

THE CITY OF CELINA, OHIO

**PERSONNEL POLICY
AND PROCEDURE
MANUAL**

THIS DOCUMENT IS NOT A CONTRACT

Prepared by:

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INTRODUCTION/DISCLAIMER

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- A. Policies are the basic rules which guide administrative action for accomplishing an organization's objectives. Comprehensive and clearly written policies, consistently and fairly administered, are essential to the success of any organization.
- B. Written procedures provide members of the organization with administrative interpretation of the application of the organization's policies and explain the specific manner in which such policies are implemented.
- C. This manual contains the policies and procedures of the City of Celina, Ohio (hereinafter referred to as "Employer", "City", or "City of Celina").
- D. The policies and procedures set forth within this manual supersede all previous written or unwritten City personnel policies. These policies have been written to comply with applicable laws and negotiated agreements. In the event there is a conflict between the matters expressed in this manual and any applicable law or negotiated agreement, such policy or procedure shall be interpreted and applied so as to eliminate such conflict.
- E. Employees shall ask their supervisor questions regarding any issue which is unclear. If the supervisor is unable to answer the employee's question, the supervisor shall ask the department head for assistance with the employee's question. Any unresolved questions regarding the interpretation and application of the policies or procedures herein shall be directed to the Safety-Service Director.
- F. In addition to the policies and procedures herein, each department may have operational procedures, work rules or practices which are unique to that department and that are not addressed in this manual. Employees are responsible for complying with departmental procedures, rules, and practices as well as the policies and procedures defined herein. Employees shall notify their supervisor in the event of a perceived conflict between any departmental procedures, rules, or practices and the policies and procedures described herein. If the supervisor is unable to respond to the employee, the supervisor shall ask the department head for assistance. If the department head is unable to resolve the issue, the department head will contact the Safety-Service Director about the issue. The Safety-Service Director shall make the final determination regarding the interpretation and application of any policies, procedures, work rules, or practices perceived to be in conflict.
- G. **THIS MANUAL IS PRESENTED FOR INFORMATIONAL PURPOSES ONLY, AND MAY BE CHANGED AT ANY TIME BY THE EMPLOYER WITH OR WITHOUT NOTICE (A PROCEDURE FOR AMENDMENT IS PROVIDED HEREIN). THIS MANUAL IS NOT AN EMPLOYMENT CONTRACT, EXPRESSED OR IMPLIED. NO SUPERVISOR OR DEPARTMENT HEAD HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT WITH AN EMPLOYEE THAT IS CONTRARY TO ANY POLICY OR PROCEDURE HEREIN.**

REFERENCE: None.

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OBJECTIVES

SECTION 1.02

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- A. The Employer recognizes that a personnel system which recruits and retains competent, dependable personnel is indispensable to effective City government. The policies and procedures set forth in this manual are designed to:
- a. promote high morale and foster good working relationships among employees by providing uniform personnel policies, equal opportunities for advancement, and consideration of employee needs;
 - b. maintain recruitment and internal promotional practices which will enhance the attractiveness of a career with the City of Celina and encourage employees to give their best efforts to the City and the public;
 - c. encourage courteous and dependable service to the public;
 - d. provide equal opportunity for qualified persons to enter and progress in their employment based on merit and fitness;
 - e. ensure that all City operations are conducted in an ethical and legal manner to promote the City's reputation as an efficient, progressive body in the community and the state;
 - f. establish acceptable minimum standards of performance;
 - g. provide employees an overview of the City's organization, structure, and purpose; and
 - h. ensure employees are informed of their rights, responsibilities, and benefits as an employee of the City.
- B. The primary obligation of the Employer is to provide the residents of the City of Celina with courteous, friendly, prompt, and efficient services at all times at reasonable cost. This is a continuing obligation to which all other obligations are secondary.

REFERENCE: Ohio Constitution, Article XV, §10; 29 CFR 1607.

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Unless otherwise indicated, the following definitions and abbreviations apply to the below listed terms as used in this manual.

Absence without Leave (AWOL): Anytime an employee fails to report to work without the approval of the Employer.

Active Pay Status: Except where otherwise defined in this manual, active pay status is a period when an employee is eligible to receive pay directly from the Employer and includes hours worked, vacation leave, paid military leave, paid holiday leave, personal leave, for jury duty. Active pay status does not include any other period of unpaid leave, suspension without pay, sick leave, or when an employee is being paid by another agency such as the Bureau of Workers' Compensation.

ADA: Americans with Disabilities Act.

Appointing Authority: City officials or the designees of such officials who are authorized by law with the power to appoint or remove employees in any office, department, commission, board, or institution. The Appointing Authority for the employees covered by this manual include the Mayor, Safety-Service Director, Auditor, Law Director, Municipal Court Judge, and City Council.

BWC: Abbreviation for Ohio Bureau of Workers' Compensation.

City: The City of Celina, State of Ohio.

Classification (Class): A group of positions that involve similar duties and responsibilities, require similar qualifications, and that are properly designated by a common descriptive title indicating the general nature of the work. A classification may include only one (1) position in some circumstances.

Classification Plan (Class Plan): The alphabetically arranged compilation of the classification specifications for employees of the Employer.

Classification Series: Those classifications which are closely related, and grouped to form a career progression.

Classification Title: The descriptive name of a group of positions similar enough to be included under a single classification.

Classified Employee: An employee who, after serving a probationary period, may only be demoted, suspended, or removed from public service for cause, in accordance with the state civil service statute O.R.C. 124.34.

Collective Bargaining Agreement: The written agreement(s) entered into between the Employer and an exclusive representative of employees of the Employer pursuant to O.R.C. Chapter 4117.

Day(s): Unless otherwise specified, means calendar day(s).

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Demotion: A change in position that reduces the employee's scope of responsibility and compensation.

Department: A City organizational unit directed and controlled by the Employer and charged with a specific public service function and mission.

Department Head: A supervisor (as defined herein) charged with the responsibility of managing a department on behalf of the Employer. Also called Director or Superintendent in some departments.

Designee: Any person authorized by the Employer or management official to perform a function with or on behalf of the Employer or management official.

Discourteous Treatment of the Public: Failure by an employee to treat any member of the general public with respect, in a polite and courteous manner.

Dishonesty: Conduct involving bad faith, a lack of integrity, or moral depravity. Dishonesty may include, but is not limited to: failure to tell the truth; stealing; obtaining benefits under false pretense; falsifying documents; or similar acts of misconduct.

Distribution: An act of distributing goods, materials, and/or written materials or literature.

Employee: Any person holding a position subject to appointment, removal, promotion, or demotion by the Appointing Authority.

Employer: The City of Celina including any Appointing Authority, authorized by law to make appointments to positions. As context requires, Employer may also mean any designee who is authorized to carry out certain duties on behalf of the Appointing Authority.

Excused Absence: Absence from work with the approval of the Employer (e.g., sick leave, vacation, holiday, unpaid leave of absence, etc.).

Exempt Employee: A salaried employee determined to be exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act, and who therefore does not have to legally be paid the statutory minimum wage and/or be compensated, at premium rates, for additional hours worked in the workweek.

Failure of Good Behavior: Failure by an employee to accept, adhere to, or maintain the expected levels of performance and/or conduct required by the Employer, or reasonably expected by the Employer even in the absence of a written work rule.

Fines: A form of disciplinary action whereby the Appointing Authority imposes a monetary penalty as a disciplinary measure aimed at improving the employee's conduct. Such fine shall not exceed

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five (5) days pay and shall not reduce the employee's pay below the minimum wage established by the FLSA. Fines may also be assessed against accrued leave time when appropriate.

Flex-time: Adjustment of an employee's work hours to avoid the employee working in excess of 40 hours in one (1) workweek or any other standard work period established in accordance with the FLSA.

FLSA: Abbreviation for the Fair Labor Standards Act.

FML: Abbreviation for Family and Medical Leave.

FMLA: Abbreviation for the Family and Medical Leave Act.

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.

Incompetency: Lack of ability, legal qualifications, or fitness to perform duties required of an employee. Incompetency may include the loss of any license, certification, ability to be bonded, or other requirement employees must maintain in order to perform the duties of their position.

Inefficiency: Quality of being incapable or indisposed to perform duties required of an employee within reasonable standards.

Insubordination: Intentional failure to perform duties required of an employee; refusal to obey an order issued by the employee's supervisor; or any conduct that displays a disrespect of authority.

Malfeasance: The commission of some act which is positively prohibited and/or unlawful; the doing of an act which is wholly wrongful and prohibited; the doing of an act which a person ought not to perform.

Misfeasance: The improper performance or commission of some act which a person may lawfully do.

Neglect of Duty: Omission or failure 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 designed failure, refusal, or unwillingness to perform one's duty.

Non-exempt Employee: An employee who is entitled to be paid the federal minimum wage and to be paid at the rate of one and one-half (1 1/2) times the employee's regular rate of pay for all hours

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worked in excess of 40 in an established workweek or other standard work period established in accordance with the FLSA.

Nonfeasance: Nonperformance of some act which ought to be performed; the total omission to perform a required duty; or the total neglect of duty.

Non-work Area: Those areas of the Employer's property where no official Employer business is transacted nor operations conducted.

Non-work Time: Any time during an employee's workday where the employee is totally relieved of work duties. Whether an employee is in active pay or no-pay status during these times is immaterial to the designation of non-work time.

O.A.C.: Abbreviation for the Ohio Administrative Code.

OPERS: Abbreviation for the Ohio Public Employees Retirement System.

OP&F: Abbreviation for the Ohio Police and Fire Pension Fund.

O.R.C.: Abbreviation for the Ohio Revised Code. Also abbreviated as R.C. when followed by a chapter or section number.

OSHA: Abbreviation for Ohio's Occupational Safety and Health Act.

Personnel Actions: A specific act by the Employer to implement a personnel decision (e.g., hiring, promotion, demotion, suspension, removal, layoff, wage increases).

Personnel Decisions: Such decisions include, but are not limited to: (1) recruitment; (2) selection; (3) placement; (4) testing; (5) training; (6) promotions and transfers; (7) layoff and recall; (8) removal; (9) disciplinary action; (10) social and recreational programs; (11) employee benefits and compensation; and (12) tangible program services and benefits.

Position: A group of duties and responsibilities assigned or delegated by competent authority to be performed by one (1) person. All of the positions listed in the organizational chart constitute positions within the City. Positions and the duties of a position may be revised, but the employee's classification remains the same unless the position is reclassified.

Promotion: Any change in position which results in an increase in an employee's compensation and responsibility.

PWFA: Pregnant Workers Fairness Act.

R.C.: Abbreviation for Ohio Revised Code when followed by a chapter or section number.

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Reduction: A change in the classification held by an employee to one having a lower base pay range and/or less responsibilities, a decrease in pay within a salary range, or any decrease in compensation of an employee.

Solicitation: An act of requesting an individual to purchase goods, materials, or services, or a plea for financial contribution.

Supervisor: An individual who has been authorized by the Employer to perform or assist in performing some or all of the following: hiring, transferring, suspending, laying off, recalling, promoting, discharging, assigning, rewarding, or disciplining employees under the direction of the Employer; to responsibly direct employees; to adjust their grievances; or to effectively recommend any of these actions.

Suspension: Relief of an employee from duty without pay, usually for a short period of time [i.e., one (1) to fifteen (15) days], as a disciplinary measure aimed at improving the employee's conduct.

Transfer: The movement of an employee from one (1) position to another where there is no change in level of responsibility, classification, or salary.

Unclassified Service: The civil service status of employees appointed without competitive examination to positions that are not subject to the discipline or removal provisions contained in R.C. Section 124.34. This includes employees who receive intermittent or temporary appointments pursuant to R.C. Section 124.30 (B), those employees appointed to administrative staff positions for which an appointing authority is given specific statutory authority to set compensation, and the deputies and assistants of elective or principal executive officers authorized to act for and in the place of their principals or holding a fiduciary relation to their principals, clerical and administrative support employees exempted pursuant to R.C. Section 124.11 (A) (8) and other positions specifically exempted pursuant to R.C. Section 124.11 (A). Such employees serve at the pleasure of the Appointing Authority.

Vendor: Any individual or group engaged in or desiring to engage in the supply of goods, materials, or services (which are utilized in the conduct of public business) to the Employer and/or its employees.

Verbal Warning: A verbal counseling and instruction which is provided to the employee with a written record placed in the employee's personnel file to correct minor misconduct and improve the employee's conduct and performance in the future.

Work Area: Any office, room, or physical location where official Employer business is transacted and/or operations of the Employer are conducted.

Working Suspension: A form of discipline, whereby the Appointing Authority may require an employee who is suspended to report to work to serve the suspension. An employee serving a suspension in this manner shall continue to be compensated at the employee's regular rate of pay for

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hours worked. Such disciplinary action shall be recorded in the employee's personnel file in the same manner as other disciplinary actions and will have the same effect as a suspension without pay for the purpose of progressive disciplinary action.

Work Time: All the time when an employee's duties require that the employee be engaged in work tasks, not including scheduled breaks or time before or after work.

Work Unit: A division under the Employer's control usually directed by a supervisor and charged with a specific work function which contributes to the accomplishment of the Employer's public service function.

Written Reprimand: The written record of disciplinary action, usually issued after a verbal warning has failed to improve an employee's conduct or when the employee has committed a more serious violation. The original copy of the written reprimand is provided to the employee and a second copy is placed in the employee's personnel file in an attempt to improve the employee's conduct and performance in the future.

REFERENCE: O.R.C. 124.11; O.R.C. 705.56; O.R.C. 713.05; O.R.C. 718.24; O.R.C. 733.03; O.R.C. 733.04; O.R.C. 733.19; O.R.C. 733.621; O.R.C. 1901.33; 29 CFR 541; 29 CFR 785.

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SCOPE OF COVERAGE

SECTION 1.04

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- A. Except as otherwise specified within this document or specifically exempted by law, the policies and procedures in this manual generally apply to all classified, unclassified, and bargaining unit employees. These policies do not establish tenure or contractual rights for employees not required by law. Although the Employer subscribes to these policies, the Employer reserves the right to waive, amend, or delete any policy or procedure herein to the Employer's benefit and reserves final determination regarding the interpretation and application of all policies and procedures herein. The policies and procedures in this manual do not apply to Elected Officials unless otherwise required by law.

- B. To the extent not prohibited from doing so by law, the Employer retains the right to hire, fire, set compensation, and manage unclassified and probationary employees without restriction, and the Employer retains all such rights regarding classified employees as allowed by law.

- C. In the event there is a conflict between these policies and procedures and the provisions of an applicable collective bargaining agreement, such policy or procedure shall be interpreted and applied so as to eliminate such conflict. To the extent this manual confers benefits not granted by a collective bargaining agreement, those benefits shall not apply to those employees covered by such agreement.

- D. In the event of a conflict between the policies or procedures herein and another applicable City ordinance, any applicable federal law, the United States of Ohio Constitutions, or any Ohio Revised Code provision not superseded by an ordinance, the applicable law or ordinance shall prevail and such policy and/or procedure shall be interpreted and applied to eliminate such conflict.

REFERENCE: O.R.C. 124.11; O.R.C. 124.27.

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MANAGEMENT AUTHORITY

SECTION 1.05

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- A. The Employer retains the full right and responsibility to direct the operations, promulgate policies, rules and regulations and otherwise exercise the prerogatives of management, which more particularly include but are not limited to the following:
1. To manage and direct employees including the right to select, hire, promote, transfer, assign, evaluate, layoff, recall, or reprimand, suspend, discharge, or otherwise discipline according to law or agreement and to maintain order among employees;
 2. To manage and determine the location, type, and number of physical facilities, equipment, programs, and the work to be performed;
 3. To determine goals, objectives, programs and services, and to utilize personnel in a manner designed to effectively meet these purposes;
 4. To determine the size and composition of the work force, and the organizational structure including the right to determine the adequacy of the work force, to transfer or subcontract work, to terminate or eliminate all or any part of its work or facilities, and to determine when a layoff or job abolishment is necessary;
 5. To determine the hours of work, work schedules and vacation schedules required to most efficiently operate;
 6. To determine when a job vacancy exists, the duties to be included in all classifications, and the standards of quality and performance to be maintained;
 7. To determine the necessity to schedule overtime and the amount required thereof;
 8. To maintain the security of personnel, financial records, and other important data or information;
 9. To maintain and improve the efficiency and effectiveness of the operations;
 10. To determine and implement necessary actions in emergency situations;
 11. To determine the City's budget and allocation of all City funds;
 12. To exercise control and discretion over the City's organizational structure and use of technology to perform the work;
 13. To determine staffing patterns, including but not limited to assignment of employees, qualifications required, and areas worked; and
 14. To promulgate and enforce policies, procedures, work rules, and regulations.

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- B. The exercise of any such right, power, authority, duty, or responsibility by the Employer and the adoption of such rules, regulations, or policies as may be deemed necessary, shall be limited only by the specific express terms of applicable law and any contractual agreement with employees under Ohio's collective bargaining law.

REFERENCE: O.R.C. 124.321.

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IMPLEMENTATION AND DISSEMINATION

**SECTION 1.06
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- A. The Employer has the exclusive right and authority to create and issue policies and procedures.
- B. All employees shall be notified of the existence of this manual. Each department shall keep a copy available for review by employees. Employees shall ask their supervisor questions regarding any issue which is unclear.
- C. All supervisory personnel responsible for administering policy shall receive and be thoroughly familiar with this manual. Supervisory personnel shall administer all policies and procedures contained herein and ensure that subordinate personnel comply with these policies and procedures.
- D. The City of Celina shall adopt this edition of the manual and the Safety-Service Director shall thereafter sign and date the cover page of the manual. The Safety-Service Director shall maintain a three-ring bound master copy as the official copy of the manual in the Safety-Service Director's office.
- E. This manual shall remain the exclusive property of the Employer and shall be surrendered upon request. Unauthorized reproduction is prohibited.
- F. This manual shall be adopted as the Employer's official policies and procedures. Upon the effective date of the manual, the Safety-Service Director shall sign and date the cover page of the master volume of the manual.
- G. The Safety-Service Director shall thereafter make and distribute a copy of the manual to each of the Employer's Appointing Authorities, department heads, and supervisors and maintain a list of each individual receiving a copy and the date issued.
- H. The Safety-Service Director shall also review each collective bargaining unit agreement and ensure that proper notification requirements regarding policy changes are complied with.
- I. Each employee shall be made aware of the Personnel Policy and Procedure Manual within the first month of employment or within 30 days following its initial issue. After reading the manual, the employee shall sign the Acknowledgment of Receipt of Documents Form, which will be placed in the employee's personnel file, within one (1) month of employment. Failure of an employee to timely complete the Acknowledgment of Receipt of Documents Form shall result in termination of employment.

REFERENCE: O.R.C. 705.15; Section 3.11 of this manual, Orientation; City of Celina Collective Bargaining Agreements.

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AMENDMENT

SECTION 1.07

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- A. Changes within the organization or changes in applicable regulations may necessitate changes in this manual. Policies and procedures may only be amended, revised, added, or deleted with the approval of City Council; except that the Mayor or the Safety-Service Director may make minor corrections, clarifications, or changes to any policy or procedure that does not conflict with the original intent of the policy or procedure and does not change the economic impact on the City.
- B. Employees, supervisors, department heads, and Appointing Authorities are encouraged to review and recommend amendments, revisions, additions, or deletions to the policies contained in this manual. Such suggested changes should be reduced to writing and presented to the Mayor or Safety-Service Director, when designated by the Mayor. The Mayor and/or Safety-Service Director shall review all suggested changes and determine those appropriate for inclusion in the manual.
- C. All ordinances adopted by City Council shall be reviewed by the Safety-Service Director to determine whether the ordinance amends, revises, adds, or deletes a section or sections of this manual.
- D. When an ordinance amends, revises, adds, or deletes a section or sections of this manual, the Mayor or Safety-Service Director shall revise the effected manual section(s).
- E. The original of the new section shall be placed in the Safety-Service Director's master copy of the manual.
- F. The Safety-Service Director shall give a copy of new sections to each Appointing Authority, department head, or supervisor that possesses a copy of the manual.
- G. The Mayor, Safety-Service Director, and other Appointing Authorities shall determine by what means new or amended policies are to be communicated to employees (i.e., group meetings, posting on bulletin boards, etc.).
- H. All new sections of the manual shall be provided by the Safety-Service Director to all bargaining units and posted pursuant to the prior notice and posting requirements of each collective bargaining agreement.

REFERENCE: O.R.C. 705.15; City of Celina Collective Bargaining Agreements.

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**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

SEVERABILITY

SECTION 1.08

PAGE 1 OF 1

- A. If any section or part of this manual or any amendment is invalidated by operation of law or by order of a court of competent jurisdiction, or compliance with or enforcement of any article or section of this manual is restrained by a court, the remainder of this manual and any amendments shall not be affected and shall remain in full force and effect, unless the context of the manual as a whole indicates that another section should be invalidated as well to conform with the Employer's intent.

- B. Whenever any section of this manual is amended by operation of law or by court order, the section shall be amended pursuant to the Amendment Section of this manual.

REFERENCE: Section 1.07 of this manual, Amendment.

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**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

PERSONNEL ADMINISTRATION

SECTION 1.09

PAGE 1 OF 1

- A. The personnel system within each department shall be administered by the department head. The Appointing Authority and/or department head shall be charged with the responsibility of ensuring that these personnel policies and procedures are applied in a consistent, objective manner and for the purpose of performing the duties and responsibilities set forth in this manual.

- B. Personnel and benefits administration shall include, but not be limited to, administration of the class plan, EEO compliance, benefit administration, preparation and maintenance of compensation, paid leave, and related employee records, employee recruitment, selection, interviews, orientation and evaluation, and employee discipline.

REFERENCE: Sections of this manual, 3.06 Classification Plan, 3.07 Vacancies in the Classified Service, 3.08 Evaluation of Applicants for Classified Positions, 3.11 Orientation, 3.13 Performance Evaluation, 5.01 Sick Leave, 5.03 Vacation, 5.04 Holidays, 5.05 Funeral Leave, 5.06 Civil Leave, 8.01 Disciplinary Principles, 8.02 Progressive Discipline, 8.03 Predisciplinary Conference – Classified Employees, 8.04 Guidelines for Disciplinary Action and Penalties, 8.05 Conviction of a Felony.

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**THE CITY OF CELINA, OHIO
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**SECTION 2
EQUAL EMPLOYMENT OPPORTUNITY/NONDISCRIMINATION**

- 2.01 Nondiscrimination
- 2.02 Americans with Disabilities Act (ADA) and Pregnant Workers Fairness Act (PWFA)
- 2.03 Discriminatory Harassment
- 2.04 Discrimination Complaint Procedure
- 2.05 Discrimination Disciplinary Procedure
- 2.06 Requests for Reasonable Accommodation

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

NONDISCRIMINATION

SECTION 2.01

PAGE 1 OF 2

- A. The City of Celina is an Equal Opportunity Employer. It is the policy of the Employer to comply fully with all federal, state, and local nondiscrimination laws. No personnel decisions concerning any term or condition of employment shall be unlawfully based upon an individual's race, color, religion, sex, sexual orientation or gender identity, military status, veteran status, national origin, ancestry, age, genetic information, disability or known pregnancy, childbirth or related medical conditions. All applicants for employment and all employees shall be employed and promoted based on their respective merit, fitness, and bona fide occupational qualifications.
- B. The Human Resources Coordinator is the Employer's EEO/ADA Coordinator. The EEO/ADA Coordinator is responsible for providing information regarding anti-discrimination employment laws to employees, applicants, and others and for reviewing and resolving complaints involving alleged unlawful discrimination not personally involving the EEO/ADA Coordinator.
- C. The EEO/ADA Coordinator shall be responsible for formulating, implementing, coordinating, and monitoring all efforts to prevent unlawful discrimination in the workplace.
- D. No inquiry shall be made prior to employment regarding the applicant's race, color, religion, sex, sexual orientation or gender identity, military status, veteran status, national origin, ancestry, age, genetic information, disability or known pregnancy, childbirth, or related medical condition, except as necessary to gather equal employment opportunity or other statistics that, when compiled, will not identify any specific individual. Disclosure of this information is a voluntary action on the applicant's part, and no applicant shall be adversely affected in any way for having refused to supply such information.
- E. It is the responsibility of all employees to aid the Employer in maintaining a work environment free from discrimination. Therefore, it is the responsibility of each employee, including but not limited to supervisors and management, to immediately report any instances of unlawful discrimination to the EEO/ADA Coordinator (see Section 2.04, Discrimination Complaint Procedure). Any employee who observes any conduct that may constitute unlawful discrimination of another employee or a person requesting services from the City, but fails to report same, shall be disciplined. Moreover, any employee who receives a complaint alleging conduct which may constitute unlawful discrimination, but fails to report same, shall be terminated from employment.
- F. City employees shall not discriminate against any other employee or anyone requiring services from the City because of that individual's race, color, religion, sex, sexual orientation or gender identity, military status, veteran status, national origin, ancestry, age, genetic information, disability or known pregnancy, childbirth or related medical condition.
- G. Nondiscrimination posters shall be displayed in conspicuous locations throughout the City offices where notices to applicants and employees are customarily posted in such a manner as to be easily readable from a wheelchair.

