the Superintendent up to three (3) working days with pay per school year for personal leave for nine (9) month staff members. Twelve (12) month staff members will receive four (4) personal days per year. This leave may accumulate up to half the amount earned each year. Thus, if four (4) personal days are earned and not used then two (2) may be carried over to the next year. If three (3) days are earned and not used, then one point five (1.5) days may be carried over to the next year. Personal days are issued each July 1st and will be prorated for staff that is hired after the July date.
2. Staff must give written or verbal notice to their supervisor before use of personal time. Exceptions may be made in emergencies. Personal leave is to be used for personal business which cannot be performed on the staff member's non-work time. Personal leave cannot be used before or after holidays or vacation, unless approved by the Superintendent. That approval is subject to a first come basis and will only be granted if the programmatic needs of the Agency can be maintained.

SECTION 6.07: VACATION LEAVE

- A. All vacation time must be approved by the staff member's supervisor and reported to the Superintendent in advance of the staff member taking paid vacation leave.
- B. Vacation time is applicable only to full-time employees of the Board and is earned in accordance with Ohio Revised Code Section 325.19.
- C. All permanent, excluded staff will receive the following amounts of paid leave based upon the length of continuous service.
 - 1. Less than one (1) full year of service - No vacation. Member is credited with eighty (80) hours of vacation after completion of one (1) full year of service.)
 - 2. After one (1) full year of service - (26 bi-weekly pay periods) two (2) weeks' vacation (ten (10) working days or eighty (80) hours). Accumulated at the rate of **3.07** hours per pay period (or .0384 hours of vacation earned for each hour worked).
 - 3. After eight (8) full years of service - three (3) weeks' vacation (fifteen [15] working days or one hundred and twenty [120] hours). Accumulated at the rate of **4.616** hours per pay period (or .0575 hours of vacation earned for each hour worked).
 - 4. After fifteen (15) full years of service - four (4) weeks' vacation (twenty [20] working days or one hundred sixty [160] hours). Accumulated at the rate of **6.154** hours per pay period (or .0769 hours of vacation earned for each hour worked).
 - 5. After twenty-five (25) full years of service - five (5) weeks' vacation (twenty-five [25] working days or two hundred [200] hours). Accumulated at the rate of **7.693** hours per pay period (or .0961 hours of vacation earned for each hour worked).
- D. Any time a staff member does not receive a full paycheck (eighty [80] hours) his/her vacation earned for that period will be adjusted based on the number of hours worked in that pay period. Vacation may be used as it is earned after the first year of continuous service if the staff member obtains the appropriate permission of his/her supervisor. Part-time staff does not earn vacation while employed on part-time status.
- E. No vacation shall be carried over for more than three (3) years. When terminating employment, any accrued vacation will be paid to the employee. When terminating employment, any accrued vacation will be paid in a separate check.
- F. A staff member who transfers from one agency to another under the Division of State Personnel will be paid for any unused vacation by the releasing agency. An individual transferring to the Carroll County Board of Developmental Disabilities who has less than one (1) year of service at the time of the transfer will be eligible for the first vacation after completing one (1) year of service.
- G. A staff member whose scheduled vacation falls within a week containing a paid holiday will not have the holiday charged against vacation time.
- H. Any staff member, who has previously retired under any of the provisions of the State of Ohio retirement plans, shall not have any prior service with the State or any political subdivision of the State count as service for future vacation accrual with the Carroll County Board of DD.

- I. In accordance with ORC 325.19, paragraph I, vacation does not apply to an employee of a County Board of Developmental Disabilities who works at or provides transportation services to pupils of, a special education program, provided by the County Board under ORC 5126.05 (A) (4), if the employee's employment is based on a school year.
- J. All employees earning vacation time have the option of having up to 6 weeks per year bought out once meeting certain guidelines. (Vacation buy out means you will be compensated at your current rate of pay for a week up to 6 weeks that will be removed from your vacation balance). The employee must have been employed with Carroll County Board of Developmental Disabilities for a full year. The employee must have a current balance of at least 3 full weeks of sick leave. The employee must have a vacation balance of at least 1 full week after the conversion. The employee must turn in a vacation buy out request form by December 1 for payment in December. An employee may be paid in full weeks such as for either 1 full week, 2 full weeks, 3 full weeks, 4 full weeks, 5 full weeks, or 6 full weeks.

SECTION 6.08: MILITARY LEAVE

A. Military Leave.

Any full-time Board employee who enlists in the United States Armed Forces shall be granted a military leave of absence in accordance with Section 5903.05 of the Ohio Revised Code and the Uniformed Services Employment and Reemployment Rights Act (also known as "USERRA" or P.L. 103-353). The following USERRA provisions shall be applicable to each Board employee who is granted a military leave of absence.

1. The military leave shall not exceed five (5) years.
2. An employee called up for military service may use any leave with pay available to them.
3. An employee must give the Superintendent an advance notice of service, where possible.
4. Unless injured or disabled during military service, employees are eligible for the following reemployment rights:
 - a. Up to thirty (30) days of service in the Armed Forces - an employee must report to work for the next regularly scheduled work shift. Reemployed employees may not be discharged for up to six (6) months, except for just cause. Returning employees are to be placed in the position they would have attained had they remained continuously employed or their pre-service position if the employee doesn't qualify to perform in a higher position.
 - b. Thirty-one (31) to one hundred eighty (180) days of service in the Armed Forces - an employee must report to work no later than fourteen (14) days following completion of service. Reemployed employees may not be discharged for up to six (6) months, except for just cause. Returning employees with service of 91 or more days may be given a higher position or a position of like seniority, status and pay, if qualified, or returned to a lesser position for which they are qualified.
 - c. One hundred eighty (180) days or more of service in the Armed Forces - an employee must report to work no later than ninety (90) days after completion of service. Reemployed employees may not be discharged for up to one year, except for just cause.
5. The Board shall pay one hundred percent (100%) of the employee's health care premium for up to eighteen (18) months when an employee has been called up to military service and will serve more than thirty-one (31) days.
6. The Board will continue to make contributions to the employee's retirement fund that would have been made if the employee was not absent for military leave.
7. Employees must have been honorably discharged from military service in order to be entitled to the above benefits.

8. Upon returning to work for the Board, the employee will be granted full seniority for his entire enlistment time the same as if such employee had worked continuously for the Board during enlistment. Any employee who enters the military prior to completing the required probationary period shall be required to complete the remaining time under his former probationary status.
9. An employee returning from a military leave of absence shall be required to place, in writing, his request to be reinstated to his former position and the date he will be available for work within ninety (90) days of returning from military service or upon being honorably discharged from military service.
10. Failure of an employee who has been granted a military leave of absence to request reinstatement to his former position within ninety (90) days after receiving an honorable discharge or separation from military service shall cause such employee to forfeit all reinstatement rights with the Board.
11. Temporary and permanent part-time personnel and provisional appointees are not eligible for a military leave of absence.
12. Request for military leave of absence shall be made by the employee, in writing, and forwarded to the Superintendent and the Carroll County Auditor shall receive a copy of the request for his records.

B. National Guard and Reserve Service.

Employees shall be granted leaves of absence up to thirty-one (31) days or a maximum of one hundred seventy-six (176) hours paid leave within any one calendar year with pay for military training in the Guard or Reserve in accordance with the Ohio Revised Code without sacrifice of vacation time. The Superintendent shall approve the scheduling of vacations for such employee at his own discretion. Employees desiring to enter the Guard or Reserve are required to first contact the Superintendent to discuss any work scheduling problems that may arise as a result of such service. (O.A.C. 123:1- 34-04).

SECTION 6.09: MISCELLANEOUS LEAVES

A. Assault Leave.

1. In the event of a physical attack by an individual causing injury to a staff member, the staff member will receive full pay and benefits for up to thirty (30) days, which shall not be deducted from sick leave.
2. A physician's statement concerning the nature of the injury shall be required stating both the necessity to be absent from work and the duration of the absence. In order to receive assault leave, the staff member shall file a detailed report about the facts of the incident with the Superintendent within forty-eight (48) hours of its occurrence.