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NONDISCRIMINATION

SECTION 2.01

PAGE 2 OF 2

- H. It is the policy of the City of Celina to provide courteous and efficient service. In that regard, the City shall make every reasonable effort to accommodate persons with disabilities, as well as those persons with language and literacy barriers.

- I. Employees found to have committed an act of discrimination on the basis of race, color, religion, sex, sexual identity or gender orientation, military status, veteran status, national origin, ancestry, age, genetic information, disability or known pregnancy, childbirth, or related medical conditions shall be terminated from employment.

- J. Complaints, comments, or questions regarding the City's compliance with this policy should be filed in accordance with the Discrimination Complaint Procedure contained in Section 2.04 of this manual.

REFERENCE: Title VII of the Civil Rights Act; O.R.C. 4112; 8 USC 1324; 42 USC 4701.

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**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

**AMERICANS WITH DISABILITIES ACT(ADA) and PREGNANT WORKERS
FAIRNESS ACT**

**SECTION 2.02
PAGE 1 OF 1**

- A. The Employer recognizes that federal and state law prohibit discrimination on the basis of disability and known pregnancy, childbirth, or related medical conditions, and vows to maintain facilities that are accessible to all, and to maintain a work environment free of discrimination.
- B. Accessible Features: The City shall maintain in operable working order all features of facilities and equipment which are for the use, benefit, aid, or service of the public, in a manner in which is readily accessible to and usable by persons with disabilities.
- C. Accessible Facilities: Each service, program, and activity shall be operated in a manner that, when viewed in its entirety, shall be readily accessible to and usable by individuals with disabilities.
- D. Accessible Communications: The City shall ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.
- E. Information: The City shall ensure that all interested persons (including those with impaired vision or hearing) can obtain information on the existence and location of accessible services, activities, and facilities.
- F. Fundamental Alteration/Undue Burden: Notwithstanding the above commitments to accessibility, taking action to achieve accessibility is not required when it would result in a fundamental alteration in the nature of a service, program, or activity or cause undue financial and administrative hardships.
- G. EEO/ADA Coordinator: The EEO/ADA Coordinator (see Section 2.01) shall be responsible for:
 - 1. providing information about the ADA and PWFA to employees and others; and
 - 2. receiving and resolving complaints involving non-accessibility of services, programs, or facilities and alleged discrimination against disabled individuals and/or individuals with a known pregnancy, childbirth, or related medical conditions.
- H. Complaints, comments, or questions regarding the City's compliance with the ADA and/or PWFA should be filed in accordance with the Discrimination Complaint Procedure contained in Section 2.04 of this manual.

REFERENCE: 29 CFR 1630; 28 CFR 35; Section 2.04 of this manual, Discrimination Complaint Procedure.

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**THE CITY OF CELINA, OHIO
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DISCRIMINATORY HARASSMENT

SECTION 2.03

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A. It is the policy of the City of Celina to maintain an environment free from all forms of unlawful discriminatory harassment for all employees, including gender-based discrimination due to sexual harassment. In order to maintain this environment, discriminatory harassment, whether committed by supervisors, co-workers, or members of the public, of opposite or same sex is strictly prohibited.

1. Definition: Discriminatory harassment is any type of harassing conduct that is based upon a person's race, color, religion, sex, sexual orientation or gender identity, military status, veteran status, national origin, ancestry, age, genetic information, disability or known pregnancy, childbirth, or related medical conditions.
2. Sexual harassment is a specific type of discriminatory harassment. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior, which is not welcome, which is personally offensive, which debilitates morale, and which therefore interferes with work effectiveness.

Sexual harassment, whether committed by supervisory or non-supervisory personnel, is a form of sex discrimination. Sexual harassment includes, but is not limited to the following:

- a. Repeated unwanted and/or offensive sexual flirtations, advances, or propositions;
- b. Repeated verbal abuse of a sexual nature or use of sexually degrading words to describe an individual;
- c. Graphic or degrading verbal, written, or electronically transmitted comments about an individual, the individual's appearance, or the individual's sexual orientation;
- d. The display of sexually suggestive objects, pictures, or the display of same through other media;
- e. The implication or threat that an employee's or applicant's employment, assignment, compensation, advancement, career development, or other condition of employment will depend on the employee's or applicant's submission to sexual or discriminatory harassment in any form;
- f. Any offensive, abusive, or unwanted physical contact of a sexual nature;
- g. Any other conduct or behavior that may be construed as being sexually degrading or offensive.

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DISCRIMINATORY HARASSMENT

SECTION 2.03

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- B. It is the policy of the Employer to terminate from employment any employee found to have committed an act of sexual harassment or engaged in conduct giving insult or offense on the basis of race, color, religion, sex, sexual orientation or gender identity, military status, veteran status, national origin, ancestry, age, genetic information, disability or known pregnancy, childbirth, or related medical condition.
- C. Responsibility:
1. It is the responsibility of all employees to aid the Employer in maintaining a work environment free from discrimination, including sexual harassment. Therefore, it is the responsibility of each employee, including but not limited to supervision and management, to immediately report any instances of discriminatory harassment to the EEO/ADA Coordinator (see Discrimination Complaint Procedure, Section 2.04). Any employee who observes any conduct that may constitute discriminatory harassment of any City employee or individual receiving services from the City, but fails to report same, shall be disciplined. Moreover, any employee who receives a complaint alleging conduct which may constitute discriminatory harassment of any City employee or individual receiving services from the City, but fails to report same, shall be disciplined.
 2. It is further the responsibility of each supervisor to ensure that all employees who report to the supervisor are aware of the policy against discriminatory harassment, that they are aware of the complaint and reporting procedures, and that they are aware of the consequences of engaging in discriminatory harassment.
 3. It is the responsibility of management to maintain an environment free from discriminatory harassment. Supervisors shall be trained in recognizing discriminatory harassment, the complaint and reporting procedures, the proper methods of investigating complaints of discriminatory harassment, and the related disciplinary procedures.
 4. Employees shall be made aware of this policy and shall be provided training to assist in maintaining an environment free from discriminatory harassment. Newly-hired employees will receive information regarding this policy as a part of their employment orientation.

REFERENCE: Title VII of the Civil Rights Act; O.R.C. 4112; 8 USC 1324; 42 USC 4701; Section 2.04 of this manual, Discrimination Complaint Procedure.

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**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

**DISCRIMINATION
COMPLAINT PROCEDURE**

**SECTION 2.04
PAGE 1 OF 3**

If EEO/ADA Coordinator is the subject of the complaint or if the employee is uncomfortable reporting the act to the EEO/ADA Coordinator, the employee should submit his/her complaint to the Safety-Service Director or the Law Director.

- A. Any person should file a complaint immediately if he/she believes that:
1. He/she has been the subject of unlawful discrimination or discriminatory harassment, including a violation of the ADA, PWFA or conduct involving sexual harassment.
 2. He/she has witnessed an incident or incidents that constitute discrimination or discriminatory harassment.
 3. A City sponsored program, service, or facility is not accessible to disabled individuals.
- B. The person alleging discrimination or discriminatory harassment shall complete the Discrimination Complaint Form provided for that purpose and submit the form to the EEO/ADA Coordinator or designee. The person should provide:
1. The person's name;
 2. The name of the subject of the complaint;
 3. The type of discrimination or discriminatory harassment alleged, or the program, service, or facility alleged to be inaccessible to disabled individuals and/or individuals with a known pregnancy, childbirth, or related medical condition;
 4. The specific nature of the alleged discriminatory harassment, discrimination, or inaccessible program, service, or facility; and the alleged employment action (e.g., demotion, failure to promote, dismissal, refusal to hire, etc.), if any, alleged to have occurred as a result;
 5. The date(s) of the act(s);
 6. Any witnesses to the alleged acts;
 7. Whether the employee has previously reported the alleged discriminatory harassment or discrimination; and
 8. The remedy the employee is seeking.

This form should be completed by the employee as soon as possible following the alleged act giving rise to the discrimination or harassment complaint.

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**DISCRIMINATION
COMPLAINT PROCEDURE**

**SECTION 2.04
PAGE 2 OF 3**

- C. If the employee alleging discrimination or discriminatory harassment is unwilling to complete the complaint form, the form shall be completed immediately by the person to whom the verbal complaint was made.
- D. After the Discrimination Complaint Form has been completed, the complaint will promptly be investigated by the EEO/ADA Coordinator or designee. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses.
- E. All information disclosed shall be held in strictest confidence to the extent allowed by law and otherwise will only be revealed on a need-to-know basis in order to investigate and resolve the matter.
- F. Employees who make complaints of harassment or provide information related to such complaints or incidents shall not be retaliated against by the City or any employee of the City. Any employee involved in retaliation that results in an adverse employment action will be terminated from employment.
- G. Any employee that makes a false statement and/or false accusations during the investigation will be terminated from employment.
- H. The same conditions and rules apply as they may relate to discriminatory harassment of a resident or member of the public by an employee at the workplace. Any acts of discriminatory harassment towards a member of the public must be reported to the EEO/ADA Coordinator, and documented by any witnessing employee, prior to the end of the same workday.
- I. If the investigation reveals that a complaint of discrimination or discriminatory harassment is valid, prompt remedial action will be taken to end the discrimination and/or harassment immediately.
- J. When reviewing complaints alleging a violation of the ADA, the EEO/ADA Coordinator or other designated investigator will determine whether the complainant is a “qualified person with a disability, and/or known pregnancy, childbirth, or related medical condition”, whether the Employer may have discriminated against the complainant, and whether the Employer can “reasonably accommodate” the complainant.
- K. If any program, service, or facility is found to be non-accessible to disabled individuals, the Employer shall take appropriate steps to achieve accessibility according to the law.
- L. The complaining employee and/or the reporting employee will be informed of the results of the investigation and any remedial action taken to end discrimination and/or harassment.

**THE CITY OF CELINA, OHIO
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**DISCRIMINATION
COMPLAINT PROCEDURE**

**SECTION 2.04
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REFERENCE: Title VII of the Civil Rights Act; 42 USC 4701; O.R.C. 102.03(B); O.R.C. 149.43; O.R.C. 4112.

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**THE CITY OF CELINA, OHIO
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**DISCRIMINATION
DISCIPLINARY PROCEDURE**

**SECTION 2.05
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- A. When it is determined that there is cause for believing that an act of discrimination or discriminatory harassment has occurred, the following steps will be followed.
1. The charged party may, pending the final resolution of the complaint, be immediately placed on administrative leave with pay.
 2. If the charged party requests it, a meeting will be held during which the charge will be explained to the charged party, and the charged party will be given the opportunity to respond to the charge. The Employer may require that the response be in writing and submitted to the person conducting the investigation.
 3. Following the meeting and/or completion of the investigation, a final determination will be made. If it is determined that a prima facie case of discrimination or discriminatory harassment has been established, the charged employee will be notified and terminated from employment.
- B. Any employee who retaliates against a complainant, job applicant, or employee for asserting his/her rights to be free from discrimination including harassment will be terminated from employment. Asserting these rights is called “protected activity”, and it can take many forms. For example, it is unlawful to retaliate against complainants, applicants, or employees for:
1. Filing or being a witness in an EEO or OCRC charge, complaint, investigation, or lawsuit.
 2. Communicating with a supervisor about employment discrimination, including harassment.
 3. Answering questions during an employer investigation of alleged harassment.
 4. Refusing to follow orders that would result in discrimination.
 5. Resisting sexual advances, or intervening to protect others.
 6. Requesting accommodation of a disability, known pregnancy, childbirth, or related medical condition or for a religious practice.
 7. Asking other employees about salary information to uncover potentially discriminatory wages.

The above list is intended to be illustrative only and is a non-exhaustive list.

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**DISCRIMINATION
DISCIPLINARY PROCEDURE**

**SECTION 2.05
Page 2 of 2**

Engaging in protected activity, however, does not shield an employee from all discipline or discharge. The Employer is free to discipline or terminate employees if motivated by non-retaliatory and non-discriminatory reasons that would otherwise result in such consequences.

- C. Nonemployees found to have committed an act of illegal discrimination against an employee will be dealt with appropriately as allowed by law.

REFERENCE: Title VII of the Civil Rights Act; O.R.C. 4112; 42 USC 4701.

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**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

REQUESTS FOR REASONABLE ACCOMMODATION

SECTION 2.06

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- A. Disability Accommodation: Any employee who is a qualified individual with a disability, or known pregnancy, childbirth or related medical condition and who is in need of a reasonable accommodation in order to perform the essential functions of his/her job, must identify that need to the Appointing Authority or designee at the earliest possible time.

Upon receipt of such request, the Appointing Authority or designee will meet with the employee to discuss the expressed need, and will then determine whether the employee, with a reasonable accommodation, if necessary, would be able to perform the essential functions of the job, including regular and punctual attendance.

If the accommodation is reasonable, and does not pose an undue hardship on the Employer, and will enable the employee to perform all of his/her essential functions, including regular and punctual attendance, the Employer will make that accommodation.

If no reasonable accommodation can be made, the employee will be offered any lesser available vacant position provided the employee can perform the essential functions of said position with a reasonable accommodation, if necessary.

If no accommodation can be made, the Appointing Authority or designee will discuss with the employee those options that may be available, including, but not limited to:

1. Use of available paid leave
2. OPERS disability retirement
3. Disability separation

- B. Religious Accommodation: Employees may request from the Appointing Authority or designee a reasonable accommodation for the employee's religious observance or practice. An employee must receive approval of the accommodation from the Appointing Authority or designee before the employee engages in any practice that otherwise would be a violation of a work rule or policy (e.g., failure to report to work as assigned, violation of the dress code policy, etc.).

The Employer will not be able to accommodate an employee's religious observance or practice when the accommodation creates an undue hardship that will disrupt Employer operations. A religious accommodation shall be granted unless it would cause an actual cost to the Employer or to other employees or an actual disruption of work, or unless it is otherwise barred by law.

REFERENCE: Title VII of the Civil Rights Act; 29 CFR 1630; 28 CFR 41; 28 CFR 35.

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SECTION 3 EMPLOYMENT

- 3.01 Requirements for Employment/Residency Requirement
- 3.02 Classified and Unclassified Employment
- 3.03 Requesting an Exemption from Civil Service
- 3.04 Employment Status
- 3.05 Position Description Plan
- 3.06 Classification Plan
- 3.07 Vacancies in the Classified Service
- 3.08 Evaluation of Applicants for Classified Positions
- 3.09 Medical Examinations — Applicants and Employees
- 3.10 Immigration Reform and Control Act Policy
- 3.11 Orientation
- 3.12 Probationary Period
- 3.13 Performance Evaluation
- 3.14 Training
- 3.15 Reduction
- 3.16 Seniority
- 3.17 Layoff
- 3.18 Resignation/Retirement
- 3.19 New Hire Reporting
- 3.20 Notice of Payroll Changes

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**REQUIREMENTS FOR EMPLOYMENT/
RESIDENCY REQUIREMENT**

**SECTION 3.01
PAGE 1 OF 2**

- A. The Employer appoints, employs, fixes compensation for, disciplines, and establishes policies and procedures and other conditions of employment for City employees. Employment with the Employer is employment in a public agency, subject to federal, state, and local laws and the requirement that employees recognize and agree to abide by all applicable laws while on or off duty and all applicable policies and procedures as a condition of employment.
- B. All employees must comply with any residence requirements established by City ordinance, or if no ordinance exists, then as established by state law.
- C. Employment of Relatives:
1. The Employer will not hire immediate family members in the same work unit, department, or office or within the same hierarchy of supervision, in an effort to avoid the appearance of impropriety and violations of Ohio's ethics laws. (A copy of which is located in Section 9 of this manual.)
 2. Following adoption of this policy, no employee shall occupy or be eligible to be considered for a position in which the employee could directly supervise or influence decisions concerning the conditions of employment of a member of the employee's immediate family. If such a situation arises after employment, the Appointing Authority or designee may reassign either employee. If reassignment is not possible, the Appointing Authority will make arrangements whereby the supervisor family member is removed and prohibited from reviewing and/or influencing the employment conditions of another subordinate family member.
 3. Furthermore, an employee or elected official is prohibited from soliciting or using his authority or influence, formally or informally, to secure the employment of a "related" applicant.
 4. "Immediate family" for the purposes of this section means an employee's: parents; step-parents; brothers; sisters; spouse; children, step-children, son-in-law, or daughter-in-law, whether dependent or not; grandparents; grandchildren; or any other person related by blood or marriage and living in the employee's or elected official's household (for example, if an employee's cousin, uncle, aunt, nephew, or niece lives in the same household with the employee, that person is a member of the employee's family).
- D. Operator's/CDL Licenses: Certain classifications require that applicants and/or incumbents have and maintain a motor vehicle operator's or commercial driver's license. Applicants without the required license will be ineligible for appointment. Incumbents who lose the license required for their classification will be deemed to be incompetent to perform the duties of their classification and will be terminated from employment.

**THE CITY OF CELINA, OHIO
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**REQUIREMENTS FOR EMPLOYMENT/
RESIDENCY REQUIREMENT**

**SECTION 3.01
PAGE 2 OF 2**

- E. Bonding: State law or the Employer may require that certain employees be bonded. The Employer will pay the cost of bonding. Should an employee fail to maintain this qualification, the employee will be terminated from employment with the City.

- F. Licensing/Certification: Any employee required to have a license or certification in order to perform the duties of his/her position, shall obtain said license or certification prior to employment with the City or, if approved by the Appointing Authority, within a reasonable period of time thereafter. The employee shall be required to maintain any required license or certification as a condition for continued employment by the City.

- G. Insurability: An employee must be insurable under all applicable City insurance plans designed to protect the City from liability and remain eligible for such coverage during the term of his/her employment. The City may conduct a review of driving records of those employees required to drive during the course of employment to ensure the employee possesses a valid license, remains insurable, and remains eligible to operate City vehicles and equipment.

- H. Former Employees: Depending on the circumstances, the Employer may consider a former employee for reemployment. To be considered, the former employee must have been in good standing at the time of separation of employment with the City and must have resigned in accordance with the applicable policy regarding resignations.

REFERENCE: O.R.C. 9.481; O.R.C. 735.01; O.R.C. 737.01; O.R.C. 2921.42.

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**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

CLASSIFIED AND UNCLASSIFIED EMPLOYMENT

SECTION 3.02

PAGE 1 OF 2

- A. Unless waived by a collective bargaining agreement, employment with the Employer is governed by the State of Ohio Civil Service laws and the rules and regulations of the City of Celina Civil Service Commission. All positions in the civil service fall into one (1) of two (2) general categories: “Classified”, or “Unclassified”.
- B. All employees of the City are presumed to be classified civil servants unless the position an employee occupies has been exempted from the classified service by a lawful request of the Employer, or by operation of law. Most classified employees may only be disciplined for cause and by following the procedures set forth in O.R.C. Chapter 124 and the rules and regulations of the City of Celina Civil Service Commission. Exceptions include probationary employees, who may be removed or reduced for unsatisfactory service during the probationary period without a showing of cause (see Section 3.12, Probationary Period) and certain employees covered by a collective bargaining agreement who have waived their rights under Chapter 124 and the City of Celina Civil Service Rules and Regulations. Classified status does restrict an employee’s ability to participate in partisan politics (see Political Activity Policy).
- C. Some City employees serve in the unclassified civil service, or occupy positions which have been exempted from the classified service. Employees such as deputies and assistants of elective or principal executive officers authorized to act for and in the place of their principals, or those who hold a fiduciary relationship to their principals, or other positions specifically exempted pursuant to O.R.C. 124.11 (A), serve in the unclassified service. Such employees serve at the pleasure of the Employer. Unclassified employees are not prohibited by law from engaging in partisan political activity on their own time and away from areas in public buildings where official business is transacted or conducted (see Section 7.09, Political Activity).
- D. Employees appointed to positions on temporary, seasonal, or intermittent basis are unclassified and serve at the pleasure of the Appointing Authority, and therefore, have no right to appeal any suspension or removal to the Civil Service Commission.
- E. Appointment: Employees in the classified service may be appointed to their positions (hired or promoted) by “certified” appointment or “appointment without competitive examination”.
1. Certified Appointment: A certified appointment occurs when an appointment is made from a list of certified eligible applicants who have passed a civil service examination. Employees hired by certified appointment are not subject to displacement, except in cases of layoff or job abolishment.
 2. Appointment without Competitive Examination: An appointment without competitive examination is made when a qualified person has been hired in the absence of a list of certified applicants in accordance with the City of Celina Civil Service Rules and Regulations.

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CLASSIFIED AND UNCLASSIFIED EMPLOYMENT

SECTION 3.02

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3. Since a certified list of applicants for many City positions is normally not available from the Civil Service Commission, City employees are hired by appointment without competitive examination but obtain permanent status after completion of the position's probationary period or after six (6) months of service with the City, whichever is longer.
- F. Unclassified Service: "Unclassified" employees serve at the pleasure of the Appointing Authority. They need not take a civil service examination for initial appointment to, or retention of, their position and do not serve a probationary period since they continuously serve at the pleasure of the Appointing Authority.

REFERENCE: Section 3.12 of this manual, Probationary Period; Section 7.09 of this manual, Political Activity; O.R.C. 124.30; City of Celina Civil Service Rules and Regulations.

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REQUESTING AN EXEMPTION FROM CIVIL SERVICE

SECTION 3.03

PAGE 1 OF 2

- A. The Appointing Authority may exempt a position from the classified Civil Service under one or more of the following legal exemption justifications:
1. a personal exemption — O.R.C. 124.11 (A)(8)
 2. a fiduciary exemption — O.R.C. 124.11 (A)(28)
 3. or any of the other relevant exemptions in O.R.C. 124.11 or any other specific section of the O.R.C.
- B. A personal exemption should be filed by the Appointing Authority in accordance with the City of Celina Civil Service Rules and Regulations and shall be limited to no more than four (4) positions.
- C. The Appointing Authority, wishing to request a personal exemption, should file the appropriate documentation with the Civil Service Commission. Such documentation should include:
1. A cover letter expressing the Appointing Authority's desire to request approval of a personal exemption for the specified position.
 2. A position description outlining the position's duties, responsibilities, and minimum characteristics. The position description should be signed by the Appointing Authority.
 3. A table of organization reflecting the Appointing Authority's current reporting relationships.
 4. A document signed voluntarily by the incumbent of the exempted position exempting the incumbent from civil service protection. Note that this action is entirely voluntary on the incumbent's part. If the incumbent chooses not to sign this document, the incumbent will continue in his/her classified status, but in an unclassified position. In this case, an alternate document should be signed by the employee indicating that the employee understands that the position he/she occupies is to be unclassified, but he/she chooses to remain a classified employee, or notice should be given to the employee in lieu thereof.
- D. The Appointing Authority, wishing to request a fiduciary exemption, should file the appropriate documentation with the Civil Service Commission. Such documentation must include:
1. A cover letter expressing the Appointing Authority's desire to request approval of a fiduciary exemption for the specific position. The letter should state that the position reports directly to the Appointing Authority, and performs substantially administrative, fiduciary, and policy making duties.

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REQUESTING AN EXEMPTION FROM CIVIL SERVICE

SECTION 3.03

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2. A position description outlining the duties, responsibilities, and minimum characteristics of the position. Such description must reflect a fiduciary relationship to the Appointing Authority. The position description must also be signed by the Appointing Authority.

3. A table of organization (T.O.) reflecting the department's reporting relationships. The T.O. must reflect that the position requested for exemption reports directly to the Appointing Authority.

REFERENCE: O.R.C. 124.11; City of Celina Civil Service Rules and Regulations.

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EMPLOYMENT STATUS

**SECTION 3.04
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- A. In addition to being categorized as being in the classified or unclassified civil service, all employees shall be employed in one (1) of the following types of appointment categories:
1. Hours Assigned:
 - a. Full-time: An employee who works at least 40 hours per week on a regularly scheduled basis or the standard full-time workweek as designated by the Appointing Authority.
 - b. Part-time: An employee who works less than 40 hours per week, or less than the standard full-time workweek designated by the Appointing Authority, but on a regularly scheduled basis.
 - c. Intermittent: An employee who works on an irregular schedule which is determined by the fluctuating demands of the work and is generally not predictable. Intermittent employees serve in the unclassified service at the pleasure of the Appointing Authority by operation of law.
 2. Duration of Appointment:
 - a. Permanent: An employee appointed for a continuing period of time until removed by the employer in accordance with applicable law.
 - b. Temporary: An employee appointed to a non-permanent position, on a full-time, part-time, or intermittent basis, for a limited period of time, not to exceed 120 days, and in no case shall successive temporary appointments be made. A temporary appointment longer than 120 days may be made if necessary, by reason of sickness, disability, or other approved leave of absence of regular officers or employees, in which case it may continue during the period of sickness, disability, or other approved leave of absence. Temporary employees serve in the unclassified service at the pleasure of the Appointing Authority by operation of law.
 - c. Seasonal: An employee who works on the academic program year or who works on a recurring but temporary basis annually (e.g., summer, mowing season, tax collection period, etc.). A seasonal employee may be appointed on a full-time, part-time, or intermittent basis.
 - d. Student: An employee who is a student at an educational institution and employed by the Employer in cooperation with such educational institution to provide training to the student employee. (Student appointments are in the unclassified service by operation of law.)

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EMPLOYMENT STATUS

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- B. Contract service providers and/or vendors are not considered to be employees of the City and, therefore, are not eligible for benefits provided by the City.
- C. The categories outlined above apply for civil service purposes, such as order of retention in the event of layoff. However, these categories may not apply to certain benefit programs, such as eligibility for health care coverage, especially where eligibility and categories of employee status are established by those benefit programs.
- D. If an employee works the number of hours per week on a regular basis for six (6) consecutive months which might justify a change in employment status, the employee may request to have their employment status changed.
- E. Employees shall be informed upon appointment of their employment status. Temporary, seasonal, and intermittent appointments shall be communicated in writing to employees (see Temporary and Intermittent Letter Forms). Such notice shall also include the approximate dates of employment and cessation of employment.
- F. Employees may submit a request to their department head for a change in employment status if they believe they are working more time on a regular basis than their employment status indicates.

REFERENCE: O.R.C. 124.11; O.R.C. 124.30.

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POSITION DESCRIPTION PLAN

SECTION 3.05

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- A. The Safety Service Director shall maintain and administer the City’s plan of position descriptions, known as a “Position Description Plan”. A position description identifies the duties, responsibilities, essential functions, qualifications, and other employment information for a particular position within the City’s structure.
- B. The Appointing Authority may recommend creation or amendment of a Position Description based upon an analysis of the position. All changes in a Position Description must be approved by the Appointing Authority.
- C. Each position shall be assigned a classification title in accordance with Section 3.06 herein. The Appointing Authority shall maintain copies of all position descriptions in the master copy of the Position Description Plan.
- D. Audit Request: A non-bargaining employee who believes substantial changes have occurred in the employee’s job which justify reclassification, may request an audit of the employee’s position. The procedure is as follows:
1. The employee must submit a written request for reclassification to the department head.
 2. The request for review must specify the work assignments and/or added responsibilities which the employee is performing and which the employee feels are justification for the reclassification. The request may also specify the classification to which the employee feels the position should be reclassified.
 3. The department head shall review the request and forward the request along with comments and/or a recommendation to the Safety-Service Director. The Safety-Service Director shall, thereafter, determine if the position should be reclassified.
 4. Within 30 days of the original written request by the employee, the Safety-Service Director shall notify the employee, in writing, of the decision to reclassify or not to reclassify.
 5. If dissatisfied with the decision and justification, the employee may submit a formal complaint through the grievance procedure outlined in this manual (see Section 8.06, Complaint Procedure).
 6. Nothing in this policy and procedure prevents an employee from requesting an audit of the employee’s position by the Civil Service Commission. The Employer maintains the same rights as an employee in this regard. Once an employee has chosen to request a Civil Service Commission audit, the internal procedures described herein shall no longer be available.
- E. Bargaining unit employees may seek a review of their classification in accordance with the applicable collective bargaining agreement.

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POSITION DESCRIPTION PLAN

**SECTION 3.05
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- F. Revisions: As positions are changed or added, the Position Description Plan must be revised. Factors which may necessitate a revision to the plan are:
1. The addition of a new duty or responsibility to a position.
 2. The abolishment of a current duty or responsibility from a position.
 3. A change in the educational or experience requirements for the position.
 4. The reassignment of current duties or responsibilities between or among positions.
 5. A new or revised licensure or certification requirement as dictated by law or the Employer.
- G. Revisions may be necessary in the content of the position descriptions, classification assignments, and/or table of organization. When any of these changes are necessary, the department head shall submit a proposed revision to the Safety-Service Director, who shall review the request and make any appropriate changes or additions to the position description and/or table of organization. Once approved, copies of all revisions will be provided to the department head who shall maintain an updated copy of the position descriptions.
- H. In addition to the continual updating process, the entire Position Description Plan should be completely analyzed and updated on a regular basis (e.g., annually or every few years) to ensure that all significant changes have been noted, all positions are properly classified, and all position descriptions accurately reflect the job duties, essential functions, responsibilities, and skill level requirements of each position within the organization.
- I. Classification title changes, reclassifications, and any other related changes must be reflected on all applicable payroll, personnel, and operational records. Changes in the Position Description Plan may also necessitate an update to the compensation plan, performance evaluation forms, and other personnel systems.

REFERENCE: Section 3.06 of this manual, Classification Plan.

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CLASSIFICATION PLAN

**SECTION 3.06
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- A. The Civil Service Commission shall be responsible for the administration of the City Classification Plan. The Civil Service Commission shall maintain and update or have updated the official copy of the City's Classification Plan and shall make such plan available for public inspection upon reasonable request.
- B. City Appointing Authorities shall provide to the Civil Service Commission current position descriptions for their departments.
- C. Positions within the City are grouped into classifications. A classification includes one (1) or more positions which have similar duties, responsibilities, and qualification requirements and can be described by a common job classification title. The Civil Service Commission shall analyze all position descriptions and shall allocate each position to one of the classes in the City Classification Plan. If a suitable class does not exist, the Civil Service Commission shall establish a new classification and corresponding classification specification for adoption by Council.
- D. Each classification shall also be assigned to a classification series which shall contain related classifications which form a career progression. The classification series shall be utilized to determine employees' bumping rights following a layoff.
- E. Whenever a change occurs in a position or whenever a vacancy occurs, a position description shall be completed and submitted to the Civil Service Commission for assignment to the appropriate classification. This requirement may be waived in vacant positions where changes in job duties and responsibilities have been unlikely. Upon each occasion where a department or division is reorganized, position descriptions for all affected employees shall be submitted to the Civil Service Commission. Additionally, whenever there is a change in reporting relationships, a current table of organization for the restructured department or division shall be submitted.
- F. The Civil Service Commission may cause a periodic review of the classes and positions, and make necessary adjustments or revisions to the classification plan. Likewise, the City at any time may conduct an overall review of all positions for the purpose of resubmitting current position descriptions to the Commission for review and classification.
- G. Any changes which are made in position descriptions, class specifications, or tables of organization should be communicated in writing to all affected employees.
- H. Approved classification title changes, reclassifications, and any other related changes must be reflected on all applicable payroll, personnel, and operational records.
- I. Changes in the classification plan may also necessitate an update of the City's compensation plan, performance evaluation forms, and other personnel systems.

REFERENCE: O.R.C. 124.321-124.327.

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VACANCIES IN THE CLASSIFIED SERVICE

**SECTION 3.07
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- A. When a vacancy occurs in a classified position, the Employer will contact the Civil Service Commission to determine if a list of applicants is available. When a list of certified applicants is not available from the Civil Service Commission, appointment from a certified list is not mandatory, and the Employer may fill the classified position in accordance with the policy and procedures outlined herein.
- B. The Employer shall announce all vacancies in the classified service by appropriate means and maintain a list of announced vacancies for public inspection.
- C. Each announcement, insofar as practical, shall specify the job title, compensation range, nature of the job, the required qualifications, and the deadline, method, and place of application. The announcement shall also include the essential functions of the job or contain a reference to a contact person or posting location that will advise applicants of the essential functions of the position. When a medical examination is required, such requirement shall be included in the vacancy announcement. Each announcement shall also include an equal opportunity statement.
- D. Vacancies in the classified service which occur or are imminent shall be posted internally on employee bulletin boards for a minimum period of three (3) calendar days and may be posted externally on public bulletin boards, in various newspaper publications, on various websites, and/or otherwise advertised as determined necessary by the Employer. The Employer will attempt to fill vacancies from among interested, current employees of the Employer who meet the necessary qualifications and are able to perform the essential functions of the position provided such internal promotion is in the best interest of the City. However, this does not prohibit the City from hiring outside applicants.
- E. An Application for Employment Form must be properly completed and submitted before an applicant will be considered for employment. Current employees wishing to be considered for the position must apply in the same manner.
- F. The Employer will make reasonable accommodations to assist qualified persons with disabilities to apply for vacancies.
- G. Nothing in this section shall be construed to prevent the Employer from advertising for external applicants concurrently with the internal advertising of vacancies.
- H. Normally, employment applications will be accepted only when a vacancy exists or is inherent and has been announced. Applications will be considered active until the vacancy has been filled; after which a new application form is required.

REFERENCE: O.R.C. 124.23; O.R.C. 124.27; 41 CFR 60; Section 3.09 of this manual, Medical Examinations – Applicants and Employees.

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**EVALUATION OF APPLICANTS FOR CLASSIFIED
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**SECTION 3.08
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- A. When a valid list of certified applicants is not available from the Civil Service Commission, applicants will be evaluated and selected in accordance with the policy and procedures herein.
- B. Appointments by the Appointing Authority to vacant positions in the classified service either by internal promotion or external selection will be based solely on the applicant meeting the job-related qualifications and possessing the knowledge, skills, and ability to perform the essential functions of the position as ascertained through job-related selection methods.
- C. The Appointing Authority and/or department head will first review all applications to determine those applicants who possess the minimum, job-related qualifications as stated on the position description (e.g., minimum licenses, certifications, experience, etc.).
- D. Once the Appointing Authority and/or department head have determined those applicants who meet the minimum job-related qualifications, they will consider each applicant's:
 - 1. knowledge, skill, and ability to perform the essential functions of the position;
 - 2. work experience in positions comparable to the vacant position;
 - 3. work history (i.e., length of past employment, reasons for leaving, etc.);
 - 4. work record (i.e., attendance, performance, disciplinary actions, etc.);
 - 5. application appearance.
- E. Applicants may be required to submit to any or all of the following: reference checks, background checks, job-related performance tests, interviews, criminal history checks, and other job-related selection procedures.
- F. Otherwise qualified applicants may be eliminated from consideration for a position if the applicant:
 - 1. makes a false statement of material fact in the application/other hiring documents or examination;
 - 2. has committed or attempted to commit a fraudulent act at any stage of the selection process;
 - 3. is an alien not legally permitted to work;
 - 4. has previously been terminated for just cause, except in unusual circumstances to be determined by the Employer;

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**EVALUATION OF APPLICANTS FOR CLASSIFIED
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**SECTION 3.08
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5. has been convicted of a felony or a crime involving moral turpitude;
6. is addicted to drugs or alcohol;
7. has a pattern of poor work habits and performance with the current or previous employer; or
8. has been guilty of infamous or notoriously disgraceful conduct.

If an applicant is hired and it is subsequently discovered that one of the above disqualifying criteria apply, the employee may be removed from employment.

- G. If the department head performs the initial interviews, the department head shall determine the most qualified applicant for the position and submit a recommendation to the Appointing Authority, who shall approve or disapprove the department head's recommendation. The Appointing Authority may decide to be involved in the initial interviews or may elect to interview only a selected number of candidates following the department head's preliminary screening of qualified candidates.
- H. Once the preferred candidate is selected, the Appointing Authority or department head may inquire whether the candidate requires an accommodation to perform the job. The Employer will not classify a candidate who requires a reasonable accommodation as unqualified solely because that candidate requires such accommodation. However, if the accommodation is unreasonable, or would cause undue hardship to the Employer, the candidate may be considered unqualified.
- I. The applicant shall not be required to submit to a medical examination until the Employer has made a conditional offer of employment to the applicant (see Medical Examination policy).
- J. The Appointing Authority and department head are responsible for maintaining a recordkeeping system reflecting the disposition of all job applicants. Such records shall be kept on file for at least two (2) years and shall include a completed job application, medical examination data, test results, and/or other job-related information.

REFERENCE: O.R.C. 124.23; 42 USC 4701.

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**MEDICAL EXAMINATIONS — APPLICANTS
AND EMPLOYEES**

**SECTION 3.09
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- A. A medical examination by a licensed physician may be required by the Appointing Authority following a conditional offer of employment but prior to the appointee's first day of work to evaluate selected job applicants' physiological and/or psychological condition as it relates to the appointee's ability to perform the essential duties of the positions for which they are appointed. Examinations may include any job-related examination determined to be a preemployment requirement.
- B. For purposes of this policy, a "licensed physician" is a physician, psychiatrist, health care professional trained and licensed to perform the appropriate examination.
- C. Applicants may obtain, with approval of the Employer, a waiver of the medical examination requirement for reason of verified religious opinion or affiliation. Any applicant requesting to waive the examination requirement for religious reasons shall submit a written affidavit describing the applicant's state of health at the time of employment.
- D. All employees are required to maintain their physical fitness at a level which will permit them to efficiently perform the essential functions of their position and avoid endangering themselves or those they serve.
- E. All applicants for original appointment in the Police and Fire Departments, within 120 days prior to appointment, must pass a physical examination, given by a licensed physician, certifying that the applicant is free of cardiovascular and pulmonary diseases and capable of performing the physical requirements of the position applied for, with or without a reasonable accommodation.

The Appointing Authority shall, prior to making any such appointment, file with the Ohio Police and Fire Pension Fund, a copy of the report or findings of the licensed physician. (see O.R.C. 124.41 and 124.42).

- F. When a medical examination is required, such requirement shall be included in the vacancy announcement.
- G. The Appointing Authority shall select the licensed practitioner to administer the examination and shall pay the cost.
- H. After hire, employees may be legally required to submit to medical examinations for certain purposes during their period of employment with the City. Such an examination is intended to ensure that the incumbents continue to be physically and mentally able to perform the duties of their position. Examples include examination to certify eligibility for Family and Medical Leave or other leaves of absence, examination to assess eligibility for workers' compensation, examination required by Occupational Safety and Health programs, etc. A medical examination may also be required to determine an employee's ability to return to work following a medically related leave of absence, or whenever the Employer has reasonable suspicion that an employee is physically or mentally unable to perform the essential functions of the employee's position.

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**MEDICAL EXAMINATIONS — APPLICANTS
AND EMPLOYEES**

**SECTION 3.09
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- I. Information obtained under this section regarding the medical condition or history of the applicant or employee shall be collected and maintained on separate forms and in separate medical files and be treated as a confidential medical record, except that:
 - 1. Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
 - 2. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and
 - 3. Government officials investigating compliance with law shall be provided relevant information on request.

- J. An applicant's refusal to submit to the examination, unexcused failure to appear for an examination, or refusal to release the results of an examination to the Employer, shall result in withdrawal of any offer of employment.

- K. An employee's refusal to submit to the examination, an unexcused failure to appear for an examination, or the refusal to release the results of an examination to the employer, will result in termination of the employee's employment.

- L. Upon written request of an employee to furnish to the employee or former employee or their designated representative a copy of any medical report pertaining to the employee, the medical report shall be provided to the employee, former employee, or designated representative.

REFERENCE: O.R.C. 124.41; O.R.C. 124.42; O.R.C. 4113.21; O.R.C. 4113.23; 29 CFR 1605.2; 29 CFR 1630.14; 28 CFR 35; Section 5.10 of this manual, Disability Leave/Separation.

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IMMIGRATION REFORM AND CONTROL ACT

SECTION 3.10

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- A. In accordance with the Immigration Reform and Control Act of 1986 and as a condition of employment, the Employer shall verify both the identity and the employment eligibility of all employees.
1. All employees shall be required to complete the Employee Information and Attestation information requested on Form I-9 no later than the first day of employment but not before accepting a job offer.
 2. Within three (3) business days of the date employment begins, each newly hired employee shall furnish an original of one (1) of the documents listed on List A of Form I-9 to substantiate both the employee's identity and employment authorization or an original of one (1) of the documents on List B of Form I-9 to establish identity and an original of one (1) of the documents on List C of Form I-9 to establish employment authorization.
 3. If the newly hired employee cannot produce the documents, the employee must produce a receipt for an application for replacement documents within three (3) days of the first day of employment. The employee must then present the replacement document within 90 days of the first day of employment.
 4. Within three (3) business days after the date employment begins, the Employer must physically examine the documentation presented by the new employee and complete the remaining portions of Form I-9. The Human Resources Coordinator or designee shall ensure that each newly hired employee has properly completed the I-9 form and provided proof of identification and employment eligibility as required by this policy.
 5. The Employer shall retain Form I-9 and photocopies of the supporting documentation for three (3) years after the effective date of hire or for one (1) year from the date of the employee's separation from service, whichever is later.
 6. Form I-9 and copies of supporting documentation shall not be used for any purpose or provided to any department or person other than for the purpose of complying with the requirements of the Immigration Reform and Control Act.
 7. If an employee's authorization to work expires, the Employer must immediately reverify that the employee is still authorized to work, based on the employee's documentation of continuing eligibility or new authority to work. The Employer must review the document, and verify on the I-9 Form, noting the document's ID number and expiration date.
 8. If an employee is rehired within three (3) years from the date their Form I-9 was previously completed, the Employer may either rely on the employee's previously executed Form I-9 or complete a new one. If the Employer chooses to rely on a previously completed Form I-9, follow these guidelines:

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- a. If the employee remains employment authorized as indicated on the previous Form I-9, the employee does not need to provide any additional documentation. In the Reverification and Rehires Section of Form I-9, provide the employee's rehire date, any name changes, and sign and date the form.
 - b. If the previous Form I-9 indicates that the employee's employment authorization has expired, employment authorization must be reverified in Reverification and Rehires Section of Form I-9 in addition to providing the rehire date. If the previously executed Form I-9 is not the current version of the form, the Reverification and Rehires Section of Form I-9 must be completed on the current version of the form.
 - c. If the Reverification and Rehires Section of the employee's previously completed Form I-9 was already used, but the employee is being rehired within three (3) years of the original execution of Form I-9, complete the Reverification and Rehires Section on a new Form I-9 and attach it to the previously completed form.
- B. The Employer will terminate the employment of an employee who is unable or refuses to complete a Form I-9 and provide the mandated documentation establishing employment eligibility within the established timeframes.
- C. The Employer will terminate the employment of an employee who becomes an unauthorized alien ineligible to work in the United States.
- D. Anti-discrimination Policy: It is the intention of the Employer not to discriminate in hiring on the basis of national origin and citizenship status except as specifically provided by law. The Employer will not discriminate against any citizen or person intending to become a citizen insofar as that person has completed a declaration stating that such person intends to declare U.S. citizenship within six (6) months of eligibility for naturalization.

REFERENCE: 8 CFR 274a; see 73 FR 76505.

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ORIENTATION

**SECTION 3.11
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- A. All newly hired employees will participate in an employee orientation regarding the policies, procedures, and operations of the Employer and the responsibilities of the employee's position. This orientation will be conducted by the immediate supervisor.
- B. Upon appointment, all employees will be notified of the existence of this manual which contains the general terms, conditions, benefits, policies and procedures of employment in effect at that point in time. New employees shall also be provided all notices, forms, and documents required and are required to sign all acknowledgments, forms, and documents required by law or the Employer. Bargaining unit employees shall also be notified of the existence of the applicable collective bargaining agreement.
- C. If applicable, the department head or designee shall also explain the relationship between the collective bargaining agreement and the personnel policy and procedure manual to bargaining unit employees.
- D. Employees will also have the operating and safety policies and procedures of the department and/or position to which the employee is assigned explained to them by their assigned immediate supervisor.
- E. Additionally, supervisors shall be responsible for providing instruction regarding such essentials as:
 - 1. The location of the tools, supplies, equipment;
 - 2. The procedures for recording hours worked; and
 - 3. Introduction to co-workers and other employees.
- F. Failure of an employee to timely complete all required acknowledgments, forms, and documents shall result in termination of employment.

REFERENCE: Section 1.06 of this manual, Implementation and Dissemination.

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PROBATIONARY PERIOD

SECTION 3.12

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- A. Each employee newly hired or promoted into a classified position shall serve a probationary period. Probationary periods for new hires shall be set at 120 calendar days. Non-bargaining unit law enforcement and firefighting personnel shall serve a one (1) year probationary period. Newly promoted or transferred non-bargaining unit employees shall serve a 90-day probationary period.
- B. The probationary period for full-time employees shall be based on calendar days from the date of original appointment. Part-time employees who work a portion of each normal working day shall have their probationary period determined by the number of calendar days following appointment in the same manner as full-time employees. Employees who are not intermittent but work an irregular schedule or who work less than the normal number of working days per week shall have their probationary period determined on the basis of time actually worked as described below:
 - 1. 500 hours are equivalent to a 90-day probationary period.
 - 2. 700 hours are equivalent to a 120-day probationary period.
 - 3. 1,000 hours is equivalent to a 180-day probationary period.
 - 4. 2,000 hours is equivalent to a one (1) year probationary period.
- C. Employees covered by collective bargaining agreements serve probationary periods as described in the applicable collective bargaining agreement. Supervisors shall consult collective bargaining agreements for the procedures applicable to probationary periods for bargaining unit employees.
- D. Upon mutual written agreement, the parties may agree to extend the probationary period once for a period not to exceed 90 calendar days.
- E. Time on unpaid leaves of absence shall not be counted toward the completion of the probationary period.
- F. Employees appointed to unclassified positions do not serve a formal probationary period since they continuously serve at the pleasure of the Appointing Authority for the duration of their employment.
- G. The department head and/or Appointing Authority shall use the probationary period to closely observe and evaluate the employee's performance and aptitude for the job. Likewise, the employee is encouraged to bring questions or concerns to the department head or supervisor to enhance the employee's performance. The department head has a responsibility to recommend to the Appointing Authority the retention of those employees who meet acceptable work standards during the probationary period and to recommend removal of those employees who fail to meet such work requirements.

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PROBATIONARY PERIOD

SECTION 3.12

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- H. Dismissal or reduction of a classified employee may be made anytime during the probationary period, at the discretion of the Appointing Authority.
- I. An employee who is removed during the probationary period does not have any right of appeal to the Civil Service Commission.
- J. Employees serving promotional probationary periods may be reduced to the classification and salary held prior to the promotion, or otherwise treated as provided in the City's Civil Service Rules and Regulations upon failure to successfully complete the promotional probationary period. The action of reduction for failure to complete a promotional probationary period shall not be considered a disciplinary action, and shall not serve to eliminate the employee for consideration for advancement to other positions.
- K. Probationary removals or reductions will be effected through timely action of the Appointing Authority. The Appointing Authority should then notify the Civil Service Commission submitting the action (letter removing or reducing the employee) along with the final evaluation documenting why the employee's service was unsatisfactory (see Section 3.13 of this manual, Performance Evaluation).
- L. The Appointing Authority does not intend to waive any right to remove an unclassified employee, at the Appointing Authority's pleasure, by adopting this policy.