B. Maternity Leave/Unpaid Leave.

1. Upon written request to the Superintendent, a pregnant staff member shall be granted a leave of absence without pay. The unpaid leave of absence shall be limited to the period of time that the pregnant staff member is unable to perform the substantial and material duties of the staff member's position. This period may include reasonable pre-delivery, delivery and recovery time as certified by a physician, for a six (6) month period, and may be extended up to one (1) year. After the six (6) month period the staff member shall be given a disability separation.
2. A pregnant staff member requesting an unpaid leave of absence must present at the time the request is made, a physician's certificate stating the probable period for which the staff member will be unable to perform the substantial material duties of the staff member's position due to pregnancy, childbirth, or other related medical conditions. Upon request and in accordance with procedures contained herein, the Superintendent shall grant a pregnant staff member use of any or all of the staff member's accumulated sick leave credit only for the period of time, as certified by the physician's certificate, that the staff member is unable to work as a result of pregnancy, childbirth, or other related medical conditions.
3. A staff member, at the discretion of the Superintendent may be granted an unpaid leave of absence following childbirth for the purposes of childcare. Such leaves of absence shall be considered on a nondiscriminatory basis without regard to the sex of the staff member. An adoptive parent may request a leave of absence for the purpose of childcare. The staff member shall be considered on the same basis as a biological parent under similar circumstances.
2. Staff members granted an unpaid leave of absence shall not be entitled to the same benefits as staff members in active pay status, including insurance, sick leave accumulation, personal leave, vacation time and holiday pay.
3. While on maternity leave or any other unpaid leave of absence, staff members may continue their health and medical benefits by paying their premiums directly to the County Auditor or Fiscal Officer, if allowed by the insurance carrier.
4. Upon the expiration of any unpaid leave of absence, staff members shall have the right to return to the same or similar position they held within their classification prior to taking said leave.

C. Leave of Absence Without Pay.

1. The Superintendent of Carroll County Board of DD may grant an unpaid leave of absence to a staff member. A staff member must request, in writing, a leave of absence and the dates for which such leave is being requested.
2. Personal leave of absence may be granted for a maximum duration of six (6) months. Renewal or extension beyond the maximum allowed six (6) months shall not be granted except as provided in 123:1-34-01 of the Ohio Civil Service Rule.
4. Leave of absence, without pay, may be granted for a maximum period of two (2) years for purposes of education or training, which would be of benefit to the Board, or for voluntary service in any governmental sponsored program of public betterment. Renewal or extension beyond the two (2) year period shall not be allowed.
5. If it is found that a leave is not actually being used for the purposes for which it was granted, the Superintendent may cancel the leave and give written notice to the staff member requesting that he report to work.
6. Any staff member who fails to return within three (3) working days of the completion of or a valid cancellation of leave of absence without pay, with no explanation to the Carroll County Board of Developmental Disabilities may be removed in accordance with Section 124.34 of the Ohio Revised Code.
7. Upon completion of a leave of absence without pay, the staff member shall be returned to the same or similar position within the staff member's former classification. If the staff member's former classification no longer exists, the staff member shall with the approval of the Superintendent of Carroll County Board of DD be assigned to a position in the classification similar to that formerly occupied. The staff member may be returned to his active pay status prior to the originally scheduled expiration of the leave if such earlier return is agreed to by both the staff member and the Carroll County Board of DD.
8. While on a leave without pay a staff, member does not earn sick leave or vacation leave, nor is he entitled to any holiday pay. His anniversary date will be adjusted to exclude the time spent on leave without pay. A staff member on an unpaid leave of absence must pay the premium for his health insurance (and dependent coverage, if applicable) to keep such coverage in force during the leave.
9. All unpaid leaves of absence are at the sole discretion of the Superintendent.
10. Any No Pay Earned will result in loss of incentive pay **and all bonuses**. The first occurrence of No Pay Earned without Family Medical Leave Approval in a 12-month period, management will issue instruction and cautioning. Second occurrence of No Pay Earned, management will issue a written warning. Third occurrence of No Pay Earned within a 12-month period will result in a one (1) to three (3) day suspension without pay. Fourth occurrence of No Pay Earned within a 12-month period will result in four (4) or more day suspension up to thirty (30) days without pay and/or reduction in pay or position or last chance agreement. Any further occurrence of No Pay Earned will result in additional discipline which is termination. Infraction period will be a year based on evaluation period.

SECTION 6.10: DAMAGE REIMBURSEMENT

- A. Staff members are to be aware of possible damage to personal apparel or effects in the course of employment and, accordingly, are expected not to attire themselves with items of unusually high value for the work required.
- B. A staff member's personal property authorized for use in the course of employment which is damaged by an enrollee in the program while the staff member is performing normal job duties shall be replaced or repaired by the Board without cost to the staff member. Staff members are advised the full reimbursement will not be made for unusually expensive clothing or jewelry. The incident involving damage must be properly reported and documented.
- C. If the damage to a staff member's property is the result of an action which is considered deliberate the staff member or the parent/guardian of the enrollee will be billed for damages. The functioning level of the staff member/enrollee shall be considered before deliberate intent is attributed to the action.

SECTION 6.11: REIMBURSEMENT FOR APPROVED COURSE WORK

A. Eligibility

1. All full-time staff members who are not paid by grants are eligible for reimbursement for a course taken through an accredited facility. All registered Adult Services, Ohio Department of Education Licensure, Early Childhood, and Early Intervention registration and any other courses needed for DD or Department of Education certification renewal or upgrading shall be subject to the provisions of this Article. In any case, the maximum allowable reimbursement for course work per staff member completed during a program year is three thousand dollars **(\$3,000.00)**.

Within the twelve thousand dollars (\$12,000) available per program year, staff members may apply and may be granted approval for their coursework, except staff members who must take courses to maintain certification will have first preference. For the purpose of this the "program year" starts on July 1 of a particular year to June 30 of the following year. Reimbursement will be made upon proof of satisfactory completion of such course work with a grade of "B" or better or a grade of "pass" in a Pass/Fail course. A staff member shall remain in the employ of the Board for four (4) years subsequent to completion of said course work. Failure to comply with the requirement will necessitate a pro-rata reimbursement to the Board.

2. Members of the Carroll County Board of DD staff are eligible for reimbursement for a course taken through an accredited facility. Prior approval by the Superintendent is necessary for the program to reimburse the costs to the excluded staff member. Reimbursement is contingent upon a passing grade of "B" or better and submission of the grade statement from the education institution.

B. Procedure

Any request for reimbursement for a course can only happen after the following procedure is followed:

1. The course(s) must be approved for reimbursement by the Superintendent or designee as:
 - a. A course(s) that would apply toward certification renewal or upgrading.
2. Before reimbursement, proof of successful completion of the course must be given to the Superintendent or designee. Payment for approved courses shall be made by the Board within thirty (30) days after completion of the above procedure.
3. Leaving work prior to stated employee hours; absence from required meetings, etc., for the purpose of making academic classes will be permitted at the discretion of the Superintendent or his/her designee. Concerns of this nature must be stated prior to enrollment in the class(es).