REFERENCE: O.R.C. 124.27(B); Section 3.13 of this manual, Performance Evaluation.

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PERFORMANCE EVALUATION

SECTION 3.13

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A. POLICY

1. A written Performance Evaluation Form provides supervisors with an effective mechanism to measure and communicate levels of job performance to their employees. It provides the employee with documented, constructive feedback concerning current job performance. A documented performance evaluation serves as a basis for important management decisions regarding training needs, job assignments, promotion, and retention of employees. The work performance of each permanent non-bargaining unit employee may be evaluated in accordance with established procedures.

B. PROCEDURE

1. Each non-bargaining unit employee may be evaluated annually. Special evaluations may be made if authorized by the Appointing Authority. If an annual evaluation occurs, it should measure the employee's performance for the year immediately preceding the evaluation date.

Non-bargaining unit employees serving initial or promotional probationary periods may be evaluated twice during the probationary period and may be evaluated annually thereafter. The first evaluation should be made at the end of the first half of the probationary period, and the second should be made not less than ten (10) days prior to the completion of the probationary period. If the employee is removed before the end of the probationary period, the final evaluation should be made at the time of the removal. Employees who have successfully completed their probationary period may be evaluated annually on or about the anniversary date of their employment or may be evaluated on an established annual date.

2. Each non-bargaining unit employee should be rated by the immediate supervisor to whom the employee is regularly assigned, in accordance with the criteria related to the specific job position description. The immediate supervisor should sign the evaluation after the ratings are completed. If an employee reported to two (2) or more supervisors during the year being evaluated, the present supervisor should complete the rating while the previous supervisor(s) should prepare a written narrative covering that time the employee served under their supervision. If an employee received approximately equal supervision from two (2) persons, the supervisors should cooperate on a rating and both should sign the report as raters.
3. Employees receiving evaluations will be provided a copy of their performance evaluation. The supervisor should discuss the report with the employee and should counsel the employee regarding any improvement in performance which appears desirable or necessary. The employee and immediate supervisor shall both sign the evaluation indicating it was read, not necessarily that the employee agrees with the evaluation. Refusal by an employee to sign a performance evaluation shall result in discipline of the employee.

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PERFORMANCE EVALUATION

SECTION 3.13

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4. An employee receiving an evaluation shall have the opportunity to attach a written response to their evaluation if they desire.
5. Additional evaluations may be conducted by written request of the employee as approved by the Employer, or at the discretion of the Employer.
6. If authorized in advance by the Appointing Authority, performance improvement plans may be implemented as needed in situations where an employee's performance and/or conduct warrants more immediate attention.
7. Employees dissatisfied with their performance evaluations may seek reconsideration through use of the complaint procedure up the employee's chain of command up to the employee's Appointing Authority. The Appointing Authority's decision regarding the performance evaluation shall be final. Supervisors found to be violating these policies or to be unfairly influenced in evaluating the performance of an employee shall be subject to disciplinary action.
8. False statements made on or in response to a performance evaluation shall result in termination of employment (see Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties).

REFERENCE: 42 USC 4701.

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TRAINING

**SECTION 3.14
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- A. Employee's Responsibility for Maintaining and Upgrading Job Skills: Each employee bears primary responsibility for maintaining individual knowledge, skills, and abilities necessary to perform the job, to meet state requirements, and for upgrading skills as necessary to meet technological changes or to seek promotion. The Employer will facilitate those efforts and provide training from time to time.
- B. Job-Related Training Programs: Employees may be required to attend job-related training programs, courses, workshops, seminars, etc. If the supervisor assigns an employee to attend a training program or approves a specific request from an employee to attend a training program, the expense incurred shall be paid by the Employer. Any reimbursement of training taken voluntarily by the employee, which is job related, shall be subject to the prior approval of the supervisor. The Employer will not, however, pay for training when it is taken voluntarily and is not directly related to the employee's job duties in the employee's present position.
- C. As a condition of employment, Fire Fighters shall complete and pass state required fire fighting schools, and be certified by the State of Ohio as Fire Fighters and Emergency Medical Technicians. In addition, each Fire Fighter shall participate in ongoing training to maintain their certifications and to ensure current working knowledge of firefighting techniques, equipment, and related information.
- D. When Fire Fighter personnel participate in training that is in duration of one (1) week or less, they shall report to their regularly scheduled shift upon conclusion of the training. When personnel participate in schools that are in excess of one (1) week, they shall not be required to report to their regularly scheduled shift between concurrent weeks of training. At the conclusion of the training, the employee shall return to their regularly scheduled shift.
- E. Police Officers and Fire Fighters shall make every effort to obtain state certification prior to the completion of their original probationary period and must maintain all required certifications during the term of their employment.
- F. As a condition of employment, Police Officers shall be certified as a Police Officer by the Ohio Peace Officer Training Commission through successful completion of required coursework and training, or equivalent. Upon appointment, each Police Officer shall undergo on-the-job training, periodic testing, or other training to ensure current knowledge of police methods, laws, and related information.
- G. Independent Study/Training: An employee may pursue independent study or training, but may not obligate the Employer to pay expenses or compensation without specific advance permission.
- H. On-the-Job Training (OJT): On-the-job training prepares employees to effectively perform the responsibilities required of their positions. It allows the employees to learn their job duties, proper procedures, and expected performance levels. The Appointing Authority or

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TRAINING

**SECTION 3.14
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supervisor will provide newly hired or promoted employees with a reasonable amount of on-the-job training during the employee's probationary period.

- I. Hours Worked: Time spent by FLSA nonexempt employees attending lectures, meetings, classes, and training programs is not considered hours worked when all four (4) of the following criteria are met:
1. Such time is spent outside normal working hours;
 2. Attendance by the employee is voluntary;
 3. *The lecture, meeting, class, or training program is not directly job-related; and
 4. The employee does not perform any productive work for the Employer during the employee's attendance.

*Voluntary attendance by an employee at an independent school or college outside working hours is not considered hours worked, even if the courses taken are directly job-related.

Training is directly "job-related" if it is designed to enable the employee to perform the employee's current job more effectively. Training is not job-related if it is designed to train the employee to perform a different job.

- J. Travel Time: When a FLSA nonexempt employee is required to travel, and such travel occurs within the regular hours of a workday, travel time is considered compensable with a deduction for usual meal time. When such employee is required to travel, and such travel requires the employee to stay overnight, travel time is to be considered as time actually worked when it cuts across the employee's normal working hours. This is true even if the travel occurs during normal working hours on a non-scheduled working day (e.g., Sunday). (Usual meal time may be deducted from this time.) However, time spent by an employee on overnight travel that occurs outside of regular working hours as a passenger on an airplane, train, boat, bus, or car and where the employee is free to relax, does not count as working time. Of course, employees who perform work while traveling must be compensated.
- K. Travel time is considered work time when a FLSA nonexempt employee is required to drive a vehicle in order to travel to and from an approved lecture, meeting, class, or training program outside the City.

REFERENCE: 29 CFR §785.29-785.39.

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REDUCTION

SECTION 3.15

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- A. A reduction is the movement of an employee to a lower classification which has a lower level of responsibility and compensation. Reductions generally result from an employee's failure to perform the duties of their position at an acceptable level, failure to maintain required licensure or certification requirements, or as a result of discipline.
- B. Reductions may also be voluntarily requested by an employee or result from an accommodation of a qualified employee with a disability and/or known pregnancy, childbirth, or related medical condition who is no longer able to perform the essential functions of the employee's position with or without a reasonable accommodation but can perform the essential functions of a lower classification with or without a reasonable accommodation. Employees reduced to a lower paying classification shall be reduced in pay to a rate determined by the Employer.
- C. Employees who desire to be considered for a posted vacancy in a lower classification shall apply to the position within the posting period in accordance with Section 3.07 of this manual, Vacancies in the Classified Service.
- D. When an employee is involuntarily reduced, an Order of Removal or Reduction form shall be issued.

REFERENCE: O.R.C. 124.34; Americans with Disabilities Act, as amended.

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SENIORITY

SECTION 3.16

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- A. City Seniority: Non-bargaining Unit Employees: City seniority is generally defined as an uninterrupted length of continuous service with the City of Celina. Employees are credited with seniority from their date of hire after successful completion of their probationary period as defined in this manual. Where this definition produces the same seniority date for two (2) or more employees, previous service with the City of Celina will be considered to determine the more senior full-time employee. If all else fails to eliminate identical seniority between employees, a flip of a coin will be used to determine seniority ranking. While prior service may be used to break ties in seniority and determine ranking on the seniority list, the previous service time shall not be added to the employee's full-time continuous service time. A break in continuous service occurs if an employee is separated from service for 31 days or more.
- B. Authorized Leaves of Absence: An authorized leave of absence does not constitute a break in service. During an authorized leave of absence, seniority time continues to accumulate, provided the employee complies with all rules and regulations governing the leave and returns to work on the date specified when the leave was granted.
- C. Layoff: For purposes of layoff, seniority is defined as continuous service with the City of Celina. Service may be transferred from one City Department to another without loss of seniority, provided no break in service occurs. A break in service for layoff purposes occurs when an employee is separated from service for any reason other than layoff, and is not reinstated to the employee's prior position within 30 days of the separation date. Employees who are reinstated from layoff within one (1) year of the layoff date will retain previously accumulated seniority, but will not be credited with seniority for the time during the layoff period.
- D. Retirement: Seniority for the purposes of determining retirement benefits is defined by the provisions of the retirement system in which the employee participates.
- E. Departmental Seniority: Departmental seniority is defined as an employee's length of continuous, uninterrupted service within a specific department of the City (i.e., Street, Parks, Electric, Water and Wastewater, Police, Fire, Engineering, etc.).
- F. Classification Seniority: Classification seniority is defined as an employee's length of continuous, uninterrupted service within a specific classification.
- G. Other: For purposes other than those specified above, seniority shall be defined as set forth in the respective policies herein.
- H. Bargaining Unit Employees: Seniority for bargaining unit employees shall be as defined in the applicable collective bargaining agreement.

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SENIORITY

**SECTION 3.16
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- I. Prior Service Credit: Persons employed by the City, other than elected officials, and who are earning vacation credits currently shall have their individual total full-time service with the City of Celina counted for the purpose of computing the amount of the employee's vacation leave. Please refer to Section 5.03, Vacation, in this manual for an explanation of how vacation is calculated. (O.R.C. 9.44)

REFERENCE: O.R.C. 9.44.

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LAYOFF

**SECTION 3.17
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- A. General Policy: If it becomes necessary to reduce staffing levels of classified employees, the Appointing Authority shall layoff employees in accordance with Ohio Revised Code Sections 124.321 – 124.327.

- B. Bargaining Unit Employees: Bargaining unit employees shall be laid off and recalled in accordance with the terms of the collective bargaining agreement applicable to their respective classification. Where there is a conflict between the collective bargaining agreement and this policy, the terms of the agreement shall prevail.

REFERENCE: O.R.C. 124.321-124.327.

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RESIGNATION/RETIREMENT

**SECTION 3.18
PAGE 1 OF 2**

- A. Employees voluntarily resigning or retiring shall timely complete and submit a written letter of resignation to the supervisor in advance of the date of separation. The employee may utilize the Letter of Resignation form located in Section 9 of this manual.) Administrative support staff positions require at least two (2) weeks advance notice. Administrative staff shall give at least a 30-day written notice. Such written letter of resignation shall be a signed and dated statement indicating the desire to resign and the effective date of separation. Failure to give proper, timely notification shall render the employee ineligible for reinstatement or reemployment with the Employer. When in the best interest of the City, the Appointing Authority may waive the two (2) week/30 day notification requirement and request that the employee make their resignation effective immediately.
- B. The Appointing Authority hereby accepts a letter of resignation upon receipt of such by the supervisor, and will rely on having received it. A resignation may not, therefore, be revoked without permission from the Appointing Authority.
- C. A person who has resigned in good standing and has served the required probationary period may be reinstated, at the discretion of the Appointing Authority, in the employee's former classification within one (1) year following resignation, provided the person remains qualified to perform the duties of the position and such reinstatement would be in the Employer's best interest.
- D. Employees who plan to retire shall notify the Appointing Authority, in writing, at the time of application for retirement, preferably at least 60 days in advance of their anticipated retirement date.
- E. Resigning and retiring employees shall return all Employer property to the supervisor on or before the employee's last workday.
- F. Employees or former employees will be required to reimburse the City for property not returned upon separation of employment. Failure to return equipment/ property or reimburse the City for the property shall be considered theft and such theft shall be reported to law enforcement.
- G. If the employee provides proper notice of resignation, accrued but unused vacation and personal leave will normally be paid (in accordance with the City's personnel policies) by the second payday following the effective date of resignation.
- H. The supervisor shall notify the Human Resources Coordinator of the separation so that payroll records may be updated and the appropriate documents processed.
- I. The supervisor or designee may schedule a voluntary exit interview with resigning employees. In such case, the supervisor or designee shall provide the resigning employee with an Exit Interview form (found in Section 9, Forms, of this manual) and request that the employee complete the form and discuss its contents with the supervisor or designee at an

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RESIGNATION/RETIREMENT

SECTION 3.18

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exit interview. The exit interview should be scheduled and held on the employee's last workday. The exit interview is for the purpose of:

1. Discovering any unknown complaints or problems relating to the resigning employee's employment;
 2. Determining all compensation and benefits owed;
 3. Determining the resigning employee's availability for future employment (if applicable); and
 4. Obtaining the resigning employee's correct mailing address.
- J. A signed, dated Exit Interview Form shall be placed in the resigning employee's personnel file by the supervisor.

REFERENCE: Section 5.17 of this manual, Retirement/OPERS/OP&F; Section 9 of this manual – Letter of Resignation; Section 9 of this manual – Exit Interview.

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NEW HIRE REPORTING

**SECTION 3.19
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- A. Generally: In accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act and O.R.C. 3121.89-3121.8910, the Employer shall report certain information about employees or contractors who are newly hired, rehired, or who return to work after a separation of employment. This information will be used by the Ohio Department of Jobs and Family Services (ODJFS) to help locate parents who owe child support, to make adjustments in public assistance benefits, and to identify persons who are fraudulently receiving benefits. In addition, new hire reporting information is available to other state agencies to help detect and prevent erroneous unemployment or workers' compensation payments.
- B. Policy Definitions:
1. Contractor: The state statute defines contractor as an individual who provides services to an employer as an independent contractor for compensation that is reported as income other than wages and who is an individual, the sole shareholder of a corporation, or the sole member of a limited liability company. "Contractor" does not include any of the following:
 - a. An individual performing intelligence or counterintelligence functions for a state agency if the head of the agency has determined that reporting pursuant to this section could endanger the safety of the individual or compromise an ongoing investigation or intelligence mission;
 - b. A professionally licensed person who is providing services to the employer under that license;
 - c. An individual who will receive for the services provided under the contract compensation of less than two thousand five hundred dollars per year or a greater amount that the director of job and family services establishes by rule adopted under section 3121.896 of the Revised Code.
 2. Employee: The statute defines employee as any individual who is employed to provide services to an employer for compensation.
- C. Deadline: Information regarding newly hired, rehired, or returning employees shall be submitted within 20 days of the hire or rehire date.
- D. There are a variety of ways to report new hires, including online reporting, electronic reporting, and by mail or fax. These options for reporting are discussed in detail on the Ohio New Hire Reporting Center's website at: www.oh-newhire.com.
- E. If the Employer prefers to submit the Ohio New Hire Reporting Form (found in Section 9, Forms, of this manual) by mail or fax, the Employer shall complete and forward the form to the address or fax number contained in the top left-hand corner of the form. A copy of this form is included in this manual or can be obtained from the above listed website.

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NEW HIRE REPORTING

**SECTION 3.19
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- F. For questions or technical assistance regarding the new hire reporting process, employers can contact the Ohio New Hire Reporting Center at (614) 221-5330 or call the toll-free number (888) 872-1490.

REFERENCE: Personal Responsibility and Work Opportunity Reconciliation Act; O.R.C. 3121.89-3121.8910; Section 9 of this manual — Ohio New Hire Reporting form; www.oh-newhire.com.

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NOTICE OF PAYROLL CHANGES

**SECTION 3.20
PAGE 1 OF 1**

- A. The supervisor or designee shall notify the Human Resources Coordinator of all personnel actions which affect payroll within three (3) days of the change. The supervisor or designee shall complete a Payroll Change Notice each time a personnel action is implemented which affects payroll. A sample of the form is contained in Section 9 of this manual for reference purposes only. Examples of such personnel actions include, but are not limited to, the following:
1. Hiring new employees
 2. Promotions
 3. Demotions
 4. Pay increases
 5. Probationary period completion
 6. Reclassification of existing job
 7. Resignations
 8. Retirements
 9. Layoffs
 10. Recalls following layoff
 11. Suspensions without pay
 12. Discharge (removals)
 13. Leaves of absence without pay
 14. Paid administrative leaves
- B. The Appointing Authority shall approve or disapprove the change, sign, and date the Payroll Change Notice only if approved.
- C. One (1) copy of the approved duplicate Payroll Change Notice shall be placed in the employee's personnel file and the second copy forwarded to the City Auditor for processing payroll.

REFERENCE: Section 9 of this manual, Forms — Payroll Change Notice.

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SECTION 4 COMPENSATION AND HOURS OF WORK

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- 4.02 Pay Periods/Paychecks
- 4.03 Payroll Deductions
- 4.04 Employee Status Under FLSA
- 4.05 Work Scheduling
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- 4.07 Starting/Quitting Times
- 4.08 Overtime
- 4.09 Flex-time
- 4.10 Inclement Weather Guidelines
- 4.11 Lactation Accommodation
- 4.12 Modified Workweek Schedule Program
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COMPENSATION

SECTION 4.01

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- A. General: The compensation practices of the Employer shall be in accordance with applicable laws and regulations. No compensation decisions shall be unlawfully based upon race, color, religion, sex, sexual orientation or gender identity, military status, veteran status, national origin, ancestry, age, genetic information, disability or known pregnancy, childbirth, or related medical condition.
- B. Bargaining Unit Employees: Bargaining unit employees shall be compensated according to the provisions in the applicable collective bargaining agreement.
- C. Non-bargaining Unit Employees: The City Council shall establish the compensation system for non-bargaining unit employees. Such compensation system shall establish both a minimum and maximum rate of pay for each classification within the organization. No employee shall be paid more or less than the rate according to the salary ranges approved by the City Council.
1. The City Council should ensure that non-bargaining unit wages:
 - a. are based upon a logical and valid method of grading the “worth” of each classification within the organization;
 - b. are competitive based upon consideration of rates currently paid in the local labor market for comparable jobs; and
 - c. comply with governing laws, regulations, and executive orders.
 2. The salary schedule for non-bargaining unit employees may be increased, contingent upon the availability of funds, as determined by City Council.
 3. Any employee promoted to a higher classification shall advance to that range designated for the class to the first pay step, within the range (usually the A step), as provided in the applicable collective bargaining agreement or wage ordinance, which gives the promoted employee a pay increase over the employee’s current wage. If a job applicant has outstanding job related qualifications, the Appointing Authority may choose to assign the new employee to a rate higher than the starting step assignment, but in no case shall the City assign a new or current employee to a pay range other than the pay range designated for the classification.
 4. The amount and frequency of merit pay increases will be determined annually by City Council. Each department head’s performance shall be reviewed annually prior to April 1 of each year by the Safety-Service Director for the purpose of determining whether the department head merits an increase. Recommendations for merit increases will be based upon the department head’s performance records including but not limited to performance evaluations, tardiness and absence records, and disciplinary actions.

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COMPENSATION

SECTION 4.01

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5. City salary schedules and individual employee pay rates shall be maintained on file in the Safety-Service Director's Office.

D. Longevity Pay: Each full-time non-bargaining unit employee of the City, employed before October 1, 2004, with five (5) or more years of continuous employment with the City shall receive, in addition to the employee's regular salary or hourly wage, additional compensation referred to as longevity pay. The longevity pay schedule is set forth below:

- | | | | |
|----|----|---------------------------------|----------|
| 1. | a. | Five (5) full years of service | \$100.00 |
| | b. | Six (6) full years of service | \$120.00 |
| | c. | Seven (7) full years of service | \$140.00 |
| | d. | Eight (8) full years of service | \$160.00 |
| | e. | Nine (9) full years of service | \$180.00 |
| | f. | Ten (10) full years of service | \$200.00 |

adding \$60.00 additional each year thereafter of continuous service.

2. Longevity pay shall be accumulated by the City and paid to said employee on the first Friday in December of each year. In the event an employee terminates employment with the City, the employee's longevity pay provided herein shall be prorated from the anniversary date over the period of employment in the year of termination.
3. Any employee who takes a leave of absence which is approved by the Appointing Authority shall be considered as being in continuous employment during the period of such leave, provided the employee complies with all the terms of such leave and returns to duty on the date specified for such leave to terminate. The employee shall not be eligible to receive longevity payments while on an approved leave of absence without pay but will have the period of the leave counted as continuous service when the next longevity payment is made following the employee's return to work.
4. Longevity pay shall be computed and goes into effect on the first day of the first full pay period which includes the employee's anniversary date of employment, assuming the time and continuous employment provisions are met, and shall be paid in December as provided in subsection (b) above.

REFERENCE: Title VII of the Civil Rights Act; O.R.C. 4112; City of Celina Collective Bargaining Agreements; Section 3.13 of this manual, Performance Evaluation.

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PAY PERIODS/PAY

SECTION 4.02

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- A. Each year there are normally 26 pay periods, each consisting of two (2) weeks. The biweekly pay period for employees begins at 12:01 a.m. Saturday (Sunday for Police) and ends at 12:00 midnight the second succeeding Friday (Saturday for Police).
- B. Pay and/or pay statements shall be issued on Friday, one (1) week following the end of each two (2) week pay period. If a Friday payday occurs on a holiday, pay and/or pay statement will be issued on the preceding Thursday, except under extenuating circumstances, in which case pay will be issued on the following Monday.
- C. If direct deposit is utilized for the distribution of pay, the employee is required to provide the Human Resources Coordinator with the account information necessary to facilitate the direct deposit of the employee's pay.
- D. Pay advances, for hours not yet worked, are prohibited. Likewise, pay advances using unaccrued sick leave are not permitted.
- E. Questions regarding pay shall be submitted to the Appointing Authority for an explanation.
- F. Only the employee, a previously authorized person with proper identification, or the employee's Appointing Authority may obtain an employee's pay and/or pay statement.

Employees must complete and submit to the Human Resources Coordinator an Authorization to Release Pay (found in Section 9 of this manual, Forms), in order to permit any individual to obtain the employee's pay and/or pay statement on the employee's behalf. These forms must be in the Human Resources Coordinator by 10:00 a.m. on the Monday of the week regular pay is completed.

REFERENCE: 29 CFR §778.105; Section 9 of this manual, Forms — Authorization to Release Pay.

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PAYROLL DEDUCTIONS

SECTION 4.03

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Certain deductions shall be withheld from employee's paychecks as required by law, in accordance with the Employer provided benefit plans, and/or as requested by an employee. Such deductions include Ohio Public Employees Retirement System (OPERS) or Ohio Police and Fire Pension Fund (OP&F) contributions, income taxes, Medicare tax, insurance premiums, or other approved deductions (e.g., deferred compensation, child support, etc.). Payroll deductions are itemized on the employee's pay statement.

- A. OPERS/OP&F: State law requires that employees contribute to the Ohio Public Employees Retirement System, or the Ohio Police and Fire Pension Fund, rather than Social Security.¹

- B. Income Taxes: Federal and state laws and some municipal ordinances require that taxes be withheld from each wage payment. The amount of tax to be withheld is determined from tables furnished to the City by the Internal Revenue Service, Ohio Department of Taxation, various Ohio municipalities, and school districts. The amount withheld varies according to the amount of salary and number of dependency exemptions. Employees are required to complete withholding tax certificates upon initial employment and to inform the Human Resources Coordinator of any dependency change whenever such change occurs.

- C. Medicare: Both the Employer and all employees hired after April 1, 1986, are required to contribute 1.45% of the employee's gross wage to Medicare in accordance with federal law. The employee's contribution is withheld through payroll deduction.

- D. Deductions Not Required by Law: The Celina City Auditor may refuse to make any deductions not required by law. Upon such a refusal, the employee may have the request for deduction reviewed by the Mayor. See Section 7.08, Garnishments, of this manual for the City's policy regarding garnishment of wages.

- E. Authorization: All requests for payroll deductions must be presented to the Human Resource Coordinator at least ten (10) days prior to commencement of the requested deduction.

REFERENCE: ○ . R.C. 145.03; 26 U.S. Code § 3402; ○ . R.C. 5747.06; Section 182(b) of the Social Security Act; Section 7.08 of this manual, Garnishments.

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¹Membership in OPERS is compulsory upon being employed except persons specifically exempted under the provisions of Section 145.03 of the Ohio Revised Code or other provisions of the ORC applicable to the Police and Fire Pension Fund.

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EMPLOYEE STATUS UNDER FLSA

**SECTION 4.04
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- A. Nonexempt: Employees that fall into the nonexempt status are covered by the provisions of the federal Fair Labor Standards Act (FLSA) and are paid a set wage on an hourly or salaried basis. Nonexempt employees shall be paid at least the applicable minimum wage. For overtime, nonexempt employees shall be paid a rate of not less than one and one-half times the employee's regular rate.
- B. Exempt: Administrative, executive, professional, and certain other employees paid on a salary basis are specifically exempt under the FLSA. Salaried employees, determined to be exempt from the overtime requirements of the FLSA, shall not be eligible for overtime pay as defined in the FLSA. Exempt employees are expected to normally work 40 hours per week or their established schedule of work hours unless additional work time is required to fulfill the responsibilities of their position. Sick leave, vacation leave, and holiday pay are based upon an 80 hour pay period for exempt employees. Pay deductions may be made for salaried exempt employees when:
1. An employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability and permission for leave has not been sought or has been sought and denied;
 2. An employee is absent due to sickness or injury for one (1) or more full days and paid leave has been exhausted or permission for leave has not been sought;
 3. An employee chooses to use leave of absence without pay for absences of one (1) or more full days;
 4. The employee has engaged in an infraction of a safety rule of major significance;
 5. The employee has received a disciplinary suspension without pay of one (1) or more full days for violation of an established work rule and/or law;
 6. The employee takes unpaid leave under the Family and Medical Leave Act;
 7. The employee is absent the entire workweek or performs no work during an entire workweek and permission for leave has not been sought or has been sought and denied.

Any deduction of a salaried exempt employee shall be carried out according to the provisions of the FLSA, accompanying regulations including, but not limited to, 29 CFR Section 541.602 (b) and the Ohio Revised Code.

- C. Noncovered: The provisions of the FLSA as a whole do not apply to individuals in "noncovered" status. If an employee is "FLSA noncovered", the employer need not pay the employee overtime under the FLSA, nor keep all of the same records as for an exempt employee, nor provide the employee benefits under the FMLA.

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EMPLOYEE STATUS UNDER FLSA

**SECTION 4.04
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D. Part-time employees are expected to work their normally prescribed amount of work hours as determined by the Employer.

REFERENCE: 29 CFR 531.36; 29 CFR 531.37; 29 CFR 541.

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WORK SCHEDULING

**SECTION 4.05
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- A. The Appointing Authority or designee shall establish the standard workday, workweek, and starting and quitting times for employees in each department under the Appointing Authority's control in consideration of current and anticipated workload, public service needs, and other related factors. No established schedule shall be construed as a guarantee of work hours or as a restriction on the Appointing Authority's right to restructure the workday or workweek.
- B. Each department's or office's standard workday, workweek, starting and quitting times, and other items required to be established by the FLSA shall be communicated to the affected employees.
- C. Subject to the discretion of the Employer, employees may be authorized to take necessary break periods during the workday. Such breaks shall never interfere with the proper performance of the employee's work responsibilities nor cause a work stoppage or slowdown of other employees.
- D. On Call Pay: Nonexempt employees required by the Employer to carry a mobile communications device (e.g., pager, portable radio, etc.) and authorized by ordinance to be on call from the end of the employee's work shift to the beginning of the next work shift will be paid two (2) hours pay at the employee's regular rate of pay for each day the employee was required to be on call. On call pay shall not be included in total hours worked for calculating overtime.
- E. Call In Pay: Nonexempt employees called in to work outside of the employee's normal work shift that requires additional travel to and from work will be guaranteed a minimum of two (2) hours of work at the employee's regular rate of pay, or paid for the actual time worked at the employee's overtime rate, whichever is greater. This minimum call-in shall not be applicable to hours contiguous to the employee's regular work shift.
- F. Bargaining Unit Employees: On call pay (i.e., standby pay) and call in pay for bargaining unit employees is provided for in the applicable collective bargaining agreement.

REFERENCE: City of Celina Collective Bargaining Agreements; 29 CFR 785.17.

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TIME RECORDS

SECTION 4.06

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- A. All FLSA nonexempt employees are required to record all hours worked for the Employer, including the times the employee started work and stopped work each workday. Any unpaid lunch break shall be recorded in this manner. Time sheets and/or time clocks are used by the Employer to document the hours worked by FLSA nonexempt employees so that wages can be determined. Failure to adhere to the reporting procedures adopted by the Employer shall result in disciplinary action. Employees will only receive pay for hours of work which the Employer has verified.
- B. FLSA-exempt employees may be required to maintain certain records of hours worked and paid leave utilized, for purposes of public accountability. FLSA-exempt employees shall maintain time records as directed by their supervisor. Such employees shall not receive a reduction in pay for absences of less than one (1) day; however, they are required to follow the policies and procedures for requesting paid leave any time they are absent from work for more than three (3) hours in a day. See Section 5 of this manual for the applicable policy and procedure for requesting the appropriate type of leave.
- C. Employees reporting hours worked on weekly time sheets shall indicate on the time sheet all actual hours worked in the weekly period. The time sheet shall also indicate the actual times the employees started work and stopped work and began and ended their unpaid lunch period each day. Employees shall only complete their own time sheets. Any employee who marks on another employee's time sheet will be terminated from employment.
- D. Employees using time clocks are responsible to clock in each time they start work and clock out each time they stop work. Employees shall also clock out and in for their unpaid lunch break. Employees shall only punch their own time card. An employee who punches another employee's time card shall be terminated from employment.
- E. An adjustment to the time card requires the approval of the immediate supervisor. The immediate supervisor shall be notified as to why the adjustment is necessary and the immediate supervisor will initial all valid adjustments. In the absence of the immediate supervisor, the chain of command shall be followed.
- F. Nonexempt employees who receive a paid lunch period are expected to remain immediately available for duty during said period and shall not leave their assigned work location during such period unless specifically authorized by their supervisor. The supervisor shall not authorize any employee to leave their assigned work location during a paid lunch period except for a brief period to pick up food or other supplies for the lunch break and only if the employee's work responsibilities are being covered by another employee.
- G. Misrepresentation of time worked, the altering of any time record, or allowing a time record to be altered by others, will result in termination from employment.

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TIME RECORDS

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REFERENCE: 29 CFR 516.2; 29 CFR 785.19; Section 5 of this manual, Employee Benefits; Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.

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STARTING/QUITTING TIMES

SECTION 4.07

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- A. FLSA nonexempt employees are not permitted to commence work and/or sign/clock-in more than six (6) minutes before their scheduled starting time or continue working and/or sign/clock-out more than six (6) minutes after their scheduled quitting time without the advanced approval of the department head and/or their immediate supervisor, except in emergency situations where advance approval cannot be obtained.
- B. FLSA nonexempt employees who are authorized a specified non-paid meal period each workday, shall be completely relieved from work assignments during this period, and will not be compensated for such period, unless approved in advance by the department head and/or supervisor.
- C. Employees shall not work past their scheduled quitting time unless they have obtained advance approval from their department head and/or immediate supervisor and/or they are dealing with an emergency situation.
- D. Employees who perform their job duties outside of their scheduled work hours without approval shall be disciplined.

REFERENCE: 29 CFR 785.19 and 785.47; Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties; Section 9 of this manual, Forms —Authorization to Work Non-scheduled Hours.

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OVERTIME

SECTION 4.08

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- A. Any employee may be required to work in excess of the normal workday or workweek schedule to fulfill the operational demands of the department. FLSA nonexempt employees shall be paid at the rate of one and one-half (1 1/2) times the employee's regular hourly rate of pay for all hours worked in excess of 40 in any workweek.
- B. The standard workweek for nonexempt employees will be seven (7) consecutive days, beginning Saturday 12:01 a.m. (Sunday for Police Department) and continuing through Friday 12:00 midnight (Saturday for Police Department). Eligibility for overtime shall be based upon all hours actually worked in the normal workweek. Approved paid leave hours will not be counted in determining whether an employee has actually worked in excess of 40 hours. Bargaining unit employees will be paid overtime in accordance with their applicable collective bargaining agreements.
- C. All nonexempt employees holding employment in more than one (1) position with the City must notify their department heads in writing of such joint employment. All of the hours worked by the employee are added together to determine overtime compensation.
- D. If a FLSA nonexempt employee's combined total hours worked for two (2) City agencies/departments exceeds 40 hours during the workweek, the employee shall be paid at the rate of time and one-half the weighted average of their two (2) different rates of pay for each hour worked in excess of 40 hours.
- E. When a FLSA nonexempt employee incurs an overnight stay on City business, time spent traveling and time spent overnight on official City business shall not be considered time worked for purposes of calculating overtime, except to the extent such time coincides with the employee's normal working hours or to the extent the employee is doing actual work (i.e., driving a vehicle, attending meetings).
- F. Hours spent by FLSA nonexempt employees at lectures, meetings, training programs, and similar activities designed to assist the employee in performing the employee's current job more effectively, are counted as working time for purposes of determining eligibility for overtime if such training is required or authorized by the Employer.

However, attendance outside of regular working hours at specialized or follow-up training which is required by law for required certification does not constitute compensable hours of work even if all or part of the costs of the training is paid by the Employer. Likewise, any training courses designed to prepare an employee for advancement to another position shall not be considered compensable hours of work provided the following criteria are met:

- 1. Attendance is outside the employee's regular working hours;
- 2. Attendance is voluntary;
- 3. The employee does not perform any productive work while attending the training program.

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- G. Normally, overtime must be authorized by the department head or designee in advance of the overtime being worked. However, unusual or emergency circumstances (e.g., emergency call-outs) may require employees to work overtime without having prior authorization of the department head. Whenever such circumstances occur, the department head shall be notified by the next scheduled workday (see Section 4.07 of this manual, Starting/Quitting Times).
- H. Scheduled overtime which is subsequently cancelled for any reason shall not entitle the employee to overtime compensation.
- I. Overtime pay shall normally be paid to the employee in the same pay period the employee is paid for the regular hours worked in the same pay period. If the calculation of the overtime hours cannot reasonably be calculated within this time frame, such overtime shall be paid with the next regular pay.

REFERENCE: 29 CFR 785.27 through 785.31; 29 CFR 785.39 through 785.41; 29 CFR 778.100 through 778.122; City of Celina Collective Bargaining Agreements; Section 4.07 of this manual, Starting/Quitting Times.

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FLEX-TIME

SECTION 4.09

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- A. The Employer may utilize “time off” or flexible hours in order to avoid a FLSA nonexempt employees working in excess of the standard workweek or 40 hours in a week. Flex-time scheduling must occur within the same workweek for nonexempt employees and must have prior approval of the department head. Utilization of flex-time for nonexempt employees will also be subject to the approval of the Appointing Authority.

- B. Salaried FLSA exempt employees may elect to flex their normal eight (8) hours per day or 40 hours per week to accommodate for extra hours worked or scheduled to be worked during the same pay period; provided they normally shall have 80 hours worked or charged to other available paid leave by the end of each pay period.

REFERENCE: 29 CFR 778.104.

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INCLEMENT WEATHER GUIDELINES

SECTION 4.10

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- A. The Employer recognizes that on certain days it may be difficult or impossible for an employee scheduled to work to report for duty due to inclement weather caused by excessive snow, ice, or other weather conditions. In order to clarify how such situations will be handled, the following policy and procedures have been adopted.
- B. Inclement Weather: When snow, ice, or other weather conditions makes travel to and from work difficult but is not severe enough to require the closing of City facilities, employees are encouraged to make every reasonable attempt to report to work as scheduled. Employees will be compensated in the following manner when these types of weather conditions exist:
1. Employees reporting for work as scheduled will be paid at their regular rate of pay for all hours actually worked.
 2. Employees not scheduled to work but who are called in to deal with the effects of the weather conditions or to maintain adequate staffing levels, shall be paid in accordance with Section 4.08 of this manual for all hours actually worked in excess of 40 in the workweek.
 3. Employees scheduled to work, who make a reasonable attempt to report to work but are unable to report due to the weather conditions, shall notify their Department Head regarding their situation as soon as possible. Such employees shall have the following options:
 - a. Request to use accrued vacation or paid personal leave time to cover the period of absence, subject to the approval of the Department Head; or
 - b. Request a personal leave of absence without pay to cover the period of absence, subject to the approval of the Department Head.
 4. Employees who fail to report to work during inclement weather conditions without notifying their Department Head of their situation, will be charged as being absent without approved leave and will be disciplined according to Section 7.03, Absenteeism and Notification of Absence.
- C. Weather Emergencies:
1. The Mayor may declare a weather emergency based on information provided by, but not limited to, the following:
 - a. Road condition information from police patrol units;
 - b. Road condition information from the Department Heads;

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INCLEMENT WEATHER GUIDELINES

SECTION 4.10

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- c. Weather forecast information provided by the National Weather Service; and
 - d. Observable current conditions.
- 2. In cases when weather conditions are severe enough to cause the Mayor to declare a weather emergency and officially close City offices, departments, and/or non-continuously-operating City facilities, the following procedures shall apply:
 - a. Employees who were scheduled to work but were unable to do so because the office, department, or facility in which they work was closed shall be paid for all hours not worked due to such closure. If the Mayor lifts the declared emergency during the employee's work shift, the Employer shall publicly announce on the local radio station the reopening of City offices and the employee shall be required to report for work if two (2) or more hours remain on the employee's regular shift, unless the employee requests and has approved other accrued paid leave.
 - b. Employees working during a weather emergency declared by the Mayor shall be paid their regular hourly rate for all hours worked plus receive, hour for hour, an additional hour of pay for each non-overtime hour worked on their regular shift during the period declared by the Mayor.
 - c. Overtime will be paid only if the actual hours worked qualify. Paid nonwork time shall not be counted as hours worked when computing overtime.
- D. The Employer may offer to transport essential employees in order to deal with the weather emergency or to adequately staff continuous-operations during a declared weather emergency. Such employees shall be required to accept such transportation and to report to work.
- E. Any employee refusing Employer provided transportation during inclement weather or during a weather emergency shall be considered absent without approved leave, be subject to disciplinary action (see Section 7.03 of this manual, Absenteeism and Notification of Absence), and shall receive no form of compensation from the Employer during such absence.
- F. Employees who make a concerted effort to report to work during inclement weather or during a declared weather emergency will be given reasonable consideration should they arrive late due to the weather conditions.
- G. Employees already on previously authorized leave when a weather emergency is declared shall remain on such leave and not be eligible for any benefits provided by this policy, since they were not available to report for work. However, employees on previously

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authorized leave may contact their Department Head and request to cancel their leave and report to work. Cancellation of the leave shall be subject to the approval of the Department Head.

REFERENCE: Section 7.03 of this manual, Absenteeism and Notification of Absence.

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LACTATION ACCOMMODATION

SECTION 4.11

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- A. The Patient Protection and Affordable Care Act amended the FLSA by requiring employers to provide a reasonable break time for an employee to express breast milk for her nursing child for one (1) year after the child's birth each time the employee has the need to express milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion of coworkers and the public to be used by an employee to express the breast milk. Employees requiring such time shall notify their department head of the need to express milk.

- B. Break time to express breast milk shall be unpaid and the employee may be required to flex their work schedule to complete necessary work. Employees shall keep accurate time records of their break time.

- C. Employees shall be allowed access to a nearby clean and safe water source and a sink for washing hands and rinsing out any breast-pump equipment.

REFERENCE: 29 U.S.C. 207 (r).

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MODIFIED WORKWEEK SCHEDULE PROGRAM

SECTION 4.12

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- A. The purpose of this policy is to provide for a method to reduce the usual number of hours worked by non-bargaining unit employees during a week in accordance with O.R.C. 124.394.
- B. The Appointing Authority must establish a need for the Modified Workweek Schedule Program based on one of the following reasons:
 - 1. A fiscal emergency declared by the governor under O.R.C. § 126.05.
 - 2. A fiscal watch or fiscal emergency has been declared or determined by the auditor of state under section 118.023 or 118.04 of the Revised Code.
 - 3. A lack of funds as defined by O.R.C. § 124.321.
 - 4. Reasons of economy as described by O.R.C. § 124.321.
- C. Scope
 - 1. The program applies to all permanent full-time and permanent part-time non-bargaining unit employees.
 - 2. The program may be required of all non-bargaining unit employees, or may be applied to only employees in a certain funding stream, classification, appointment category, department, unit, or other relevant distinctions.
 - 3. The Appointing Authority may reduce the regular number of hours worked during a week by affected employees by not more than fifty percent (50%).
 - 4. The Appointing Authority may modify or rescind the Modified Workweek Schedule Program as needed.
- D. The Appointing Authority shall notify affected employee(s) in writing when a modified workweek schedule is implemented.
- E. The modified workweek schedule shall be determined by the employee's supervisor.
- F. Employees who have been reduced to working less than 30 hours per week are not eligible for health insurance.
- G. Participation in a voluntary cost savings program does not relieve an employee from obligations under this policy.

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MODIFIED WORKWEEK SCHEDULE PROGRAM

**SECTION 4.12
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H. Reductions pursuant to O.R.C. 124.394 are not appealable to the City of Celina Civil Service Commission.

I. The Appointing Authority may also utilize O.R.C. 124.393 as a cost-savings tool.

REFERENCE: O.R.C. 124.394.

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MANDATORY COST SAVINGS PROGRAM

SECTION 4.13

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- A. O.R.C. 124.393 allows the Appointing Authority to establish mandatory cost savings days of up to 80 hours per non-bargaining unit employee in a fiscal year.
- B. The Appointing Authority may establish a need for mandatory cost savings days based on one of the following reasons:
 - 1. A fiscal emergency declared by the governor under O.R.C. § 126.05.
 - 2. A fiscal watch or fiscal emergency has been declared or determined by the auditor of state under section 118.023 or 118.04 of the Revised Code.
 - 3. A lack of funds as defined by O.R.C. § 124.321.
 - 4. Reasons of economy as described by O.R.C. § 124.321.
- C. Scope
 - 1. The program applies to all permanent full-time and permanent part-time non-bargaining unit employees.
 - 2. The Appointing Authority may order up to 80 hours of mandatory cost savings days or portion thereof.
 - 3. The mandatory cost savings days may be required of all employees, or may be applied to only employees in a certain funding stream, classification, appointment categories, department, unit, or other relevant distinctions
- D. The Appointing Authority shall notify affected employees in writing should such program be in effect for the given fiscal year(s).
- E. This policy does not preclude the Appointing Authority from continuing voluntary cost savings methods, or from relieving employees from their obligations under these guidelines due to their participation in voluntary cost savings methods.
- F. Time off subject to these guidelines may be taken in one-half (½) hour increments.
- G. If the Appointing Authority establishes mandatory cost savings days, employees not exempt from the overtime requirements of the FLSA and subject to this policy may be required to use one of the following cost savings methods as defined below. The method used requires the final approval from the Appointing Authority.
 - 1. The Appointing Authority may assign an employee subject to these guidelines up to ten (10) eight (8) hour mandatory cost saving days in each state fiscal year.

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SECTION 4.13

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2. An employee may request ten (10) eight (8) hour mandatory cost saving days subject to the approval of the immediate supervisor and based on operational needs.
 3. The Appointing Authority and/or employee may have the option to designate any holiday as a mandatory cost savings day.
 4. The Appointing Authority will close one-half (½) hour early on 160 scheduled workdays each fiscal year.
 5. The Appointing Authority will close one (1) hour early each fiscal year on 80 scheduled workdays.
 6. The Appointing Authority may assign an employee specific hours that he or she must take subject to these guidelines.
 7. Temporary reduction in biweekly wages equal to 80 hours each fiscal year. The employee will receive a consistent wage each week, and then would be required to select days/hours off subject to the guidelines.
 8. Any combination of the above methods may be used.
- H. Exempt employees from the Fair Labor Standards Act may have their gross pay reduced a percentage calculated by the number of cost savings hours ordered divided by the number of working hours in the period for which cost savings days are taken. Employees will receive a consistent wage each workweek in which they perform work, and will designate cost savings days as necessary.
- I. Vacation will not be approved to cover cost savings time off.
- J. Sick leave will not be approved to cover cost savings time off.
- K. Cost savings time will not be included in the definition of active pay status as it applies to overtime compensation. No work shall be performed when the employee is off on cost savings time.
- L. The Appointing Authority also has the ability to black out certain days from the mandatory cost savings program.
- M. Employees who are on paid sick leave or some other extended leave including paid or unpaid family medical leave, are subject to the provisions of these guidelines on the same basis as other employees.

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N. Effect on Benefits and Service Time:

1. Leave accruals will not be impacted by the mandatory cost savings program. Health insurance shall not be impacted for employees subject to the mandatory cost savings program.
2. Participation in the mandatory cost savings program will not impact service credit or the calculation of retention points with respect to layoff.
3. In order to be eligible to receive OPERS service credit, the employee must meet the eligibility requirements determined by OPERS, including the minimum earnable salary requirements. Use of time under this program may affect the highest three (3) years for employees approaching retirement.

O. An employee's abuse of cost savings time or failure to comply with the above provisions will result in discipline up to and including termination.

P. Reductions pursuant to O.R.C. 124.393 are not appealable to the City of Celina Civil Service Commission.

Q. The Appointing Authority may also utilize O.R.C. 124.394 as a cost-savings tool.

REFERENCE: O.R.C. 124.393.

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- 5.02 Sick Leave Conversion
- 5.03 Vacation
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SICK LEAVE

**SECTION 5.01
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- A. Accrual: All non-bargaining unit employees accrue, regardless of employment status, .0575 hours of sick leave for each hour in active pay status (except overtime hours worked) up to a maximum accumulation of 120 hours per year. Non-bargaining unit employees may accumulate and carry over all sick leave accrued with no limits. Full-time salaried employees shall accrue sick leave based on a 40 hour workweek. Permanent part-time employees shall accrue sick leave at the same hourly accrual rate. Unused sick leave may be cumulative without limit but may not exceed 15 workdays per employee, in an anniversary year.
- B. Credit for Prior Public Service: Employees who transfer between City departments or agencies, or who were previously employed by another public agency, or who are reappointed or reinstated, will be credited with the unused balance of accumulated sick leave, provided the time between separation, reappointment or transfer does not exceed ten (10) years and provided the employee has not cashed in any portion of that balance under O.R.C. 124.39. The words “public agency” as used above means those entities required to provide sick leave under O.R.C. 124.38 and 124.382, including the state, counties, municipalities, all boards of education, civil service townships, etc. within the state. Villages, private industry councils, non-civil service townships, libraries organized as non-profit corporations, and other entities not required to provide sick leave under O.R.C. 124.38 or 124.382 are not “public agencies” for purposes of this policy. Notwithstanding the above or the Sick Leave Conversion Policy herein, if any “person removed for conviction of a felony” within the meaning of O.R.C. 124.34 is “subsequently reemployed” by the City, such person is only qualified to accrue sick leave as if the individual were a new employee receiving no credit for prior service.

The requirements for allowing sick leave transfers have been the subject of differing interpretations and legislative revisions. Therefore, to the extent the Employer has already allowed employees to transfer in sick leave credit prior to the adoption of this policy, that credit is not negated with respect to employees already credited as of the adoption of this policy or revision.

- C. Usage: Upon approval of the Employer, sick leave may be used for the following reasons:
1. Personal illness, injury, pregnancy-related condition, or exposure to contagious disease which could be communicated to other employees;
 2. Illness, injury, or pregnancy-related condition of employee’s immediate family where the employee’s attendance is reasonably necessary;
 3. Death of a member of the employee’s immediate family; or
 4. Medical, dental, psychological, or optical examinations or treatment of employee, or of a member of the employee’s immediate family when the employee’s attendance is reasonably necessary and when such examination or treatment cannot be scheduled during non-work hours.