SECTION 6.12: HOSPITALIZATION INSURANCE

- A. The Carroll County Commissioners, through the County Board of Developmental Disabilities, shall be the sole arbiter of the hospitalization package for the staff of the Board and the sole determiner of the carrier of such hospitalization package, shall set the rates, terms and conditions of how said hospitalization package shall be administered in relation to staff members.
- B. Staff members who have completed thirty (30) calendar days, and who work at least thirty-two (32) hours a week are eligible for enrollment in the Carroll County Board of DD Health Benefit Plan.
- C. Any staff member who does not work or receive any pay in a month shall be responsible for payment of the total premium due for continued hospitalization coverage.
- D. A staff member who has been off the payroll for an extended period of time and who has dropped hospitalization coverage must comply with the enrollment requirements of the carrier(s) and/or health Maintenance Organization, which are presently providing those services to Carroll County. A staff member who drops hospitalization coverage may find it necessary to wait until the next enrollment period before being able to once again participate in the hospitalization plan. Each staff member should be cognizant of this fact and admonish not to place himself in circumstance, which would leave him without hospitalization coverage.
- E. The Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 allows an individual who loses his health care coverage as a result of the death of the covered staff member, termination of employment, reduction of hours, divorce or legal separation, a dependent child ceasing to be a dependent under the terms of the Board's hospitalization plan, or the covered staff member becoming eligible for Medicare, to continue health care coverage for a period of up to thirty-six (36) months, depending on the particular situation. The individual affected is required to pay the premium. An affected individual should contact the Personnel Office for additional information.

SECTION 6.13: RETIREMENT BENEFITS

- A. The Ohio Public Employees Retirement System (OPERS) and the State Teachers Retirement System (STRS) are two (2) retirement systems covering all employees of the Board. Board employees are members of one (1) of these programs. The staff member's contribution is supplemented by the Board's contribution of a greater amount. Age and service requirements for retirement are established by the retirement system.
- B. Money paid into the retirement system by the staff member can be returned if he/she leaves the Board's service before reaching the retirement age. If he/she has worked more than five (5) years, the money can be left in the plan with the benefits to be paid upon retirement. After July 1, 1986, staff members must have ten (10) years' service to be eligible for hospitalization coverage with the OPERS retirement. Rules governing the retirement under these programs are set by their respective Boards, not Carroll County.
- C. A staff member who becomes permanently disabled for the performance of his/her duties may apply for disability from the appropriate system if he/she has at least five (5) years of service credit and is not yet sixty (60) years of age.

SECTION 6.14: WORKERS' COMPENSATION INSURANCE

Workers' Compensation is an income-maintenance and health care insurance program, to cover work-related injury or death, or occupational disease. (Occupational disease means disability from something at the job, which is not common away from the job, usually over a period of some time.)

The Workers' Compensation program provides full medical coverage and hospitalization for work-related injury or disease from the time of injury or diagnosis. It also provides some money for living expenses (called compensation) to any worker whose job-related disability lasts longer than seven (7) days, including weekends and holidays. If a worker is killed on the job, or if a worker later dies from a job-related disability – such as an occupational disease, there is a moderate funeral expense allowance, and some money for living expenses is paid to dependent, such as a wife (or husband) and children.

Every staff member, full-time or part-time, is entitled to file a worker's compensation claim. The entire cost of worker's compensation is paid by the Carroll County Board of DD.

- A. If a staff member is injured on the job and he is eligible for benefits, the necessary papers should be obtained from the Personnel Office.
- B. Sick leave may be used for an on-the-job injury; however, sick leave pays, and Worker's Compensation cannot be received at the same time.
- C. Vacation pay benefits do not accrue to a staff member on Worker's Compensation.
- D. A job-related injury must be reported within twenty-four (24) hours of the accident, unless circumstances prevent otherwise, by completing an accident report and submitting it to the staff member's supervisor, in accordance with Section 4.05 of this Manual. Failure to complete an accident report form may result in the denial of a workers' compensation claim.
- E. Staff members are cautioned that use of drugs or alcohol may cause on the job to fail the eligibility for Workers' Compensation benefits. (See Article 4.21 in these policies)

SECTION 6.15: UNEMPLOYMENT COMPENSATION INSURANCE

Carroll County Board of DD staff members are covered by Unemployment Compensation and the regulations established by the Ohio Bureau of Employment Services. Twenty (20) weeks of covered employment are required for a separated employee to be eligible for benefits. The determination of benefits and the weekly amount paid are governed by State law.

SECTION 6.16: LIABILITY INSURANCE

The Board shall defend all staff members in accordance with ORC Chapter 2744 and indemnify staff members in accordance with ORC Chapter 2744.

SECTION 6.17: OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION

The Carroll County Board of DD offers staff member's participation in the Ohio Deferred Compensation Program for those who elect to participate; this fringe benefit plan is designed for state and local government staff members only. The program was created by Ohio Statute Sections 145.17-73 of the Ohio Revised Code and is administered by the Ohio Public Employees Deferred Compensation Board.

Programs offered through the Ohio Public Employees Deferred Compensation Program are provided in accordance with Section 457 of the United State Internal Revenue Code. This code allows County staff members to exclude, from their taxable income the portion of their salary, which they contribute to the deferred compensation program in four (4) ways:

1. Group variable annuity provided by Nationwide Life of Columbus, Ohio. This includes four (4) underlying mutual funds investing in common stocks and one (1) underlying money-market fund investing in high-yielding certificates of deposit, etc.
2. Group fixed annuity provided by Nationwide Life, Columbus, Ohio.
3. Life Insurance by Ohio National Life of Cincinnati, Ohio.
4. Disability Income insurance provided by Inter-Ocean Insurance of Cincinnati, Ohio. The Carroll County Board of DD role is for making the necessary payroll deductions as authorized and directed by the staff member.

The option to purchase is the individual decision of each staff member. Information concerning the Ohio Public Employees Deferred Compensation Program may be obtained from the Superintendent.

SECTION 6.18: FAMILY AND MEDICAL LEAVE

The Board will comply with Public Law 103-3, *Public Law 110-181*, Family and Medical Leave Act of 1993, to provide family and medical leave as specified in the legislation. Eligible employees will be provided up to 12 weeks of unpaid leave in connection with specific qualifying events. Eligible employees may take up to 26 weeks of unpaid leave to care for a covered service member. Generally, employees will be provided employment in an equivalent position with equivalent conditions of employment upon return from family or medical leave. The Board will maintain records of utilization of family or medical leave per the requirements of the Department of Labor.

A. Qualifying Events for Basic Leave Entitlement.

In order to be entitled to take the appropriate amount of family and medical leave, one of the following "qualifying events" must occur:

1. Incapacity due to pregnancy, prenatal medical care or childbirth;
2. Care for the employee's child after birth, or placement for adoption or foster care;
3. Care for the employee's spouse, son, daughter or parent, who has a serious health condition;
4. For a serious health condition that makes the employee unable to perform the employee's job

The term "spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the State in which the marriage was entered into or, in the case of a marriage entered into outside of any State, if the marriage is valid in the place where entered into and could have been entered into in at least one State. This definition includes an individual in a same-sex or common law marriage that either:

- (1) Was entered into in a State that recognizes such marriages; or
- (2) If entered into outside of any State, is valid in the place where entered into and could have been entered into in at least one State.

The term "parent" means a biological, adoptive, step, or foster father or mother, the spouse of any such person, or any other person who stood in loco parentis to the employee when the employee was a child as defined in this section. This term does not include "parents in law."

The term "son or daughter," for purposes of FMLA leave taken for birth or adoption or to care for a family member with a serious health condition, means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

B. Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on "covered active duty" or call to covered active-duty status may use their 12-week leave entitlement to address certain qualifying exigencies.

The term "spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the State in which the marriage was entered into or, in the case of a marriage entered into outside of any State, if the marriage is valid in the place where entered into and could have been entered into in at least one State. This definition includes an individual in a same-sex or common law marriage that either:

- (1) Was entered into in a State that recognizes such marriages; or
- (2) If entered into outside of any State, is valid in the place where entered into and could have been entered into in at least one State.

The term "parent" means a covered service member's biological, adoptive, step or foster father or mother, the spouse of any such individual, or any other individual who stood in loco parentis to the covered service member. This term does not include parents "in law."

The term "son or daughter," for purposes of military family leave, means a covered service member's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered service member stood in loco parentis, and who is of any age.