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Employees shall not be entitled to use sick leave accrued in any portion of a pay period until after that pay period is completed.

- D. Immediate Family: For purposes of this policy, “immediate family” is defined as the employee’s: mother, father, brother, sister, child, spouse, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, step-parent, step-child, step-sibling, legal guardian, or other person who stands in the place of a parent.

Personal leave, vacation leave, or an excused absence (without pay) up to eight (8) hours may be requested to attend the funeral of a relative or friend, not included in the definition of immediate family. If an employee is in a bargaining unit, the definition of immediate family is according to the applicable collective bargaining unit contract.

- E. Charging Sick Leave: Employees absent on approved sick leave shall be paid at their applicable hourly or salaried rate. Sick leave payment shall not exceed the employee’s normal straight time hourly, daily, or weekly earnings. If an employee is paid for sick leave which is subsequently denied, the amount overpaid shall be deducted from the employee’s next paycheck. Sick leave shall be charged in minimum increments of one (1) hour.
- F. Notification: An employee requesting sick leave for a scheduled medical appointment shall notify the employee’s immediate supervisor as soon as possible. An employee requesting sick leave for other than a scheduled appointment must notify the department head or designee of the employee’s absence and reason therefore as soon as possible and no later than the scheduled start of the employee’s shift. Certain departments may require an earlier notification period in order to obtain a replacement to cover the employee’s absence. Employees must follow this notification requirement each and every day the employee will be absent, unless otherwise instructed by the department head.
- G. Written Statement for Approval: The employee is required to provide the department head a completed Application for Use of Sick Leave Form justifying the use of sick leave as soon as possible but by no later than 8:30 a.m. on the Monday following the end of the two (2) week pay period in which the sick leave was used. If the employee is sick the last day of the pay period the employee must make arrangements to complete and submit a request for Leave of Absence Form within above described time frames. If medical attention is required by the employee or a member of the employee’s immediate family, an employee’s illness or injury extends for three (3) or more consecutive workdays, or in cases of a pattern of sick leave usage, the department head shall require a physician’s certificate stating the date and nature of the illness or injury and when the employee is able to return to work and perform the duties of the position.

If the employee is unable to return to work and perform the duties of the position by the original date the physician indicated in the Medical Practitioner’s Statement, the department head shall require another Medical Practitioner’s Statement to be provided which indicates the new date when the employee will be able to return to work.

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- H. The department head shall review the completed Application for Use of Sick Leave Form and the circumstances surrounding the absence. The department head shall recommend or not recommend approval of the sick leave and sign the request for Leave of Absence Form. The form shall then be submitted to the Appointing Authority for final approval or denial.
- I. The department head shall inform any employee whose sick leave request is denied of the reasons for such denial and thereafter take the necessary disciplinary action for the employee being absent without approved leave.
- J. The Employer maintains the right to investigate the circumstances surrounding an employee's request for sick leave. A request for sick leave may be denied if:
1. The employee fails to comply with the procedure for proper sick leave usage;
 2. The employee fails to present a required physician's certificate or a properly completed request form by 8:30 a.m. on the Monday following the end of the two (2) week pay period in which the sick leave was used;
 3. An investigation of a sick leave request discloses facts inconsistent with the proper use of sick leave, such as a pattern of using sick leave before or after regular days off, falsification of sick leave records including a physician's statement/certificate, acting inconsistent with the request for sick leave or other evidence of intent to defraud; or
 4. The employee requesting sick leave is working another job or participating in any recreational or social activity which is inconsistent with the reason the employee requested sick leave.

These circumstances shall also be grounds for disciplinary action which may include dismissal (see Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties).

- K. Sick Leave Abuse: Application by an employee for sick leave through fraud or dishonesty will result in denial of such leave together with termination of employment. Patterns of sick leave usage immediately prior or subsequent to holidays, vacation, days off and/or weekends or the excessive use of sick leave may result in sick leave denial and appropriate disciplinary action. Employees are expected to be home or hospitalized while on sick leave unless on a medical-related errand or appointment. No sick leave benefits shall be paid for convalescence outside of Mercer County without prior approval of the Safety-Service Director, unless the employee is a patient in a hospital or other institution.
- L. Sick leave records shall be updated at the completion of each biweekly pay period.
- M. Non-Bargaining unit employees will receive twenty-four (24) hours of personal time at the beginning of the calendar year after a year of service. Non-bargaining unit employees using no sick leave during a calendar quarter each calendar year shall be credited with one (1) additional personal leave day (8 hours) for each calendar quarter in the following calendar

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SICK LEAVE

SECTION 5.01

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year. Non-Bargaining unit employees may earn a total of four (4) personal leave days (56 hours) each calendar year. Personal leave days cannot be accumulated and must be used in the same year as earned. Sick leave which qualifies as family and medical leave shall not be counted in the calculation of sick leave used.

- N. Bargaining unit employees should refer to the employee's applicable collective bargaining agreement for additional sick leave policies.

REFERENCE: O.R.C. 124.38; Section 5.05 of this manual, Funeral Leave.

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SICK LEAVE CONVERSION

SECTION 5.02

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A. Sick Leave Conversion upon Retirement:

1. Non-bargaining unit City employees, at the time of retirement from active service with the City under the OPERS or other state retirement system, shall be paid the lesser of 35% or 120 days of their unused accumulated sick leave balance. To qualify for such payment, the employee shall have had, prior to the date of retirement, ten (10) or more years of service with the City. As used in this policy, “retirement” shall mean disability or service retirement, at the time of separation from employment, under any state retirement system applicable to the employee.
2. Payment shall be based on the employee’s rate of pay at the time of retirement and the documented hours of unused sick leave reflected in the records maintained by the City. Salaried employees shall be compensated based upon a 40 hour workweek (2,080 hours per year).
3. Payment under this policy shall be considered to eliminate all sick leave credit accrued by the employee at the time of payment.
4. Any employee who separates from service with the City for purposes other than retirement shall not be eligible for the sick leave cash conversion.
5. Employees eligible to receive payment for unused sick leave as described herein shall, upon retirement from active service with the City under an applicable State Retirement Plan, submit to the department head a completed Notification of Intention to Convert Sick Leave upon Retirement Form.

B. Bargaining Unit Employees: Payment of accrued but unused sick leave will be made to each bargaining unit employee pursuant to the applicable collective bargaining agreement.

REFERENCE: O.R.C. 124.39.

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A. Accrual: Full-time non-bargaining unit employees accrue paid vacation leave according to the following schedule:

1. One (1) full year of service through six (6) years of service: 3.08 hours of paid vacation leave earned for each pay period in active pay status for employees normally scheduled to work 40 hours per week. Maximum accumulation per year = 80 hours (2 weeks).
2. Seven (7) years of service through ten (10) years of service completed: 4.62 hours of paid vacation leave earned for each pay period in active pay status for employees normally scheduled to work 40 hours per week. Maximum accumulation per year = 120 hours (3 weeks).
3. Eleven (11) years of service through twenty four (24) years of service completed: 6.15 hours of paid vacation leave earned for each pay period in active pay status for employees normally scheduled to work 40 hours per week. Maximum accumulation per year = 160 hours (4 weeks).
4. At twenty five (25) years of service complete: 7.69 hours of paid vacation leave earned for each pay period in active pay status for employees normally scheduled to work 40 hours per week. Maximum accumulation per year = 200 hours (5 weeks).

Upon completion of one (1), seven (7), eleven (11) and twenty five (25) full years of service, 40 hours of vacation shall be added to the employee's accrued vacation balance and the employee shall begin accruing vacation at the higher applicable rate as specified above.

Full-time employees regularly scheduled to work other than 40 hours per week shall accrue vacation at a proportionate rate figured by comparing their normal biweekly work schedule to that of a 40 hour employee.

Employees working less than full-time employment (e.g., temporary, part-time, intermittent, seasonal, etc.) shall not be eligible for vacation.

B. Eligibility:

1. Full-time employees are entitled to vacation leave after having completed one year of service with the City.
2. Most employees are entitled to credit for previous service with the City as verified by their employment records for purposes of determining the rate at which the employee will accrue vacation. However, an employee who has retired in accordance with the provisions of any retirement plan offered by the State of Ohio and who is employed by the City on or after June 24, 1987, shall not have the employee's prior service counted for purposes of computing vacation leave.

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**SECTION 5.03
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Notwithstanding the above, any person terminated from employment for conviction of a felony within the meaning of O.R.C. 124.34 who is subsequently reemployed by the City is only qualified to accrue vacation as if the individual is a newly appointed employee and shall not be credited with prior public service for the purpose of receiving vacation.

C. Scheduling and Approval:

1. Vacation scheduling is subject to the approval of the Employer and/or the employee's immediate supervisor and the operational needs of the department. Vacation leave should be scheduled with the department head by April 1 each year, if practical. Scheduled vacation time may be changed during the year only with approval of the Department Head.
2. Vacation leave is to be taken as approved by the Department Head. Not more than 80 hours of vacation leave at one time may be scheduled without prior written approval of the Safety-Service Director.
3. Request for use of accrued vacation leave should be made as soon in advance as possible. Vacation is subject to the approval of the department head and/or the employee's immediate supervisor. Bargaining unit employees should refer to their applicable collective bargaining agreement for scheduling of vacation.
4. Employees shall submit their requests for vacation leave to the department head in writing on a Request for Leave of Absence Form following the guidelines outlined in subsection 3 above.
5. Vacation requests for leave of less than three (3) days must be requested at least 48 hours in advance. Requests for leave of three (3) days or more shall be made at least one (1) week in advance.

D. Carryover and Payment for Unused Vacation Leave:

1. Vacation leave is to be taken during the 12 month period following the anniversary year in which it was earned. An employee, upon approval of the department head and upon written request submitted to the Safety-Service Director prior to the employee's anniversary date, may be permitted to carry over up to 40 hours of vacation to the following anniversary year, with written approval of the Safety-Service Director, or in lieu of carrying over part or all of the forty (40) hours of unused vacation, an employee may elect to cash-in any portion of the unused 40 hours vacation per anniversary year. Any employee desiring to cash-in vacation must submit a written request to the Safety Service Director not less than 30 days prior to the employee's anniversary date of hire. At no time will employees be permitted to have more vacation than their current annual accrual plus the 40 hours

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carried over. Employees will not be permitted to work for the City while on vacation for the purpose of receiving extra pay; however, employees may have their vacation temporarily cancelled and be recalled to duty for emergency situations.

2. An employee with one (1) or more years of service, who resigns, retires, or is laid off is entitled to compensation at the employee's current rate of pay, for any accrued but unused vacation leave to the employee's credit at the time of separation. In the event of the death of an employee, the unused vacation balance shall be paid to the employee's estate. If an employee's services are terminated by the employee without the Employer receiving the required two (2) weeks written notice from the employee, then payment for the employee's unused accumulated vacation leave may be delayed. Any employee terminated from employment is not entitled to any payment for accrued but unused vacation leave.
 3. The department head shall determine the number of employees that may be on vacation leave at the same time.
 4. Vacation credits are not earned while an employee is in a non-paid status (i.e., unpaid leave of absence, disciplinary suspension, etc.).
- E. Bargaining Unit Employees: Guidelines governing the accrual, use, and cash-in of vacation leave for bargaining unit employees are provided in the applicable collective bargaining agreements.

REFERENCE: O.R.C 9.44; O.R.C. 124.34; O.R.C 4113.85; Broadstock v. Elmwood at the Springs, 2013-Ohio-969 (6th Dist.)

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HOLIDAYS

SECTION 5.04

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A. Non-bargaining Unit Employees — Eligibility: Full-time, non-bargaining unit employees are entitled to the following holidays:

1. New Year's Day (January 1)
2. Presidents' Day
3. Good Friday
4. Memorial Day (last Monday in May)
5. Independence Day (July 4)
6. Labor Day (first Monday in September)
7. Thanksgiving Day (fourth Thursday in November)
8. Day after Thanksgiving
9. Day before Christmas Day (Second half of the workday)
10. Christmas Day (December 25)
11. Day before New Year's Day (Second half of the workday)
12. Personal Days (number is dependent upon length of service)

All bargaining unit employees should refer to their applicable bargaining agreement for holiday schedules.

If a holiday falls on a Sunday, it will be observed on the following Monday if it falls on Saturday, it will be observed on the preceding Friday for all employees regularly scheduled to work Monday through Friday. The specific dates of holidays for the police and fire department employees will be set at least 30 days in advance by the department head with approval of the Safety-Service Director.

B. Holiday Pay: Holiday pay shall be an employee's regular hourly rate of pay times the employee's normal daily work hours.

C. Observance: The Employer reserves the right to designate a different date for the observance of any recognized holiday contained in this section. Employees shall be notified in advance of any changes in the normal holiday schedule. All full-time employees except police, fire, or other employees whose work demands require them to work on the holiday, shall normally be granted the day off with pay in observance of each recognized holiday.

D. Work on Holiday: Any eligible employee required to work on a day of holiday observance shall be paid for all hours actually worked at one and one-half (1 ½) times the employee's normal rate, which shall be added to the employee's regular eight (8) hours of holiday pay. Bargaining unit employees should refer to their applicable collective bargaining agreement.

E. Employees on Paid Leave: If a holiday occurs while an employee is on sick leave, injury leave or vacation leave, such day will not be deducted from the employee's sick, injury or vacation leave balance.

F. Personal Days: All full-time employees who are not in their original probationary period are entitled to personal days as listed in the schedule below. Scheduling of such days shall be subject to the prior approval of the department head.

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HOLIDAYS

SECTION 5.04

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Employees hired prior to October 1, 2004, shall be eligible for the following personal days:

- 1 – Personal Leave Day during the first year of service
- 2 – Personal Leave Days after 1 year of service
- 3 – Personal Leave Days after 5 years of service
- 4 – Personal Leave Days after 15 years of service
- 5 – Personal Leave Days after 20 years of service
- 6 – Personal Leave Days after 25 years of service

Employees hired on October 1, 2004, or after, will receive three (3) personal days at the completion of one (1) year of service, and annually thereafter.

Dependent upon the number of hours of sick leave an employee uses during the calendar year, the employee may be eligible to receive additional personal days. Refer to Section 5.01 Sick Leave, herein for more detailed information.

- G. Other Employees: Employees working less than full-time employment (e.g., part-time, seasonal, temporary, intermittent, etc.) are not eligible to receive additional compensation or time off with pay for work performed on a holiday.
- H. No Payment for Unused Leave: Employees who separate from employment for any reason shall not be entitled to payment for personal days or holidays that occur following separation from employment.
- I. Bargaining Unit Employees: Bargaining unit employees should refer to their applicable collective bargaining agreements for holiday policy.

REFERENCE: O.R.C 4113.85.

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FUNERAL LEAVE

SECTION 5.05

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- A. Number of Days: All full-time non-bargaining unit employees may be granted up to a maximum of five (5) consecutive workdays of earned but unused sick leave upon approval of the Appointing Authority due to the death of a member of the employee's immediate family as defined in Section 5.01 of this manual. Each employee shall be entitled to use one (1) day of sick leave for a death of the employee's or employee's spouse's aunt, uncle, nephew or niece.

Personal leave, vacation leave, or an excused absence of up to eight (8) hours may be requested to attend the funeral of a relative or friend not included in the definition of immediate family.

- B. Part-time Employees: Part-time employees shall be eligible to use accrued sick leave as described herein and receive their respective regular rate of pay for such leave, only for the days and the number of hours each day that the employee would have been scheduled to work.
- C. Usage: Funeral leave may be used to attend the funeral, make funeral arrangements or attend to other matters directly related to the funeral. Funeral leave shall not be granted for any days following the funeral unless approved by the Appointing Authority.
- D. Extended Funeral Leave: Upon approval of the Appointing Authority, employees may be granted additional days of accrued but unused sick leave to extend funeral leave as listed above or due to unique circumstances.
- E. Requesting Leave:
1. An employee requesting funeral leave must complete a Request for Leave of Absence Form. The employee may be required to attach a copy of the family member's obituary, or other proof of death, and submit the request to the supervisor or department head, particularly when funeral service will take place out of town. See Section 5.01 regarding notification requirements. The department head or supervisor shall forward the request to the Appointing Authority with a recommendation for approval or disapproval.
 2. All requests for funeral leave are subject to the final approval of the Appointing Authority.
- F. Sick days used for funeral leave will not be considered when determining bonus personal leave which is awarded for limiting the use of sick leave.
- G. Bargaining Unit Employees: Use of funeral leave for bargaining unit employees is covered in the applicable collective bargaining agreement.

REFERENCE: O.R.C. 124.38; O.R.C. 4113.85.

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CIVIL LEAVE

SECTION 5.06

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- A. Purpose: The purpose of this policy is to comply with O.R.C. 2313.19 and 28 USC 1875.
- B. Eligibility: Full-time and regular part-time exempt and nonexempt employees shall be entitled to leave with pay from previously scheduled work when summoned for jury duty by the United States, the State of Ohio, or any political subdivision. If the employee is required to appear in court for any reason other than jury duty, the employee may be granted vacation time or leave of absence without pay for a court appearance in accordance with the applicable policy for such leave. This subsection shall not apply to employees who appear in court on behalf of the City of Celina as part of their employment; as such appearances are compensated as hours worked.
- C. Payment: All payment received by full-time and regular part-time exempt and non-exempt employees from the court of record shall be assigned to the City Treasurer and the employee will receive their applicable hourly rate of pay or salary for all time absent from work for jury duty.
- D. Work Attendance: Employees on an unpaid leave for a court appearance shall report for work before or following such leave if two (2) or more hours remain in the employee's scheduled workday.
- E. Appearance in Court Related to Employee's Official Duties: If it is necessary for an employee to appear in court as part of the employee's official duties while not on regular duty, the employee shall receive compensation for such time calculated at one and one-half (1½) times the employee's regular rate of pay or a minimum of two (2) hours at the employee's regular rate of pay, whichever is greater. Any employee appearing in court on behalf of the City of Celina shall pay all monies received as compensation from the court to the City Treasurer.
- F. Notification: Employees shall complete a Request for Leave of Absence Form (see Section 9, Forms), attach thereto a copy of the subpoena, jury duty notice, or other summons to appear in court and submit the completed form to their supervisor or department head as soon as possible after receipt of the subpoena. The supervisor or department head shall forward the request to the Appointing Authority with a recommendation for approval or disapproval. Failure to notify the supervisor or department head or designee prior to the commencement of the employee's leave for service as a juror or for a court appearance shall result in discipline.

REFERENCE: O.R.C 2313.19; 28 U.S.C. 1875; 29 CFR 541.602 (b)(3); 29 CFR 541.710.

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MILITARY LEAVE

**SECTION 5.07
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- A. Military leave is a complex issue that is governed by both federal (The Uniformed Services Employment and Reemployment Rights Act or USERRA) and state law.

Supervisors and employees should contact the Safety-Service Director regarding military leave and reinstatement issues.

REFERENCE: 38 U.S.C. 43; O.R.C. 5903.02; O.R.C. 5923.05.

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LEAVE OF ABSENCE WITHOUT PAY

SECTION 5.08

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- A. Eligibility: All employees who have completed their probationary period may request a leave of absence without pay. A leave of absence without pay is generally granted when an employee becomes ill or injured and exhausts all accumulated sick leave, family and medical leave, vacation leave, and/or compensatory time off. However, a leave may be granted for any other reason determined to be justified by the Employer. Approval of such request is solely at the discretion of the Appointing Authority and must be obtained prior to the start of the unpaid leave. Each request will be judged on its own merits. A leave of absence without pay shall normally not exceed 30 days.
- B. All requests for leaves of absence without pay shall be submitted to the Appointing Authority on a Request for Leave of Absence Form indicating the specific reason for the requested leave with all supporting documentation attached.
- C. All unpaid leaves of absence are subject to the approval of the Appointing Authority prior to the start of the requested leave.

Any employee absent from work without obtaining advance approval of the Appointing Authority will be considered absent without leave and subject to disciplinary action up to and including termination. (See Section 7.03 of this manual, Absenteeism and Notification of Absence.)

- D. Return from Leave: Upon returning from an approved leave of absence, the employee shall be placed in the employee's original position, or another position in the same classification should the original position be unavailable. Should no similar position be available, the employee will be laid off.
- E. Failure to Return or Properly Use Leave: Failure to return to work at the expiration of an authorized leave of absence without acceptable justification shall result in termination of employment. Failure to use a leave of absence for the reasons stated in the request for leave may result in cancellation of the leave and termination from employment.
- F. Effect on Employment: Sick leave, vacation leave, holiday pay and personal days are not accrued by employees while on an authorized leave of absence without pay. An authorized leave of absence without pay shall not be considered a break in service for seniority purposes. Employees are not entitled to health insurance paid by the City while on a leave of absence without pay (unless on an approved family and medical leave), but may be eligible to continue coverage at their own expense in accordance with Section 5.13 herein.
- G. Bargaining Unit Employees: Bargaining unit employees shall be entitled to unpaid leaves of absence as specified in the applicable collective bargaining agreement.

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LEAVE OF ABSENCE WITHOUT PAY

SECTION 5.08

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REFERENCE: O.R.C. 4113.85; Section 5.09 of this manual, Absence Without Approved Leave; Section 5.12 of this manual, Group Health Insurance; Section 5.13 of this manual, Continued Group Health Insurance Coverage; Section 7.03 of this manual, Absenteeism and Notification of Absence.

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ABSENCE WITHOUT APPROVED LEAVE

SECTION 5.09

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- A. Any employee who fails to report to work as scheduled without having such absence approved in advance by the Employer (i.e., vacation, court leave, military leave, etc.) shall be considered absent without approved leave.

- B. Employees with an illness or injury qualifying for sick leave, who have sufficient accrued sick leave to cover the period of absence, may notify their supervisor or designee in accordance with Section 5.01 herein and request approval of said absence after its occurrence by submitting the Request for Leave of Absence Form. However, employees without sufficient sick leave to cover their absence, regardless of the reason for their absence, shall be considered absent without approved leave unless the employee has some other form of leave (i.e., vacation, family and medical leave, disability leave) approved in advance of such absence.

- C. Any employee absent without approved leave shall be subject to disciplinary action including possible removal from employment with the City. (See Section 7.03, Absenteeism and Notification of Absence.)

REFERENCE: O.R.C. 4113.85; Section 7.03 of this manual, Absenteeism and Notification of Absence.

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DISABILITY SEPARATION

**SECTION 5.10
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- A. This section outlines the conditions under which a disability separation may be granted to or involuntarily imposed on employees, and procedures for administering such separation. This policy is intended to outline the procedures to be followed after determining that no reasonable accommodation can be made which would allow the employee to perform the essential functions of the employee's position or other available vacant position for which the employee is qualified.
- B. Voluntary Reduction: When an employee becomes physically unable to perform the essential functions of the employee's position even with a reasonable accommodation, but is still able to perform the duties of a vacant lower level position, the employee may voluntarily request reduction to the lower level position. Such request shall be in writing, shall state the reason for the request, and, if approved by the Appointing Authority, will be attached to the implementing personnel action.
- C. Involuntary Disability Separation: occurs when the Appointing Authority has been provided competent medical evidence or the employee's own statements suggest an employee is incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation.
- D. Medical Examination:
1. An Appointing Authority may require an employee to submit to a medical or psychological examination in order to determine the employee's capability to perform the essential job duties of the employee's position with or without a reasonable accommodation. Such examination shall be conducted by one or more licensed physicians as determined by the Appointing Authority. Prior to examination, the Appointing Authority must supply the examining physician with facts relating to the perceived disabling illness, injury, or condition and must supply additional information including physical and mental requirements of the employee's position, duty statements, and position description. The appointing authority shall bear the cost of the examination. Both the Appointing Authority and the employee shall receive the results of the examination and related documents subject to division (C)(1) of O.R.C. 1347.08.
 2. Failure to Appear for Examination or Refusal to Submit:

The refusal to submit to the examination, the unexcused failure to appear for an examination, or the refusal to release the results of an examination will subject the employee to immediate termination for insubordination.
- E. Right to Pre-separation Conference:
1. The Appointing Authority shall institute pre-separation proceedings when the Appointing Authority has received competent medical evidence or the employee's own statements give the Appointing Authority reason to believe an employee

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DISABILITY SEPARATION

**SECTION 5.10
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incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation. Under such proceedings, a conference shall be scheduled and advanced written notice shall be provided to the employee. If the employee does not waive the right to the conference, then at the conference the employee has a right to examine the Appointing Authority's evidence of incapacity, to rebut such evidence, and to present testimony and evidence on the employee's own behalf.

2. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-separation conference, that the employee is capable of performing the essential functions, then the pre-separation conference shall cease and the employee shall be directed to report for work. If the Appointing Authority determines, after weighing the testimony presented and the evidence admitted at the pre-separation conference, that the employee is unable to perform the essential functions, then the Appointing Authority shall issue to the employee an Order of Involuntary Disability Separation.
3. An employee so separated shall have the right to appeal in writing to the Civil Service Commission within ten (10) calendar days following the Appointing Authority's service upon the employee of the order of involuntary disability separation.
4. The Appointing Authority shall notify the employee, at the time of the involuntary disability separation, of the required procedures to apply for reinstatement.

F. Right to Reinstatement/Rights of Appeal:

1. An employee may make a written request to the Appointing Authority for reinstatement from an involuntary disability separation. The request shall be accompanied by substantial, credible medical evidence that the employee is once again capable of performing the essential functions of the employee's job. Such requests shall be made not more than once every three (3) months and no later than two (2) years from the date that the employee was no longer in active work status due to the disabling illness, injury, or condition.
2. When an involuntarily separated employee presents to the Appointing Authority substantial, credible medical evidence as provided above, showing the employee is once again capable of performing the essential functions of the employee's assigned position with or without a reasonable accommodation, the Appointing Authority shall either reinstate the employee or require the employee to submit to a medical or psychological examination conducted as provided above.
3. The Appointing Authority shall reinstate the employee after receiving the results of the examination if the Appointing Authority determines the employee is once again

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capable of performing the essential functions of the employee's assigned position with or without a reasonable accommodation.

4. The Appointing Authority shall institute pre-reinstatement proceedings if the Appointing Authority has received the results of the examination and initially determines the employee remains incapable of performing the essential functions of the employee's assigned position with or without a reasonable accommodation. Under these proceedings, a hearing shall be scheduled and adequate advanced written notice shall be provided to the employee. If the employee does not waive the right to the hearing, then at the hearing the employee has a right to examine the Appointing Authority's evidence of continuing incapacity, to rebut such evidence, and to present testimony and evidence on the employee's own behalf.
5. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is once again able to perform the essential functions of the employee's assigned position with or without a reasonable accommodation, then the Appointing Authority shall reinstate the employee. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is not able to perform the essential duties of the employee's assigned position with or without a reasonable accommodation, then the Appointing Authority shall not reinstate the employee.
6. If the Appointing Authority determines an employee, who has been involuntarily separated, has committed an act which is inconsistent with the employee's disability, illness, or injury, then that act may be considered by the Appointing Authority when determining an employee's eligibility for reinstatement.
7. Once an Appointing Authority properly determines an employee is to be reinstated, the employee has a right to be assigned to a position in the classification the employee held at the time of involuntary disability separation. If the classification the employee held at the time of involuntary disability separation no longer exists or no longer is utilized by the Appointing Authority, then the employee shall be placed in a similar classification.

If no similar classification exists, the employee may be laid off in accordance with the layoff procedures outlined elsewhere within this manual and may exercise any displacement rights which may exist under such procedures.
8. If the employee has been granted disability benefits by a state retirement system, application for reinstatement shall not be filed after the date of service eligibility retirement.

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DISABILITY SEPARATION

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9. An employee refused reinstatement as provided in Subsection (B)(2)(e) shall be notified in writing of the refusal to reinstate and of the right to appeal in writing to the Civil Service Commission within ten (10) calendar days of receiving notice of the refusal to reinstate.

10. An employee who fails to apply for reinstatement within two (2) years following the date that the employee was no longer in active work status due to the inability to perform the essential functions of the position shall be deemed permanently separated from service.

REFERENCE: O.R.C. 1347.08, O.R.C. 4113.85.

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FAMILY AND MEDICAL LEAVE

SECTION 5.11

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- A. Introduction: Family and Medical Leave is a leave of absence, taken for specified reasons, during which the Employer shall maintain the employee's health insurance in the same manner as if the employee remained in active pay status. During the leave, however, employees must continue to pay their share of the premium.
- B. General Notice: The Employer shall post written notice of employees' rights and ability to file a complaint with the Wage and Hour Division regarding any alleged violations of the FMLA.
- C. Family and Medical Leave Definitions:
1. Spouse: Husband or wife as defined by state law for purposes of marriage, including individuals in a same-sex marriage or individuals married under common law marriage prior to October 10, 1991. (Common law marriage was abolished in Ohio on that date.)
 2. Parent: The biological parent or person who stands or stood in place of a parent to the employee when the employee was a child. This includes the employee's step-parent when said step-parent is the same-sex spouse of the biological parent. "In-laws" are not included.
 3. Child: A biological, adopted, foster, or step-child; a legal ward; or a child of an employee who is standing in the place of a parent for that child. The child must be under the age of 18 unless the child is incapable of self-care because of a mental or physical disability at the time that the FMLA leave is to commence.
 4. Serious Health Condition: An illness, injury, impairment, or physical or mental condition which involves inpatient care or "continuing treatment".
 5. Continuing Treatment: Continuing treatment by a health care provider which includes at least one of the following:
 - a. a period of incapacity for more than three (3) consecutive full calendar days which requires subsequent treatment relating to that condition on two (2) or more occasions within 30 days of the first day of incapacity (unless extenuating circumstances exist) or on one (1) occasion which results in a regimen of continuing treatment;
 - b. incapacity due to pregnancy;
 - c. a period of incapacity or treatment due to a chronic serious health condition, which may be episodic but includes periodic visits (at least twice per year) to a health care provider and continues over an extended period of time;

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- d. any period of incapacity which is permanent or long term, due to a condition for which treatment may not be effective but requires the continuing supervision of a healthcare provider;
 - e. absence due to a series of treatments, e.g., after surgery, accident or for a condition which would result in an absence for at least three (3) full consecutive days if left untreated.
6. Health Care Provider: Either: (1) a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or (2) any other person determined by the Secretary of Labor to be capable of providing health care services as further defined in the law.
- a. Others capable of providing health care services include only:
 - (1) Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State law;
 - (2) Nurse practitioners, nurse-midwives, clinical social workers and physician assistants who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law;
 - (3) Christian Science Practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts. Where an employee or family member is receiving treatment from a Christian Science practitioner, an employee may not object to any requirement from an employer that the employee or family member submit to examination (though not treatment) to obtain a second or third certification from a health care provider other than a Christian Science practitioner except as otherwise provided under applicable State or local law or collective bargaining agreement;
 - (4) Any health care provider from whom an employer or the employer's group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and
 - (5) A health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law.

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- b. The phrase authorized to practice in the State as used in this section means that the provider must be authorized to diagnose and treat physical or mental health conditions.

- 7. Intermittent Leave: Leave taken in separate blocks of time due to a single qualifying reason.

- 8. Reduced Leave Schedule: Leave that reduces an employee's usual number of working hours per workweek or workday.

- 9. Covered Active Duty: The term covered "active duty" means:
 - a. In the case of a member of the Regular Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and

 - b. In the case of a member of the Reserve components of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a federal call or order to active duty in support of a contingency operation.
 - (1) Reserve components of the Armed Forces, for purposes of qualifying exigency leave, include the Army National Guard of the United States, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard of the United States, Air Force Reserve, and Coast Guard Reserve, and retired members of the Regular Armed Forces or Reserves who are called up in support of a contingency operation.

- 10. Qualifying Exigency: A non-medical activity that is directly related to the covered military member's active duty or call to active duty status. For an activity to qualify as an exigency, it must fall within one (1) of nine (9) categories of activities or be mutually agreed to by the employer and employee. The nine (9) categories of qualifying exigencies are short-notice deployment (leave permitted up to seven (7) days if the military member receives seven (7) or less days' notice of a call to active duty), military events and related activities, certain temporary childcare arrangements and school activities (but not ongoing childcare), financial and legal arrangements, counseling by a non-medical counselor (such as a member of the clergy), rest and recuperation (leave permitted up to 15 days when the military member is on temporary rest and recuperation leave), post-deployment military activities, to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty, and additional activities.

- 11. Contingency Operation: A contingency operation is a military operation:
 - a. Designated by the Secretary of Defense as an operation in which members of the Armed Forces are or may become involved in military actions,

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- operations, or hostilities against an enemy of the United States or against an opposing military force; or
- b. Results in the call or order to, or retention on, active duty of members of the uniformed services under section 688, 12301(a), 12302, 12304, 12305, or 12406 of Title 10 of the United States Code, Chapter 15 of Title 10 of the United States Code, or any other provision of law during a war or during a national emergency declared by the President or Congress.
12. Covered Service member: The term "covered service member" means a member of the Armed Forces, including covered veterans, and members of the national guard or reserves, undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
13. Outpatient Status: The term "outpatient status," with respect to a covered service member, means the status of a member of the Armed Forces assigned to:
- a. A military medical treatment facility as an outpatient; or
- b. A unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
14. Next of Kin of a Covered Servicemember: the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.
15. Serious Injury or Illness Current Service Member: The term "serious injury or illness", in the case of a member of the Armed Forces, including members of the National Guard or Reserves, means an injury or illness incurred by the covered servicemember in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating.

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16. Covered Veteran: For purposes of military caregiver leave, a covered veteran is an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five (5) year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.
17. Serious Injury or Illness Covered Veteran: The term “serious injury or illness” for covered veterans means an injury or illness that was incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran and is:
- a. A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember’s office, grade, rank, or rating; OR
 - b. A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; OR
 - c. A physical or mental condition that substantially impairs the veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment; OR
 - d. An injury, including psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
- D. Eligible Employees: Employees who have been employed by the City for a total of at least 12 months and who have completed at least 1,250 hours of time actually worked with the employer during the previous 12 month period immediately preceding the start of FMLA leave will be eligible for Family and Medical Leave.
- E. Employees Not Covered: The following employees are not entitled to FML: elected officials; personal staff, policy-making appointees, or immediate legal advisors to elected officials serving in the unclassified service; bona fide volunteers; independent contractors; etc.
- F. Entitlement to Leave: Each eligible employee will be entitled to a total of 12 workweeks of Family and Medical Leave during a rolling 12 month period measured backward from the date the employee uses any Family and Medical Leave. Employees may take the leave for any of the following reasons:

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1. Birth of a child of the employee and to bond with the newborn child.
2. Placement of a child with the employee by way of adoption or foster care.
3. To care for the spouse, child, parent, or one who stood in place of a parent of the employee, if that person has a serious health condition.
4. Because of a serious health condition that renders the employee unable to perform any of the essential functions of the employee's position including incapacity due to pregnancy and for prenatal medical care.
5. Because of any qualifying exigency arising out of the fact that the spouse, child, or parent of the employee is on covered active duty or has been called to covered active duty in the Armed Forces in support of a contingency operation.

G. Expiration of Entitlement: The entitlement to leave for a birth or placement of a son or daughter shall expire at the end of the 12-month period beginning on the date of such birth or placement.

H. Servicemember Family Leave: An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember or veteran shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for a servicemember with a "serious injury or illness" sustained or aggravated while in the line of duty or active duty. The leave described in this paragraph shall only be available during a single 12-month period beginning on the first day the employee takes leave for this reason, regardless of the 12-month period established for other types of Family and Medical Leave.

During the single 12-month period described above, an eligible employee shall be entitled to a combined total of 26 workweeks of leave.

I. Utilization of Accumulated Paid Leave: Employees are required to utilize accumulated paid leave for all or part of the FML 12-week period. Accrued sick leave shall be utilized for conditions that are eligible for both Sick Leave Section 5.01 herein and Family and Medical Leave. Unpaid FML shall be authorized when all eligible accrued paid leaves have been exhausted (e.g., sick leave, vacation, personal days). In other words, FML leave and paid leave for conditions that qualify under FML run concurrently. The entire 12-week FML is not tacked onto the end of the paid leave, just the remaining portion after the paid leave time is subtracted. Three (3) examples of the concurrent use of Family and Medical Leave and applicable paid leave are as follows:

Example A: An employee suffers a serious health condition that lasts 16 weeks. The employee has no accrued paid leave.



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Example B: An employee suffers a serious health condition that lasts for 16 weeks. The employee has three (3) weeks of accrued sick leave and two (2) weeks of accrued vacation.

sick leave	vacation
-----	-----
3 weeks	2 weeks

family and medical leave (paid leave) 5 wks.	unpaid disability leave
-----	-----
unpaid FML leave 7 wks.	4 weeks

Example C: An employee suffers a serious health condition that lasts 16 weeks. The employee has 16 weeks of accrued sick leave

sick leave

16 weeks
family and medical leave

12 weeks

In example A, the Employer must pay the Employer’s share of the employee’s health insurance premium for the first 12 weeks of the 16 weeks of leave, so long as the employee pays the employee’s share. Thereafter, the employee may continue insurance coverage under COBRA.

In example B, the Employer shall pay the Employer’s share of the employee’s health insurance premium for the first 12 weeks of this combination of paid and family and medical leave. During the paid portion of the leave, the employee’s share shall be deducted from the employee’s paycheck. During the Family and Medical Leave only portion, the employee must directly pay the employee’s share to the Employer. After the 12 weeks of Family and Medical Leave, the employee may continue insurance coverage under COBRA.

In example C, the Employer shall pay the Employer’s share of the employee’s health insurance for the entire 16 weeks, and shall deduct the employee’s share from the employee’s paycheck.

- J. Further Unpaid Leave of Absence: In the event of the continuation, reoccurrence or onset of a serious health condition after the employee has exhausted the 12 workweeks of leave, the employee may request an unpaid leave of absence in accordance with the applicable policy herein.

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K. Intermittent/Reduced Schedule Leave:

1. Leave due to the serious health condition of the employee or the employee's spouse, child, or parent may be taken intermittently or on a reduced leave schedule when medically necessary. In all other cases, it may be taken intermittently with permission of the Employer. The Employer may require an employee taking leave in this manner for planned medical treatments to transfer temporarily to an alternative position which has equivalent pay and benefits and better accommodates the recurring periods of leave.
2. The taking of leave intermittently or on a reduced leave schedule shall not result in a reduction in the total amount of leave to which the employee is entitled in accordance with this policy.
3. If an employee needs leave intermittently or on a reduced schedule for planned medical treatments for their own serious health condition or for that of a qualifying family member, the employee must make a reasonable effort to schedule the treatment so as to not unduly disrupt the employer's operations.
4. Leave due to the birth or placement for adoption/foster care of a son or daughter with the employee shall not be taken on an intermittent or reduced leave schedule.

L. Husband and Wife: When both spouses are employed by the City of Celina, they are entitled to an aggregate total of 12 weeks of FML for childbirth, adoption placement, or foster care. This limitation does not apply to FML taken by either spouse to care for the other spouse, a child, or parent with a serious health condition.

The aggregate number of workweeks of leave to which both that husband and wife may be entitled may be limited to 26 workweeks during the single 12-month period the leave is:

1. Servicemember Leave; or
2. A combination of Servicemember Leave and leave due to the birth or placement of a child as described above.

If the leave taken by the husband and wife includes leave due to the birth or placement of a child as described above, the limitation for such leave shall apply.

M. Paid Leave Designated as FML: If an employee requests paid leave that also qualifies for Family and Medical Leave, the Employer shall notify the employee that the paid leave will count toward and run concurrently with the employee's Family and Medical Leave. Such notice should be provided as soon as practicable after the Employer acquires knowledge that the paid leave qualifies for Family and Medical Leave. This notice may be provided verbally or in writing. If provided verbally, written notice must then be furnished to the employee.

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- N. Benefit Accrual during Leave: An employee granted Family and Medical Leave shall continue to accrue seniority during any period of such leave provided the employee follows the proper procedure for requesting such leave and returns to work at the expiration of the leave. Vacation, sick leave, and other paid leave will not accrue during any unpaid portion of the leave period.
- O. Employee's Notice Responsibility: Eligible employees requiring Family and Medical Leave shall notify the Employer not less than 30 days prior to the date such leave is to begin by completing a Request for Family and Medical Leave Form. However, where the need for leave is not foreseeable 30 days in advance, the employee shall complete a Request for Family and Medical Leave Form and provide as much advance notice as practicable. Leave forms shall be submitted to the Safety-Service Director.

In any case in which the necessity for Servicemember Family Leave is foreseeable, whether because the spouse, or a son, daughter, or parent, of the employee is on active duty, or because of notification of an impending call or order to active duty in support of a contingency operation, the employee shall provide such notice to the employer as is reasonable and practicable.

Where an employee has no valid excuse for a delay in notice, the Employer may delay the leave until 30 days after the notice has been received.

It is the responsibility of the employee to obtain, complete (or cause to be completed) and return all required Family and Medical Leave Forms.

- P. Personal Notice: Upon request for Family and Medical Leave or upon determination that a request for paid leave constitutes Family and Medical Leave, the Employer will provide the employee with detailed written notice of:
1. The Employer's expectations and obligations of the employee, such as:
 - a. The right to substitute paid leave;
 - b. Requirement for the employee to make premium payments to maintain health benefits and the amount of such payments;
 - c. Any requirement for the employee to present a fitness-for-duty certificate;
 - d. Employee's right to restoration to same or equivalent job upon return from leave;
 - e. Employee's potential liability for payment of health insurance premiums paid by the Employer during the employee's unpaid FMLA leave if employee fails to return to work after such leave.

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2. The consequences of an employee's non-compliance;
3. "Key employee" status;
4. The fact that the leave will be counted against the employee's annual entitlement and how it is measured;
5. The requirements regarding medical certification.

This notice may be provided on a Designation Notice (see Section 9, Forms) or by furnishing a copy of this policy, the Family and Medical Leave Notice Form, and other relevant information to the employee. The Employer will also provide notice to employees regarding Family and Medical Leave policy change(s).

Q. Initial Certification of Serious Health Condition:

1. Employees who request Family and Medical Leave must provide the Employer with complete and sufficient certification of the condition from a health care provider in cases involving serious health conditions and attach the Certification of Health Care Provider for Employee's Serious Health Condition Form to the Request for Family and Medical Leave Form at initial request. When an employee requests leave to care for a family member, the employee must furnish a statement from the family member's health care provider certifying the condition, the necessity of the employee's care for the family member, and the expected duration of care required (see attached Certification of Health Care Provider for Family Member's Serious Health Condition).
2. If the Employer finds a Certification of Healthcare Provider to be incomplete or insufficient, the Employer shall state in writing to the employee the additional information necessary to make the certification complete and sufficient.
 - a. A certification is considered incomplete if the Employer receives a certification, but one or more of the applicable entries have not been completed.
 - b. A certification is considered insufficient if the Employer receives a complete certification, but the information provided is vague, ambiguous, or non-responsive.

If the deficiencies specified by the Employer are not cured within seven (7) calendar days of the written notice to the employee, the Employer may deny the taking of Family and Medical Leave.

3. After the employee has been given the opportunity to cure a deficient Certification of Health Care Provider, the Employer may use a health care provider, a human resource professional, a leave administrator, or a management official –but not the

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employee's direct supervisor-to authenticate or clarify a medical certification of a serious health condition. The Employer will not seek additional information from the certifying health care provider beyond that required by the certification form. A HIPAA-compliant release shall be obtained prior to this action. If the employee chooses not to provide the Employer with authorization allowing the Employer to clarify the certification with the health care provider, and does not otherwise clarify the certification, the Employer may deny the taking of Family and Medical Leave and associated request(s) for paid leave if the certification is unclear.

4. Upon receipt of the certification, of the Employee's Serious Health Condition or the Serious Health Condition of a Family Member, the Employer may, at its expense, require the employee to obtain a second opinion from a health care provider selected by the Employer.
5. If the second opinion differs from the first, the Employer may, at its expense, require the employee to submit to a third examination by a health care provider jointly selected by the Employer and the employee. This third opinion shall be final and binding.
6. Failure or refusal of the employee to submit to or cooperate in obtaining second or third opinions shall result in denial of the Family and Medical Leave and associated paid leave request(s).

R. Subsequent Certification:

1. For pregnancy, chronic, or permanent/long-term conditions under continuing supervision of a health care provider, the Employer may request recertification every 30 days while the employee is on leave except as otherwise specifically exempted. However, if circumstances described in the previous certification change significantly (i.e., the severity of the condition, complications, etc.), the Employer may immediately request recertification.
2. If the minimum duration of the incapacity specified on an initial certification is more than 30 days, or if the leave is taken on an intermittent or reduced schedule basis, the Employer may not request recertification before the minimum duration of the specified leave expires unless one of the conditions of subsection R3 is met.
3. For circumstances not covered by subsection R1 or subsection R2, the Employer may request recertification at any reasonable interval (but not more often than every 30 days), unless:
 - a. The employee requests an extension of leave; or
 - b. Circumstances described by the previous certification have changed significantly (i.e., duration or nature of the illness, complications, etc.); or

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- c. The Employer receives information that casts doubt upon the continuing validity of the certification.
 4. If one of the conditions of subsection R3 occurs, the Employer may immediately request recertification.
 5. If the initial medical certification indicates that the employee will need intermittent or reduced schedule leave for longer than six (6) months, including cases where the serious health condition has no anticipated end, the employer may request a certification every six (6) months, but only in connection with the absence by the employee.
- S. Certification for Leave Taken Because of a Qualifying Exigency: An employer may require that leave for any qualifying exigency specified in this section be supported by a certification (see attached Certification of Qualifying Exigency for Military Family Leave) from the employee that sets forth the following information:
 1. A statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency for which FMLA leave is requested. The facts must be sufficient to support the need for leave. Such facts should include information on the type of qualifying exigency for which leave is requested and any available written documentation which supports the request for leave; such documentation, for example, may include a copy of a meeting announcement for informational briefings sponsored by the military, a document confirming an appointment with a counselor or school official, or a copy of a bill for services for the handling of legal or financial affairs.
 2. The approximate date on which the qualifying exigency commenced or will commence.
 3. If an employee requests leave because of a qualifying exigency for a single, continuous period of time, the beginning and end dates for such absence.
 4. If an employee requests leave because of a qualifying exigency on an intermittent or reduced schedule basis, an estimate of the frequency and duration of the qualifying exigency.
 5. If the qualifying exigency involves meeting with a third party, appropriate contact information for the individual or entity with whom the employee is meeting (such as the name, title, organization, address, telephone number, fax number, and e-mail address) and a brief description of the purpose of the meeting.
 6. If the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders, or other documentation issued by the military which indicates that the military member has been granted Rest and

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Recuperation leave, and the dates of the military member's Rest and Recuperation leave.

- T. Certification for Military Caregiver Leave: When leave is taken to care for a military member or covered veteran with a serious injury or illness, an employer may require an employee to obtain a certification completed by an authorized health care provider of the military member or covered veteran (see attached Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave).
- U. Certification Deadline: Employees shall provide requested certification within 15 calendar days unless this time limit is not practicable. Failure to provide this certification may invalidate the leave.
- V. Employee's Failure to Pay Insurance Premium: Upon commencement of Family and Medical Leave, the Employer shall continue the employee's health insurance as if the employee were not on leave. During any unpaid portion of the leave, the Employer's obligation shall cease if the employee is more than 30 days late in tendering the employee's share of the premium. In such a case, the Employer shall provide the employee written notice of the discontinuance of coverage by mailing such notice at least 15 days before the date coverage will cease.
- W. Secondary Employment During Leave: No employee shall engage in secondary employment while the employee is on a paid or unpaid leave of absence due to medical conditions, including FML.
- X. Reinstatement: When an employee returns from Family and Medical Leave, the employee will be restored to the position held by the employee when the leave began or a similar position with equivalent pay and benefits. If the employee is returning from FML due to a serious health condition of the employee, the employee's physician must certify the employee is able to resume work and perform the essential functions of the employee's position as a condition of return to employment. Where reasonable job safety concerns exist, up to once every 30 days the Employer may require a fitness for duty certification before allowing employees to return from intermittent leave.
- Y. Failure to Return:
1. If the employee fails to return from the leave, the employee shall reimburse the Employer for the total insurance premium paid by the Employer for the period of Family and Medical Leave during which the employee was not in active pay status, unless the failure to return is due to:
 - a. continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member which would otherwise entitle the employee to leave under FMLA; or
 - b. other circumstances beyond the employee's control.