An employee's spouse, son, daughter, or parent is on "covered active duty" when he or she is either a) on duty as a member of a regular component of the Armed Forces and deployed with the Armed Forces to a foreign country under a call or order to active duty, or b) on duty as a member of a reserve component of the Armed Forces and deployed to a foreign country under a call or order to active duty in support of a contingency operation. Qualifying exigencies to manage the service member's affairs are described on the Department of Labor form [Certification of Qualifying Exigency for Military Family Leave](#) and include: 1) Short notice deployment; 2) Military events and related activities; 3) Childcare and school activities; 4) care of the military member's parent who is incapable of self-care; 5) Financial and legal arrangements; 6) Counseling;

7) Rest and recuperation; 8) Post-deployment activities; and 9) Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

A qualified eligible employee may take leave to care for a covered service member who has suffered a serious injury or illness in the line of active duty or who has had an existing condition aggravated by military service (“military caregiver leave”). A covered service member means (1) a current member of the Armed Forces, National Guard or Reserves who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness incurred in the line of duty; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. The injury or illness for which the covered service member requires military caregiver assistance may manifest itself before or after the member officially became a “veteran.” Military caregivers leave also applies to pre-existing medical conditions that were aggravated by the service member’s active-duty service in the military. The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition”.

An employee who has a qualified family relationship with a covered service member may take up to 26 weeks of leave during a single 12-month period. A qualified family relationship is a spouse, parent, son or daughter, or next of kin. The leave entitlement described in this paragraph applies on a per-covered service member, per-injury basis, such that an eligible employee may be entitled to take more than one leave if the leave is to care for a different covered service member or to care for the same service member with a subsequent serious illness or injury, but the employee is limited to a total of 26 weeks of military caregiver leave in any single 12-month period. No more than 26 weeks total of FMLA leave may be taken within any single 12-month period to care for a covered service member. Spouses who are employed by the same covered employer may be limited to a combined total of 26 workweeks of leave during the single 12-month period for military caregiver leave.

An employee may take FMLA leave for up to 12 weeks for a Qualifying Event in the same 12-month period in which an FMLA leave is taken to care for a covered service member.

The Board will provide the employee with a copy of the Department of Labor Form [Certification for Serious Injury or Illness of Covered Service member for Military Family Leave](#) or [Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave](#) to be completed by the employee and an authorized military health care provider of the covered service member. The employee may present certain military certifications such as “Invitational Travel Orders” or “Invitational Travel Authorizations” for purposes of certification that must be accepted by the Board.

If the certification is incomplete or unclear, the employee is to be given seven (7) additional calendar days to provide more complete information. Recertification’s and second or third

opinions are not permitted in connection with respect to leave to care for a covered service member.

The Superintendent or a person designated by the Superintendent may contact the covered service member's health care provider for clarification and/or authentication of the medical certification. Under no circumstances may an employee's direct supervisor contact the health care provider. Attempts to clarify or authenticate a medical certification shall not result in obtaining additional medical information.

C. Certification and restrictions on leave.

The Board may require that an employee's leave to care for the employee's covered family member with a serious health condition, or due to the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position, be supported by a certification issued by the health care provider of the employee or the employee's family member. The Board may also require that an employee's leave because of a qualifying exigency or to care for a covered service member with a serious injury or illness be supported by a certification. An employer must give notice of a requirement for certification each time a certification is required; written notice must be provided whenever the Board is required to determine eligibility for FMLA leave. An oral request by the Board to an employee to furnish any subsequent certification is sufficient.

The employee must provide the requested certification to the Board within 15 calendar days after the Board's request, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts or the Board provides more than 15 calendar days to return the requested certification. The employee must provide a complete and sufficient certification to the Board. The Board shall advise an employee whenever it finds a certification incomplete or insufficient and shall state in writing what additional information is necessary to make the certification complete and sufficient. A certification is considered incomplete if the Board receives a certification, but one or more of the applicable entries have not been completed. A certification is considered insufficient if the Board receives a complete certification, but the information provided is vague, ambiguous, or non-responsive. The Board must provide the employee with 7 calendar days (unless not practicable under the particular circumstances despite the employee's diligent good faith efforts) to cure any such deficiency. If the deficiencies specified by the Board are not cured in the resubmitted certification, the Board may deny the taking of FMLA leave. A certification that is not returned to the Board is not considered incomplete or insufficient but constitutes a failure to provide certification.

The Superintendent or a person designated by the Superintendent may contact an employee's health care provider for clarification and/or authentication of the medical certification. Under no circumstances may an employee's direct supervisor contact the health care provider. Attempts to clarify or authenticate a medical certification shall not result in obtaining additional medical information.

At the time the Board requests certification, it must also advise an employee of the anticipated consequences of an employee's failure to provide adequate certification. If the employee fails to provide the Board with a complete and sufficient certification, despite the opportunity to cure the certification, or fails to provide any certification, the Board may deny the taking of FMLA leave. In all instances when certification is requested, it is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the Board to support the employee's FMLA request.

An eligible employee may take up to 12 weeks of unpaid leave to care for the employee's son or daughter with a serious health condition. For purposes of the FMLA, the terms "son" or "daughter" mean a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence. "Incapable of self-care" requires active assistance or supervision to provide daily self-care in three or more "activities of daily living." For purposes of this policy, a spouse does not need to establish an "*in loco parentis*" relationship with a child to exercise their rights. In the absence of a marriage, as recognized under this policy, an employee may exercise his/her rights pursuant to the FMLA to care for a child when that employee stands *in loco parentis* to that child. Persons who are "*in loco parentis*" include those with day-to-day responsibilities to care for or financially support a child. A biological or legal relationship is not necessary.

In the absence of a biological or legal relationship and/or for purposes of confirmation of family relationship, the Board may require the employee giving notice of the need for leave to provide reasonable documentation or statement of family relationship. This documentation may take the form of a simple statement from the employee, or a child's birth certificate, a court document, etc. The Board is entitled to examine documentation such as a birth certificate, etc., but the employee is entitled to the return of the official document submitted for this purpose.

Entitlement for childcare ends at the end of the 12-month period beginning on the date of birth. Entitlement for childcare ends at the end of the 12-month period beginning on the date of placement. The childcare entitlement applies to parents in a marriage, as recognized under this policy, and unmarried individuals acting "*in loco parentis*."

When the Board employs both spouses, the total amount of Family and Medical Leave shall be twelve (12) weeks combined, when the leave is taken for birth of the employee's son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement, or to care for the employee's parent with a serious health condition. Leave taken for other qualifying events shall not be subject to this restriction.

D. Qualified Employee.

A Board employee must meet the following criteria to be a "qualified employee" eligible for family and medical leave:

1. An employee must be employed by the Board for more than 12 months of active service, which need not be 12-consecutive months.
2. An employee must have worked more than 1,250 hours in the 12 months prior to the commencement of FMLA leave.
3. An employee must be employed at a worksite where 50 or more employees are employed within 75 miles of that worksite.

Service Member Time in the military service covered under the Uniformed Services Employment and Reemployment Rights Act (USERRA) will count towards fulfilling the length of employment and hours of work requirements to be eligible for an FMLA leave.

E. Use of Paid Leave.

If an employee does not elect to use accrued paid leave, he/she will be required to use all accrued, unused paid vacation, personal, sick, compensatory time, and/or PTO as a substitute for unpaid Family and Medical Leave. Such paid leave will run concurrently with and be counted toward the 12 workweeks of leave. Once all paid leave is exhausted, any remainder of the Family and Medical Leave shall be unpaid.

F. Coverage Period; Intermittent Leave.

A qualified employee is entitled to take up to a total of twelve (12) weeks of a combination of paid and unpaid leave per year (as defined by the Board) for a qualifying event.

Leave under qualifying events 1 or 2 will not be taken by an employee intermittently or on a reduced leave schedule unless the employee and the Board agree otherwise. Leave taken under qualifying events 3, 4, and Section B may be taken intermittently or on a reduced leave schedule when medically necessary. If an employee requests intermittent leave or leave on a reduced leave schedule, the Board may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the regular employment position of the employee. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis. Upon return to work from such leave, the employee will be returned to his/her former position, or an equivalent position.

G. Benefits.

Qualified employees who take family or medical leave under this provision are entitled to the continuation of health and dental care benefits during the period of family or medical leave or military caregiver leave. The Board will continue to pay the Board's share of the health and dental insurance premiums during any family or medical leave or military caregiver leave. If the employee should exhaust all paid leave during the Family and Medical Leave, the employee shall make arrangements with the Board to pay the employee's share of health insurance costs prior to the beginning of the unpaid Family and Medical Leave. The Board is entitled to recover the premium paid by the Board for maintaining insurance coverage for the employee if the employee fails to return after the expiration of the family or medical leave to which the employee is entitled under this act for a reason other than (1) the continuation, recurrence, or onset of either a serious health condition of the employee (Qualifying Event 3) or the employee's family member (Qualifying Event 4), or a serious injury or illness of a covered service member; or (2) other circumstances beyond the control of the employee.

Qualified employees do not accrue seniority or benefits, other than health and dental care benefits during the time of family or medical leave unless they are in active pay status using sick leave or vacation leave. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

H. Designation of Leave.

It is the responsibility of the Board, through the Superintendent or designee, to designate employee absences as FMLA leave or not FMLA leave. This is the case whether or not an employee wishes to have absences designated as FMLA leave, and whether or not the employee has requested FMLA leave. The Board may request from the employee, and the employee will provide to the Board, such information as is reasonably necessary for the Board to determine whether an employee absence qualifies for FMLA leave. The Board will act reasonably in determining whether an absence qualifies for and/or is designated FMLA leave.

The Board shall inform an employee requesting leave whether he/she is eligible under the FMLA. If the employee is eligible, the Board will provide the employee with all appropriate forms and notices required or authorized by the FMLA including the employee's rights and responsibilities. The Board will notify the employee that the leave will be designated as FMLA-protected leave and the amount of leave counted against the employee's entitlement. If the employee is not eligible for FMLA leave, the Board will provide the employee as to the reason for ineligibility. If the Board determines that the leave is not FMLA-qualifying, the Board will notify the employee.

I. Notifications and Timeframes.

The qualified employee will give the Board at least 30 days' notice of the date family or medical leave when the need is foreseeable. Otherwise, the employee shall provide notice as soon

as practicable under the facts and circumstances, and generally must comply with the Board's normal call-in procedures. Employees must comply with established procedures for requesting leave, including paid leave.

Employees must provide sufficient information for the Board to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Board if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees will be required to provide a certification and periodic recertification supporting the need for leave.

The qualified employee will provide the Board-certified information from the health care provider (licensed Doctor of Medicine or osteopathy) of the employee, employee's spouse or immediate family member upon requesting utilization of family or medical leave. Such certification will include:

1. The date the condition began;
2. The anticipated duration of the condition;
3. The necessity of the leave;
4. The inability of the employee to perform job functions.

The Board may, at its expense, request a second or third opinion from a health care provider. When certification is requested for FMLA approval, it is the employee's responsibility to provide the employer with timely, complete, and sufficient certification and failure to do so may result in delay or denial of FMLA leave. If the certification is incomplete or unclear, the employee is to be given seven (7) additional calendar days to provide more complete information.

Before being permitted to return to work from a leave for the employee's own serious health condition, the employee shall be required to provide certification from his or her health care provider that the employee is able to resume work and perform the essential functions of the employee's job. If state or local law requires that a public health official examine an employee as a condition for returning to work, the employee must fulfill this obligation.

In cases where an FMLA leave is for a qualifying exigency, the Board shall provide the employee with a copy of the Department of Labor form [Certification of Qualifying Exigency for Military Family Leave](#) to be completed by the employee. The completed form along with the documentation that the employee provides will be used to determine if the leave request qualifies and the length of the leave.

J. Reinstatement after leave.

Upon return from leave under this policy, the employee shall be restored to his/her former position or an equivalent position with equivalent pay, benefits, and other terms and conditions of employment, to the extent required by law. However, no employee is entitled under this policy to any right, benefit, or position other than that to which the employee would have been entitled had he/she not taken leave. The FMLA contains a limited exception to the restoration provision for certain highly compensated employees (“key employees”) under certain conditions. Employees determined to be key employees and to whom the Board intends to deny restoration will be notified in writing at the time the employee gives notice of the need for FMLA leave or as soon thereafter as the Board makes such determination.

K. Definition of “Year”.

For purposes of the Board’s Family and Medical Leave Act policy, a “year” means a “rolling twelve-month period measured backward from the date an employee uses any FMLA leave”. This rolling 12-month period means that each time an employee takes FMLA leave, the remaining leave balance would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months. For example, if an employee has taken eight weeks of leave during the past 12 months, an additional four weeks of leave could be taken. If an employee used four weeks beginning February 1, 2008, four weeks beginning June 1, 2008, and four weeks beginning December 1, 2008, the employee would not be entitled to any additional leave until February 1, 2009. However, beginning on February 1, 2009, the employee would again be eligible to take FMLA leave, recouping the right to take the leave in the same manner and amounts in which it was used in the previous year. Thus, the employee would recoup (and be entitled to use) one additional day of FMLA leave each day for four weeks, commencing February 1, 2009. The employee would also begin to recoup additional days beginning on June 1, 2009, and additional days beginning on December 1, 2009.

L. Unlawful Acts.

The FMLA makes it unlawful for the Board to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

M. Enforcement.

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

SECTION 6.19: PROFESSIONAL LEAVE

- A. Professional Leave.
 - 1. Staff members may be granted professional leave which must be specified by the administration and jointly selected by the staff member and his/her supervisor.
 - 2. Requests for professional leave will be submitted through the staff member's supervisor to the Superintendent as far in advance of the requested date as possible.
 - 3. The decision of the Superintendent will be final.
 - 4. Reimbursement for expenses at the approved rates and registration fees may be authorized.
 - 5. Records of all in-service training will be maintained in the Personnel Office. Current program year records are held by the respective administrators then filed annually in the Personnel Office.
- B. Staff meetings will be held periodically when needed. It is very important that all staff attend and, in fact, might be a requirement as stated by the program administrator. Whenever possible, the program staff will be notified in advance of such meetings.
- C. When a program is closed for the purpose of professional meetings, all staff shall attend such meetings. Those not attending or not excused shall have a pay deduction in accordance with the time missed. To be excused from a meeting, an employee must apply in writing to the Superintendent. The Superintendent will consider the written reasons when making a decision regarding the request.
- D. Professional leave will be approved at the discretion of the Superintendent. Staff members granted Professional Leave shall be granted reimbursement for all expenses for registration, meals only as part of the registration fee and housing upon presentation of proper receipts in accordance with the guidelines listed below:
 - 1. Registration Fee: Pre-approval and actual cost receipt required.
 - 2. Lodging: Pre-approval and actual cost receipt required. Meals: only reimbursed if part of the actual training session fee.

Section 6.21: BEREAVEMENT EXPENSES

- A. The Board officially adopts a policy to address bereavement expenses associated with the death of a staff member and individuals served by the county board. This is a typical practice to show respect and care the Board has for people served or staff employed.
- B. (1) "County Board" means Carroll County Board of Developmental Disabilities.
(2) "Individual" means a person with developmental disabilities.
- C. The Board will approve up to \$100 for an item to be sent to a funeral home in remembrance of an individual served or a county board staff. The item may include flowers, blanket, and other appropriate items.

SECTION 7.00: REDUCTION IN FORCE/MISCELLANEOUS POLICIES

SECTION 7.01: REPORTING ADJUSTMENTS FOR EDUCATION, TRAINING AND EXPERIENCE

- A. Prior to the first day of the program year, each employee shall present evidence of any additional education, training and experience required by their position to the Personnel Officer.
- B. All employees are required to present evidence, as it would be appropriate to their request for a higher level of salary. (Course completion certification with a grade of C or higher or notice from registrar of college where the degree is awarded.)
- C. The salary of those employees who present evidence of additional education, training or experience prior to the beginning of the program year shall have their salary adjusted to reflect the education or training. The adjustment will be effective in the first check of the school program year.
- D. The salary of those employees not presenting evidence of the additional education, training or experience prior to the beginning of the program year will be maintained at the salary level appropriate for the education, training or experience level on file at the end of the previous program year.

SECTION 7.02: LAYOFF PROCEDURE

- A. If it becomes necessary to reduce staffing levels, the Superintendent shall systematically consider length of service and efficiency of performance in order to determine the order of layoff. Layoffs shall only occur for one (1) of the following reasons:
 - 1. a reduction and/or termination of funds;
 - 2. the abolishment of a program or service; or
 - 3. reorganization for more efficient delivery of services.
- B. Temporary layoff of staff due to reduction or termination of funding or the abolishment of a program or a service shall take place only within the affected department or departmental unit.
- C. When a layoff is to occur, the Superintendent shall determine the number of positions and the classification(s) in which layoffs will occur.
- D. The Superintendent will prepare a retention point list of all staff who have been appointed to the classification(s) selected for layoff, and the lower classification(s) within the classification series where displacement may occur. Retention points are based on length of service and are calculated as follows. Length of service points are added to the base of one hundred (100) points to determine total retention points.
 - 1. Length of service.
 - a. Employees shall receive one (1) point for each pay period of full-time continuous service and one-half (1/2) point for each pay period of part-time employment.
- E. In accordance with the Ohio Revised Code, staff members shall be laid off in an order, which is consistent with the needs of the agency as determined by the Superintendent. In the affected classification(s) the order of layoff will be temporary, then intermittent, then part-time, then seasonal staff before full-time staff.
 - 1. All classifications are grouped by ORC 124 and OAC 123:9-24-08.
- F. Layoff lists shall be developed separating staff into the above appointment types and listing staff members in descending retention point order. The lists shall indicate which staffs are to be laid off. In the case of ties in retention points the most recent hire date shall determine the staff member to be laid off first. If hire dates are the same, the Superintendent shall decide the order of layoff.
- G. An affected staff member will be sent a written notice by registered mail of his layoff or displacement by another staff member at least fourteen (14) calendar days prior to the layoff or displacement. The written notice shall include staff member's retention points, information as to displacement rights and how to exercise those rights.
- H. An affected staff member must notify the Superintendent in writing of his intention to exercise displacement rights within five (5) calendar days of receipt of the notice.
- I. Whenever the Superintendent reduces staffing due to job abolishment, an affected staff member has the right to move into an available vacancy for which he is qualified if such vacancy is identified as a vacancy by the Superintendent.
- J. Staff members will be placed on a recall list for the classification from which they were removed, and any staff member may request to be placed at the bottom of any other

classification recall list for which they are qualified. Laid off staff members shall be eligible for reinstatement for one (1) year following the layoff.

- K. Staff members covered by Civil Service affected by a layoff may appeal the action to the State Personnel Board of Review within ten (10) days after the effective date of the action. Such appeal must be in writing. Information to assist with the appeal process will be included in the layoff notice.
- L. Management staff shall be laid off or shall have their contract non-renewed by the Superintendent giving notice of intent not to rehire at least ninety (90) days prior to the expiration of the contract. If the Superintendent fails to give notice of intent not to rehire at least ninety (90) days prior to the expiration of the contract the management employee will remain employed only up to the 90-day notice expiration which starts from day the employee was given notice.

SECTION 7.03: POLICY FOR THE TOBACCO FREE CAMPUS January 1, 2010

(Pro-Children Act of 1994)

- A. Rationale: The Carroll County Board of Developmental Disabilities has a duty to protect the health and well-being of all individuals served by the program and staff. The board is acutely aware of the serious health risks associated with the use of tobacco products; both to the users and non-users, and that most tobacco use begins by the age 18. The board recognizes personnel and visitors serve as role models to individuals served by the program and, therefore, adopt this 100% tobacco-free campus policy to endorse a healthy lifestyle and prevent tobacco use.
- B. Definition: For the purpose of this policy, "tobacco" is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette and any other smoking products, and both spit and spitless tobacco, also known as smokeless, dip, chew, Snus, and snuff, in any form.
- C. Tobacco Use Prohibited: No individual receiving board services, staff member, volunteer or visitor is permitted to smoke, inhale, clip, chew, or use tobacco at any time, including non-school or non-work hours; in any building, facility or vehicle owned, leased, rented or chartered (by the Carroll County Board); or on school, workshop, administrative, athletic grounds or parking lots.

No individual receiving board services, staff member or volunteer is permitted to smoke, inhale, dip, chew or use tobacco at any time, including non-school or work hours, at any board-sponsored event off campus. Additionally, no student is permitted to possess cigarettes, other tobacco products, papers to roll cigarettes, lighters or other paraphernalia at any time.
- D. Tobacco Promotion Prohibited: Tobacco advertising is prohibited on all board grounds, in all board-sponsored publications and at all board-sponsored events. Tobacco promotional items including clothing, bags, lighters, and other personal articles, are not permitted on board grounds, in board vehicles or at board-sponsored events.
- E. Notice: "No Tobacco" signs will be posted throughout the board grounds at entrances and other appropriate locations on all academic buildings, administrative spaces, and workshop buildings indicating tobacco use is not permitted. Individuals receiving board services will be provided notice of this policy through handbooks, and personnel will be provided notice of this policy through personnel handbooks. Board vehicles will display the international "No Smoking" sign. Announcements will be made during home athletic events both before the event and during intermission, as well as at all board functions were deemed appropriate. Board programs will include a written reminder of the no tobacco policy.
- F. Enforcement: Disciplinary measures taken against individuals receiving services by the board and staff for violations of this policy comply with the requirements of Ohio law and related board policies.

SECTION 7.06: PUBLIC RECORDS REQUEST

The Carroll County Board of DD and employees will comply with the Ohio public Records Law.

Any request for the release or inspection of public records will be directed to the Carroll County Board of DD. Upon the request and within a reasonable period of time, the records must be made available to view at no cost and when copies are requested a fee will be charged. Fees are established by the Board.

A. If the person chooses to obtain copies of the records, the person responsible for duplicating the records must permit the person to choose to have the records duplicated, as follows:

1. Upon paper;
2. Upon the same medium upon which is kept;
3. Upon another medium which the public office/person responsible for the record determines that is reasonable and can be duplicated as an integral part of operations.
4. Copies of records may be mailed to the person requesting the records at the cost associated with mailing the documents plus the cost of duplication.
5. A limit will be placed to ten requests per month for any given person that requests documents unless such person certifies that the documents are not for commercial use.

B. Exception to documents

The Carroll County Board of DD will reject any request for documents that are not covered by OCR 149.43.

Protected Health Information and Education Records are exempt from this policy. See the HIPAA policy manual for requests regarding Protected Health Information and the "MODEL POLICIES AND PROCEDURES WITH APPENDIX A.pdf" for requests regarding Education Records.

SECTION 7:07: CONCEALED FIREARMS OR DANGEROUS WEAPONS

Purpose:

The Carroll County Board of Developmental Disabilities ("County Board") is committed to providing a safe and secure environment for its employees, visitors and consumers. Pursuant to Ohio law, the County Board is required to take certain actions and post certain notices with respect to the carrying of concealed weapons. In compliance with that law, and in furtherance of the County Board's commitment to safety, it hereby adopts the following policies and procedures:

Policy:

It is the policy of the County Board, that no person, including employees, volunteers, individuals supported by the County Board, or visitors, except law enforcement officers acting in the scope of their official duty, shall carry, convey, or possess a deadly weapon or dangerous ordnance while on County Board premises or while engaged in business for the County Board. A valid license to carry a concealed weapon does not authorize any person to carry such a weapon while on County Board property or while engaged in business for the County Board.

Procedures:

1. No person, except law enforcement officers acting in the scope of their official duty, shall possess, have under their control, convey or attempt to convey a deadly weapon or dangerous ordnance in a school safety zone. The "school safety zone" consists of all buildings where the County Board conducts special education or preschool education, instruction, training or extracurricular activities, as well as all real property (land) owned, leased or controlled by the County Board where those buildings are situated. "School Safety Zone" also includes any place where the County Board conducts special education or preschool extracurricular activities. This prohibition applies whether or not education, training, instruction or activities are actually in progress.

In accordance with R.C. §§2923.122 and 2923.1212 and O.A.C. 5123-13-07 the following language shall be posted at the entrance of every County Board-owned building and at the entrance to the portion of any building, which is not owned by the County Board but is leased by the County/Board, that lie within a "school safety zone" as defined by law:

"Unless otherwise authorized by law, pursuant to Ohio Revised Code Section 2923.122 and Ohio Administrative Code 5123-13-07, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone."

2. No person, except law enforcement officers acting in the scope of their official duty, shall possess, have under their control, convey or attempt to convey a deadly weapon or dangerous ordnance into any building owned, leased or controlled by the County Board.

In accordance with R.C. §2923.1212 and OAC 5123-13-07, the following language shall be posted at the entrance of every County Board-owned building and at the entrance to the portion of any building, which is not owned by the County Board but is leased by the County/Board:

"Unless otherwise authorized by law, pursuant to Ohio Revised Code, no person shall knowingly possess, have under the person's control, convey or attempt to convey a deadly weapon or dangerous ordnance onto these premises."

3. No person shall have a deadly weapon or dangerous ordnance in any vehicle leased or owned by the County Board.
4. No employee, contractor or agent of the County Board shall violate any of the above prohibitions. Employees lawfully possessing a firearm and lawfully transporting the firearm in their vehicle must leave the firearm in their vehicle in a locked compartment or box. Employees, contractors or agents of the County Board may not handle firearms on County Board property except to secure the firearm in a locked compartment or box in their vehicle.
5. Non-employees who are carrying a concealed weapon onto County Board property shall be asked to leave. Failure to comply with these policies by non-employees will be subject to criminal prosecution.
6. Employees who violate any of the above policies are subject to criminal prosecution and may be subject to discipline up to and including discharge.
7. Any person witnessing a violation or potential violation of any of these policies is encouraged to report the violation to the Superintendent and/or notify appropriate law enforcement personnel. Employees are required to report violations or potential violations.

SECTION 7:08: SAFETY AND HEALTH PROCEDURES

- A. The Carroll County Board of DD is a participant in the Carroll County Commissioners County Safety Program. A copy of that program is on file in the Board's Business Office and may also be viewed at the Commissioner's Office.

First Aid and Beyond:

Basic American Red Cross Procedures should be used on all injuries:

1. Use universal precautions.
2. Head, neck and back injuries are serious. Don't move the injured person. Call 911.
3. If a wound looks like it might need stitches, call parent or guardian to take to the emergency room. If parent is not available, take to emergency room yourself or have Workshop Director designate who is to transport.
4. Eye injuries are serious. Best to send to emergency room after any needed flushing.
5. We do not have x-ray vision, so treat fractures, strains or sprains as fractures.
6. Treat diabetic emergencies as per Red Cross protocol. Call 911.
7. Asthmatics have inhalers at work. Have someone call 911 when you go to get the inhaler.
8. Life threatening injuries/illnesses – call 911.
9. For seizures that last over five (5) minutes, call 911.
10. Send emergency care card to emergency room with injured.
11. Call parent/guardian. Have them meet you at the emergency room.
12. Keep your cool!

For Students/Enrollees:

1. Appropriate students/enrollees will receive training on obtaining or giving help during an emergency. This includes the use of telephones and calling 911.
2. Students/enrollees will be taught who should be notified in case of an emergency.
3. Enrollees on enclaves will be taught how to use the various car phones/intercoms to reach help.
4. Red Cross First Aid and CPR will be presented to students/enrollees as an ongoing program.

SECTION 8.00: GENERAL INFORMATION

SECTION 8.01: VOLUNTARY SEPARATION

A. Resignation.

1. Professional and management-level employees in a position requiring a certificate issued by the State Board of Education under Sections 3319.22 to 3319.31 of the Revised Code or a certificate issued by the Director of Developmental Disabilities under Section 5126.29 of the Revised Code shall not terminate his/her employment contract with the Program without obtaining the written consent of the Superintendent or giving the Board a thirty (30) calendar day written notice of termination, unless waived by the Superintendent. All other employees are required to give at least a two (2) week notice in order to resign in good standing.
2. Resignation must be in writing and submitted to the Superintendent for acceptance.
3. An employee who does not resign in good standing is ineligible for reinstatement.
4. At the discretion of the Superintendent, an employee may be reinstated into his/her former position within one (1) year following his/her resignation provided:
 - a. The employee resigned in good standing;
 - b. The employee remains qualified to perform the duties of the position; and
 - c. A position is available, and reinstatement is in the best interest of the department.
5. Any employee who resigns is encouraged to give his/her reasons for resigning and to discuss with his/her supervisor any working conditions, which he/she feels were unsatisfactory.

B. Abandonment/Absent without Leave

1. An employee who is absent from duty without leave for three (3) consecutive workdays is deemed to have resigned his/her position. The resignation of a classified employee will be reported to the Department of Administrative Services. (O.A.C. 123:1-31-03)
2. If at any time within thirty (30) days of termination due to abandonment a classified employee makes a satisfactory explanation of the cause of his/her absence, he/she may be reinstated at the sole discretion of the Superintendent.
3. An employee who has abandoned his/her position is not eligible for future employment with the Board.

C. An employee, who has exhausted their leave benefits and/or cannot perform the essential functions of their position, may submit credible medical evidence and be placed on a voluntary disability leave under OAC 123:1-33-03 with the Superintendent's approval.

SECTION 8.02: INVOLUNTARY TERMINATION

A. Probationary Removal.

A newly appointed probationary employee in a classified position may be removed by the Superintendent at any time during his/her probationary period when, in the judgment of the Superintendent, the employee's fitness and/or quality of work do not merit continuation in the job or for any reason deemed appropriate by the Superintendent.

B. Disciplinary Discharge.

1. Discharge is a serious disciplinary measure taken when less severe methods of discipline have not produced appropriate behavior, or when a serious infraction so warrants.
2. The discharge of a classified employee may be appealed to the State Personnel Board of Review. (See Section 5.05: APPEALS).(CHECK NUMBER).
3. Disciplinary discharges will be handled in accordance with Section 5.04 (CHECK NUMBER): ORDERS FOR

DISCIPLINARY ACTION AND PENALTIES.

C. An employee, who cannot perform the essential functions of their position, may be removed under OAC 123:1-33-02. The Superintendent will follow the procedure under OAC 123:1-33-02 when implementing an involuntary disability separation.

D. Employees may be laid off or have their position abolished or be terminated due to a lack of funds, State or Federal grants terminating, lack of work, or for reorganization of the program for a more efficient operation. When reduction in force occurs, the Superintendent will follow the appropriate procedures under the Ohio Revised Code and Board Policy. Section #7.02.

E. All Keys and fobs are tracked by maintenance staff through a documentation sheet. Superintendent or Director of Educational Services must approve staff or contractors have access to keys or fobs. Once a contractor is done with service or a staff member is terminated from employment the following will occur:

1. all equipment is returned. Board staff will collect.
2. access rights are removed and/or appropriately changed. Board staff will contact IT to disable IT system access.
3. keys and other access tokens (fobs) are returned. Executive or Administrative assistant will collect door keys and access fobs. Final paycheck is not released until fob is returned.
4. If keys or fobs are not returned then the fob is disabled, and appropriate door locks will be changed.

SECTION 8.03: TERMINATION BENEFITS

A. Termination Compensation.

As of the date of separation from employment, for whatever reason, an employee will receive payment for any accrued and unused vacation time to his/her credit. A staff member is entitled to payment for any earned but unused vacation to his/her credit at the time of separation, including any vacation leave carried over from prior years. When terminating employment, any accrued but unused vacation leave will be paid in a separate check. Employees having less than one (1) year of service with the Board are not entitled to cash payment for vacation leave. In the case of the death of a Board employee, the employee's accrued but unused vacation leave shall be paid in accordance with Ohio Revised Code Section 2113.04 or paid to the employee's estate.

B. Sick Leave Conversion.

1. A staff member may elect, at the time of disability or service retirement under the Ohio Public Employees Retirement System and State Teachers Retirement System (STRS), to be paid in cash for one-fourth (1/4) the value of his/her accrued but unused sick leave. The total value of sick leave paid shall not exceed one-fourth (1/4) of the value of his/her accrued but unused sick leave.
2. To be eligible for the payment under Section B.1. above, the staff member must have at least ten (10) years of service with the state, any political subdivision of the state, or any combination of such service, and the eligible employee must make the election at the time of retirement from active service with the Board.
3. Payment is based upon the employee's rate of pay at the time of retirement.
4. Payment for sick leave under this policy will eliminate all sick leave credit accrued by the staff member at that time unless the staff person remains in employment with the Carroll County Board of DD. In such circumstance, the amount remaining on the books will be up to the amount of the value that was paid out, and any sick leave remaining in excess of that amount will be eliminated with the payment.
4. An eligible employee who dies is considered to have retired from his/her employment as of the date of death. In accordance with Section B.1., the deceased employee's accrued but unused sick leave shall be paid in accordance with Ohio Revised Code Section 2113.04 or paid to the employee's estate.

C. Health Care Benefits Continuation. (COBRA)

In certain instances, employees and their families have the right to temporarily extend their health care benefits at group rates.

1. An employee covered by the Board's health care plan has a right to choose this continuation coverage if he/she would lose group coverage because of:
 - a. A reduction in hours of work below the minimum required for eligibility under the plan, or
 - b. Termination of employment for any reason other than gross misconduct.
2. An employee's spouse and dependent children covered by the Board's health care plan have the right to continuation coverage if group health care coverage under the Board's plan would be lost due to a "qualifying event" such as:

- a. Death of the employee,
 - b. Termination of the employee's employment for any reason other than gross misconduct,
 - c. Reduction in the employee's hours of work below the minimum required for eligibility under the plan,
 - d. Divorce or legal separation,
 - e. Employee becoming entitled to Medicare, or
 - f. Dependent child ceasing to be a" dependent child under the terms of the Board's health care plan.
3. Any person who is covered under the employee's plan on the day before a qualifying event, and who will lose coverage, will be considered a qualified beneficiary.
 4. If the qualified beneficiary does not choose continuation coverage, group health care coverage will end.
 5. Qualified beneficiaries need not show they are insurable in order to qualify for continuation coverage.
 6. **Qualified beneficiaries must pay the Board the full premium at applicable rates. Late payments may result in loss of coverage.**
 7. **Questions about this policy may be directed to McGohan and Brabender.**
 8. Employees are responsible for notifying the Personnel Officer of any change in status including, for example, marital status, dependent status or residence.
 9. The following procedure will be used for notifying employees of COBRA rights:
 - a. Each employee will be notified of his/her COBRA rights at the time he/she begins coverage under the Board's health care plan.
 - b. Spouses of all covered employees will be notified of this policy and its provisions at the time family or spouse coverage begins under the Board's health care plan.
 - c. Notification of an employee's spouse will be deemed to service notice on all dependent children.
 - d. The Superintendent **or designee** will notify the County of any of the following qualifying events:
 - Employee's death,
 - Employee's termination,
 - Employee's reduction in hours, making him/her eligible for benefits, or
 - Employee's eligibility for Medicare.
 - e. Within **immediately**, the employee is responsible for notifying the Business Office of any of the following qualifying events:
 - Divorce,
 - Legal separation, or

- Loss of dependent eligibility under the plan requirements (age or student status).

f. The employee/dependent must notify the Business Office of his/her decision to extend benefits **within thirty days** of the qualifying event or the date of eligibility notice, whichever is longer.

D. Public Employees Retirement System - Disability and Survivor Benefits.

1. If an employee, at the time of death, has at least eighteen (18) months of credit in the Public Employees' Retirement System, his/her spouse, children or parents may be entitled to survivor benefits.
2. If an employee has five (5) years of credit, and is permanently and totally disabled, he/she may receive disability benefits.

E. Accrued Leave.

At the time of separation, an employee will be paid at his/her current hourly rate of pay for all vacation, compensatory time credit, and sick leave per Section 6.14 of this manual.

F. Unemployment Compensation.

An employee may be eligible for unemployment compensation according to the regulations of the State of Ohio.

SECTION 8.04: EXIT INTERVIEW

- A. Upon separation from employment, an employee must meet with his/her supervisor, the Personnel Officer, or with the Superintendent to process paperwork and return Board property.
- B. The Personnel Officer will inform the employee of all termination benefits, verify forwarding addresses for the employee and any dependents, and get necessary signatures.
- C. The employee will relinquish all identification cards, equipment and keys/fobs to Director of Education at Carroll Hills School and Executive Secretary at the Board Offices. All computers and Board cell phones will be returned to Business Manager to be logged. No one has authorization to remove agency documents from these devices including factory reset. These documents need kept on the devices in case of need for further Board business. Only the superintendent may authorize factory reset or elimination of Board records from devices if timelines follow proper records retention schedule. Board staff will also ensure and document that the ex-employee access rights are removed and/or appropriately changed. IF staff fails to turn in Board equipment or factory reset devices then the Board shall file a police report and seek damages as allowed by law.
- D. If the separation is voluntary, the employee will be asked to complete an exit interview questionnaire and discuss his/her answers during the exit interview. Information gathered in exit interviews will be used to evaluate Board practices and identify areas requiring action to make the Board a more attractive employer. Exit interview questionnaires will not be placed in the employee's personnel file.

SECTION 8.05: SAVINGS CLAUSE

Should any section or Article of this Personnel Policies and Procedure Manual or any amendments thereto be held invalid by operation of a law, or by a tribunal or competent jurisdiction, or should compliance with or enforcement of any Section or Article of this Personnel Policies and Procedures Manual be restrained by such tribunal, the remainder of the Manual and the amendments thereto shall not be affected and shall remain in full force and effect.

SECTION 8.06: NOTICE OF CARROLL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES BOARD POLICIES

By signing or the receipt of this Personnel Policies and Procedures Manual, the staff member hereby acknowledges that he/she is placed on notice that the Carroll County Board of Developmental Disabilities has promulgated policies which, in addition to setting the goals and objective of the manner in which the program is to be operated, sets forth the Board's position of certain matter pertaining directly to employment. The staff member further acknowledges that he/she assumes the responsibility for familiarizing him/herself with the policies of the Board, as they presently exist, and as they may be supplemented from time to time.

SECTION 8.07: ACKNOWLEDGEMENT OF RECEIPT AND DISCLAIMER

I have reviewed the Carroll County Board of Developmental Disabilities Personnel Policies and Procedures Manual and had it explained to me regarding my privileges and responsibilities. It is my responsibility to be familiar with these policies and the rules of the Board. I understand that I will be directed by them.

I further acknowledge that the policies, benefits, rules and regulations set forth herein are not to be considered as creating terms and/or conditions of an employment contract, either expressed or implied. These policies are subject to unilateral changes by Carroll County Board of DD without notice.

I also understand that the Personnel Policies and Procedures Manual can be found on the Carroll County Board of Developmental Disabilities website (Carrollcbdd.org) and can be reviewed during non-working time. It is my responsibility to ask my supervisor for clarification of any policy that is unclear.

Signature of Staff Member

Date

*Signature does not indicate agreement with changes to Personnel Policies and Procedures Manual but indicates receipt and knowledge of them.

(This page is to be placed in the staff member's Personnel File)