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In such a case, the Employer may require medical certification by request. If an employee fails to provide certification or an adequate excuse within 30 days of the employer's request, the employee shall be liable for the total insurance premium paid during the unpaid portion of the leave by the Employer.

2. If an employee, (1) is not already on approved paid or unpaid leave in conjunction with Family and Medical Leave, (2) does not report to work or, (3) does not request and receive further approved leave after the applicable Family and Medical Leave expires, the employee will be absent without leave and shall be terminated from employment. (See Section 7.03 of this manual, Absenteeism and Notification of Absence).

Z. Records: The Employer shall maintain the following records for three (3) years:

1. Basic payroll and identifying employee data;
2. Dates of Family and Medical Leave taken (including paid leave taken);
3. Hours of Family and Medical Leave if leave is taken in increments less than a full day;
4. Copies of all notices given to Employer or employees;
5. Copies of all documents describing benefits, policies, and practices regarding the taking of paid and unpaid leaves;
6. Copies of employee requests for Family and Medical Leave;
7. Premium payments of employee benefits;
8. Records of any disputes between the Employer and employee over designation of Family and Medical Leave.

Records of medical certification of employees or their family members shall be kept confidential as they are "confidential medical records" under the law and as defined in this manual.

REFERENCE: 29 U.S.C. 2601; 29 CFR 825; Section 9 of this manual, Forms – Request for Family and Medical Leave, Certification of Health Care Provider for Employee's Serious Health Condition, Certification of Health Care Provider for Family Member's Serious Health Condition, Certification of Qualifying Exigency for Military Family Leave, Certification of Serious Injury or Illness of a Current Servicemember for Military Family Leave, Designation Notice.

Original Adoption Date: _____ Revision Date: _____

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- A. Eligibility: Employees who are regularly scheduled to work 30 or more hours each week may be eligible to participate in the Employer's health insurance programs under the cost sharing arrangements described herein. The Employer's insurance carrier shall determine the eligibility of any employee and the Employer shall not be liable for the rejection of any employee for coverage. Uniform health insurance coverage shall be provided to all eligible employees. Intermittent, temporary, seasonal, and part-time employees who are regularly scheduled to work fewer than 30 hours each week are not eligible for health insurance.
- B. Employees are not covered by health insurance until the first day of the month following their election to participate in the health insurance program. Employees who separate from employment shall have insurance coverage until the end of that month, except in cases of termination.
- C. The Appointing Authority shall immediately notify the Auditor in writing when an employee is:
1. separated from service;
 2. off work on workers' compensation; or
 3. on any other unpaid leave of absence.
- D. Election: Employees may elect coverage under the insurance plan by notifying the Appointing Authority prior to the first day of the month of initial appointment, or apply for coverage during an annual open enrollment period. Employees desiring insurance coverage shall complete an application at commencement of employment. Employees declining coverage shall sign a waiver of coverage at commencement of employment.
- E. The Employer shall offer health insurance coverage under Plan A to employees as determined by the City of Celina Insurance Committee. The Employer may also offer alternative health insurance plans as determined by the Employer.
1. The Insurance Committee shall be comprised of an Advisory Committee and an Executive Committee.
 - a. The Advisory Committee shall be made up of representatives from each City department and members of the administration, including the Safety-Service Director and the City Insurance Plan Administrator. Each department may send up to two (2) employees to the Advisory Committee meetings, including one (1) bargaining unit employee and one (1) non-bargaining unit employee. Others may also attend with the approval of the Safety-Service Director.
 - b. There shall be no maximum time limit restricting the length of time a representative may serve on the Advisory Committee. It is, however, highly recommended that department representation change at least every couple years to insure broader representation and input of new ideas.

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c. The Executive Committee shall be made up of the following:

- The Safety-Service Director Representative
- A representative from the FOP/OLC
- A representative from the IAFF
- A representative from the CMERC
- A representative from the non-bargaining unit personnel

The members of the Executive Committee shall be the only voting members on matters of insurance plan changes.

d. The Executive Committee representatives from each of the represented groups shall be elected by a majority of the members of the group.

e. The Safety-Service Director shall be permanently appointed to the Executive Committee as long as such individual holds that position.

2. The protocols established within this section shall govern the conduct of the Advisory Committee and the Executive Committee.
3. No provision or protocol presented within this policy section shall be altered or changed without a vote of approval by the Executive Committee.
4. The Advisory Committee has the duty to review, study, and consider health care issues of: levels of benefits, types of coverage, adjustments to deductibles and co-pays, premium cost sharing, plan design changes, cost-containment features, dependent coverage, and other changes to the insurance plan with emphasis on containing health care costs to provide the most appropriate health care coverage for City employees. The Advisory Committee shall also act to distribute information on the City health insurance plans to all employees of the City.
5. It is the duty of the Executive Committee to decide upon and propose changes and plans related to health insurance Plan A to City Council in a timely manner. The Executive Committee shall base its proposals and plan changes on input and advice of the Advisory Committee Representatives.
6. Any recommendations for changes to Plan A will come from the Executive Committee following approval by a majority vote of its membership [three (3) votes].
7. Each Executive Committee member shall have an equal right to participate in all committee meetings and issues.

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8. Annually, the Advisory Committee shall establish a chairman, vice-chairman, and secretary. The Executive Committee shall establish a chairman on an annual basis and have available to it from the administration, a recording secretary. Each committee shall establish its own meeting rules. A committee member shall not serve more than two (2) consecutive years as chairman.
 9. Secretarial, recording, and committee administrative activities shall be provided by the City Administration. The committee secretaries shall keep record of all business conducted during each committee meeting and minutes shall be given to each member of the respective committees. The secretaries shall also maintain records of all correspondence, documents, and records accumulated by their committee.
 10. All members of the Executive Committee shall be given a written notice at least two (2) days in advance of all meetings, unless there is a necessity for an emergency meeting, in which case notice will be given as soon as possible.
 11. If an Executive Committee member determines that he/she no longer intends to participate as a member of the Executive Committee, the Executive Committee chairman and Safety-Service Director shall be provided written notice. If an elected representative can not serve out his/her appointed period, the represented employee group will appoint a replacement to finish out the two (2) year term and submit the name of the appointed representative to the Executive Committee Chairman and the Safety-Service Director.
 12. All recommendations for changes to the plan and financial impacts shall be subject to negotiation by any or all of the acknowledged employee representative bargaining units. If the change cannot be mutually agreed upon and two (2) parties reach an impasse, then the matter shall be submitted to final settlement by selection of arbitration or fact-finding as addressed in the pertinent collectively bargained contract.
 13. The City may abolish the Advisory Committee and Executive Committee at any time for any reason or for no reason at all. At that time, the health insurance program and coverages would fall to negotiated settlement by the individual employee bargaining units.
- F. **Payment:** Premiums for coverage under the health insurance plan are paid by the Employer and the employee as determined by City Council. When a spouse works for the City, the Employer will pay for only one (1) family plan. Each employee shall be provided a booklet detailing the City's medical benefit plan.
- G. **Paid Leave:** The Employer will continue to pay its share of the health insurance premium for employees on all paid leaves of absence for so long as the employee is in active pay status as defined in the Definitions Section of this manual.

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H. Employees should refer to the insurance benefit plan booklet for information regarding deductible amounts.

I. Insurance During Unpaid Leave — Worker’s Compensation: If an employee is granted an unpaid leave after exhausting all available paid leave and Family and Medical Leave, the City’s obligation to pay any portion of insurance premium costs shall cease immediately.

The employee may, however, be eligible for continued coverage at the employee’s sole expense as provided in Section 5.13 of this manual, Continued Group Health Insurance Coverage.

J. Inactive Pay Status: Except as provided under the Family and Medical Leave Section of this manual, anytime an employee is absent from work without approved paid leave the City’s obligation to pay any portion of insurance premium costs shall cease immediately.

REFERENCE: 42 U.S.C. 18001; O.R.C. 4113.85.

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- A. Employees who separate from service on a permanent or temporary basis and/or their spouses and dependent children may be eligible for continuation of health insurance coverage, at their own expense. The same health insurance coverage shall continue for eligible employees/individuals under this policy as is provided to other employees who maintain employment with the Employer. Upon separation, except for termination, the employee will continue to be covered by health insurance for the remainder of the month in which the separation takes place.
- B. Employees, spouses and dependent children who are covered under the Employer's health insurance plan shall be offered the opportunity to continue health insurance coverage according to the following schedule:
1. An employee who is terminated (other than by discharge for gross misconduct) shall be eligible to purchase health insurance coverage for up to 18 months following the termination.
 2. An employee whose total hours worked are reduced, which reduction causes the employee to be ineligible for continued health insurance coverage, shall be eligible to purchase health insurance coverage for up to 18 months following such reduction.
 3. If a second qualifying event occurs during this 18-month period, coverage may be extended for an additional 18 months.
 4. If any beneficiary becomes disabled under the Social Security Act and provides timely notice of that status to the Employer, coverage may be extended for up to 29 months.
 5. The spouse and dependent children of an employee shall be eligible to purchase health insurance coverage for up to 36 months when the employee:
 - a. Dies;
 - b. Would otherwise lose coverage due to termination and/or reduction as described in the above paragraphs; or
 - c. Becomes entitled to Medicare coverage.
 6. The spouse and/or dependent children shall be eligible to purchase health insurance coverage for up to 36 months when:
 - a. The spouse and dependent children would lose eligibility for continued coverage due to a divorce or legal separation; or
 - b. The dependent child would otherwise lose coverage by ceasing to satisfy the plan's coverage requirements applicable to dependent children.

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- C. Employees, who are regularly scheduled to work 30 or more hours each week, spouses and dependent children shall be notified of the provisions of the City's policy as follows:
1. Employees shall be notified of this policy at the time they begin coverage under the Employer's health insurance plan or in the event they are either terminated or are reduced to a regular schedule of less than 30 hours each week.
 2. Spouses shall be notified of this policy at the time family or spouse coverage begins under the Employer's health insurance plan or in the event the employee is either terminated or reduced to a regular schedule of less than 30 hours each week.
 3. Service of Notification on the employee's spouse shall be deemed notice to dependent children.
 4. The City's COBRA compliance consultant shall be notified to provide the above notice.
- D. Each employee shall be responsible for notifying the Employer of any action which might trigger a spouse's or dependent child's eligibility for continuation of insurance coverage under this section. Such notice shall be given by the employee to the Employer immediately upon gaining knowledge of the event. Qualifying events include divorce, legal separation, or loss of dependent eligibility under the Employer's health plan.
- E. The Employer or designee shall notify the individual(s) who are eligible for continued health insurance plan coverage of their rights and obligations under this section, within 14 days after the employer has been notified of a triggering event. The notice shall contain a final date by which the employee, spouse, or dependent child must respond to the notice, which shall be within 60 days of the triggering event.
- F. As used in this policy, termination shall include any separation from employment including layoff, resignation, voluntary/ involuntary leave without pay, discharge and any other termination which results in the employee's ineligibility for continued health insurance benefits except separation for acts of gross misconduct. Employees who are separated for gross misconduct are not eligible for continuation of health insurance plan coverage.
- G. An employee, spouse or dependent child who elects continued health insurance coverage shall only be eligible until the earliest date that any of the following occur:
1. Coverage expires either 18, 29, or 36 months after the triggering event;
 2. The group health care plan is terminated by the Employer;
 3. The individual fails to timely pay the required premium;

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CONTINUED GROUP HEALTH INSURANCE COVERAGE

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4. The qualified beneficiary becomes covered under another group health care plan; or
5. The individual becomes eligible for Medicare benefits;
6. A qualified beneficiary engages in conduct that would justify the plan in terminating coverage of a similarly situated participant or beneficiary not receiving continuation coverage (such as fraud).

REFERENCE: 29 U.S.C. 1161-1168.

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OTHER INSURANCES

**SECTION 5.14
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The Employer may provide group term life insurance and offer other insurance benefit programs at the Employer's and/or employee's expense. Employees should see the City Auditor for an explanation of currently available insurance benefits and programs.

REFERENCE: O.R.C. 4113.85.

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WORKERS' COMPENSATION

**SECTION 5.15
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Workers' compensation is a complex issue that is governed by the Ohio Constitution and the Ohio Revised Code Chapters 4121 and 4123.

Supervisors and employees should contact the Human Resources Coordinator regarding workers' compensation issues.

REFERENCE: O.R.C. Chapters 4121 and 4123.

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ON-THE-JOB INJURIES

SECTION 5.16

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The City of Celina urges injured employees to be prudent in seeking medical attention as soon as possible.

- A. Accident/Incident Reports: Any employee injured during the course of employment with the City of Celina shall immediately notify the employee's supervisor unless the injury presents an immediate danger to the life or health of an individual and such notification would hinder the individual from receiving the immediate life-saving attention required of such a situation. In the case of such an injury that presents an immediate danger to the life or health of an individual, the employee shall report the injury to his/her immediate supervisor as soon as possible. The injured employee shall complete an Injury/Accident Report Form. This report shall be completed, regardless of apparent seriousness of the injury and regardless of whether medical attention is required. Such report shall be forwarded to the immediate supervisor no later than 24 hours after the incident. Should the employee be unable to complete an incident report, the employee's supervisor should start the report using best available information. Failure of an employee to comply with the reporting procedure shall result in disciplinary action. The supervisor or department head shall investigate the cause of the accident, review and complete the form, and forward it to the Appointing Authority or designee.

- B. Serious Injury: In the event of serious injury, the injured employee's supervisor will document the incident and will notify the Appointing Authority immediately so that an investigation may be initiated. A workers' compensation claim for an unreported injury will not be certified unless the injury required immediate medical attention and was documented by the supervisor.

- C. Medical Attention: An employee requiring medical attention for an injury or occupational illness arising out of or in the course of employment should go to a BWC Certified ER, urgent care, or doctor. Going to the local physician who is not BWC Certified may cause BWC to disallow the claim and cause the employee's own health insurance to cover the charges.

- D. Documentation: An injured employee shall complete a BWC First Report of Injury (FROI), regardless of the apparent seriousness of the injury whenever medical attention is required. The First Report of Injury is completed by the treating physician or emergency room and forwarded to the BWC. The completed First Report of Injury must be forwarded to the Safety-Service Director or designee at the earliest possible date.

All documents received from the injured employee, the employee's physician, hospital, or the state regarding any workers' compensation claim shall be forwarded immediately to the Appointing Authority and the Human Resources Coordinator. The employee shall sign and date the HIPAA compliant medical release forms to avoid any delays in processing the claim.

- E. Return to Work: The employee shall provide to the employee's immediate supervisor a written certificate from a licensed physician stating the nature of the injury and anticipated duration of the employee's absence from work. A copy of the certificate shall be forwarded to the Safety-Service Director or designee immediately.

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- F. Employer Ordered Medical Examination: The employee may be required to submit to a physical examination by a physician of the Employer's choice for the purpose of establishing the validity of a claim.

- G. Wages on Injury Date: Employees injured in the line of duty who must leave work before completing their work period shall be paid at their regular hourly rate for the remainder of their regularly scheduled workday in which the injury occurred unless the Employer determines the employee made false statements regarding the injury or illness.

- H. Use of Sick/Vacation Leave: An injured employee may elect to use accrued sick leave and/or vacation leave prior to receiving payments from Workers' Compensation. An employee is prohibited from receiving payment for sick leave while simultaneously receiving payment from Workers' Compensation. Questions regarding the use of sick leave and workers' compensation should be directed to the employee's supervisor and/or the Safety-Service Director.

- I. Family and Medical Leave: An employee receiving workers' compensation will be required to exhaust Family and Medical Leave benefits as set forth in Section 5.11 of this manual.

- J. Employee Responsibility: It is the responsibility of the employee to obtain, complete, and return all required forms.

REFERENCE: O.R.C. 4167.11; Section 3.09 of this manual, Medical Examinations — Applicants and Employees; Section 5.01 of this manual, Sick Leave; Section 5.03 of this manual, Vacation; Section 5.11 of this manual, Family and Medical Leave; Section 9 of this manual, Injury/Accident Report.

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RETIREMENT/OPERS/OP&F

SECTION 5.17

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- A. Notice: All employees are required to notify their Appointing Authority of their anticipated retirement in writing at least 60 days prior to the effective date of their retirement.
- B. Non-uniformed Personnel: All employees (except uniformed personnel) are required by law to participate in the Ohio Public Employees Retirement System (OPERS).
- C. Uniformed Personnel: All police officers and firefighters are required by law to participate in the Ohio Police and Fire Pension Fund (OP&F); however, this may not apply to new volunteer firefighters.
- D. Both the employee and the Employer are required to contribute to the respective retirement system in amounts set by the state law. The employee's contribution is paid by payroll deduction.
- E. Employees who separate from service prior to retirement eligibility may withdraw their own contributions without interest from this plan.
- F. Questions regarding these plans should be directed to:

Ohio Public Employees Retirement System
277 E. Town Street
Columbus, Ohio 43215
(614) 466-2085

Ohio Police and Fire Pension Fund
140 E. Town Street
Columbus, Ohio 43215
(614) 228-2973

The employee's social security number should be included with any correspondence to OPERS/OP&F.

REFERENCE: O.R.C. Chapter 145; Section 3.18 of this manual, Resignation/Retirement.

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SECTION 6 PERSONNEL PROCEDURES

- 6.01 Travel Expense Reimbursement
- 6.02 Use of Employer-Owned Vehicles or Personal Vehicles on City Business
- 6.03 Secondary Employment
- 6.04 Tools, Supplies, Equipment, Clothing, and Accessories
- 6.05 Bulletin Boards
- 6.06 Use of Communication Equipment
- 6.07 Personnel Files
- 6.08 Reporting Changes in Personnel Information
- 6.09 Self Help to Public Records Prohibited
- 6.10 No Employee Expectation of Privacy
- 6.11 Chain of Command
- 6.12 Employee Mail and Visitors
- 6.13 Workplace Violence
- 6.14 Workplace Safety
- 6.15 Public Records – Inspection, Release, and Retention
- 6.16 Concealed Weapons
- 6.17 Use of Information Systems
- 6.18 Whistleblower/Fraud Reporting
- 6.19 Social Media
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TRAVEL EXPENSE REIMBURSEMENT

**SECTION 6.01
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- A. Generally: Employees shall be reimbursed for the following expenses incurred while traveling on official Employer business.
- B. Meetings, Conferences, and Conventions: Upon prior written authorization of the Mayor or the Safety-Service Director, employees may attend meetings, conferences, and conventions related to the employee's position. Any employee desiring to attend a meeting, conference, convention, or otherwise incurring expenses on official Employer business shall make advance written application to the Safety-Service Director and/or Mayor. The Employer will reimburse employees for the necessary and reasonable expenses (as defined herein) incurred to attend such authorized meetings, conferences, and conventions. The Employer may prepay registration fees upon presentation of an invoice or registration form when such prepayment is required or an option. Employees will not be reimbursed for unattended meetings, conferences, or conventions.
- C. Mileage, Parking, Tolls, and Vehicle Rental:
1. Employees shall be reimbursed for actual miles driven in their personal vehicle, on official Employer business, at current IRS rate if no City vehicle is available and/or prior approval is not given. Such payment is considered to be total reimbursement for all vehicle-related expenses (e.g., gas, oil, depreciation, insurance, etc.). Mileage reimbursement is payable to only one (1) of the two (2) or more employees traveling on the same trip, in the same automobile. Rental of a vehicle is not reimbursable without prior written approval of the Mayor and/or Safety-Service Director.
 2. Charges incurred for parking at the destination, and any highway tolls, are reimbursable at the actual amount.
 3. Charges incurred for vehicle rental or taxi service at the destination, with prior written approval, are reimbursable at the actual amount for business purposes only.
 4. No expense reimbursement is paid for travel between home and work.
 5. Receipts for parking costs, highway tolls, vehicle rentals, or taxi services are required.
- D. Meals:
1. Upon prior written authorization of the Safety-Service Director or Mayor, employees shall be paid a daily meal per diem when traveling away from home on official City business.

The daily meal per diem shall be in accordance with the Internal Revenue Service's (IRS) per diem rates as established in the General Services Administration's guidelines for the closest metropolitan area to the area where the employee is traveling.

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TRAVEL EXPENSE REIMBURSEMENT

**SECTION 6.01
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Employees shall be required to submit original detailed receipts for all meals purchased and will be reimbursed the actual expense incurred by the employee up to the maximum applicable IRS per diem rate.

If meals are included in registration fees the per diem shall be proportionately reduced.

If the total time involves less than 10 hours away from home, the per diem shall be prorated.

2. No meals will be reimbursed for travel within the City unless specifically authorized in advance by the Safety-Service Director or Mayor.
 3. The Safety Service Director or Mayor may authorize payment of a larger per diem in special cases where higher meal expenses are justifiable.
 4. Any meal reimbursement for travel not involving an overnight stay away from home shall be taxable in accordance with IRS guidelines.
- E. Lodging: Upon prior written authorization of the Safety-Service Director or Mayor, the actual cost of lodging (single room rate for one (1) employee, double room rate if two (2) employees share a room) will be reimbursed in full when an employee travels on official Employer business and such travel requires an overnight stay.
- F. Telephone Calls: Employees shall be reimbursed for telephone expenses for business purposes only.
- G. Non-reimbursable Items: The following items or services are not reimbursable:
1. Tips in excess of 15% of meal expense;
 2. Alcoholic beverages;
 3. Entertainment;
 4. Room service charges;
 5. Expenses of spouse or other family member traveling with employee;
 6. Movies, games, or any Pay-per-view (in room or otherwise);
 7. Traffic violations;
 8. Any allowable expense where no receipt is provided.

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**SECTION 6.01
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- H. Sales Tax Exemption: Employees shall submit a sales tax exemption form to lodging facilities when applicable, to eliminate the need to pay sales tax when traveling on Employer business.
- I. Receipts: Original detailed receipts for all reimbursable expenses must be kept by employees and submitted with requests for reimbursement.
- J. Within 30 days of returning from any meeting, conference, convention, or other official Employer function wherein reimbursable expenses have been incurred, an employee shall submit a properly completed Expense Report form (found in Section 9 of this manual, Forms) and all original receipts and other documentation to the Safety Service Director. The report shall be reviewed by the Safety Service Director, or designee, and either approved for reimbursement or returned to the employee for adjustment or further documentation. Once the report has been approved by the Safety Service Director, or designee, copies of the report shall be forwarded to the City Auditor for payment.
- K. Disabled Employees: When considering any employee's request for job-related travel, the Employer will consider the special needs of an employee with a permanent disability that substantially affects the employee's ability to drive, see, hear, etc. The Employer will not deny job-related travel opportunities to employees with a disability due to such disability.
- L. Frequent Flier Miles/Credit Card Points: Pursuant to the Ohio State Auditor's office, City employees are prohibited from utilizing for their personal use, frequent flier miles or credit card points earned when purchasing flights or hotel accommodations reimbursed by the City.
- M. Any violation of this policy shall result in discipline up to and including termination.

REFERENCE: O.R.C. 733.79; O.R.C. 5739.02; Section 9 of this manual, Forms, Expense Report.

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**USE OF EMPLOYER-OWNED VEHICLES OR
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**SECTION 6.02
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A. Employers — Generally:

1. All vehicles owned or leased by the Employer shall be plainly marked as the property of the City, except as otherwise authorized by the Mayor or Safety Service Director.
2. Vehicles may be provided for those officials, department heads, and employees who require transportation in the course of their duties. Employer-owned vehicles are not to be used for employee travel to and from work unless authorized by the Safety Service Director.

The department head may also assign a City vehicle to employees attending training seminars, conferences, or similar programs approved in advance by the Mayor or Safety Service Director.

3. Employer-owned vehicles shall be used by employees on approved City business whenever possible.

B. Assignment of City Vehicles:

1. Permanent vehicle assignments or assignment of a vehicle to attend a conference, meeting, etc. will be made based on written request which provides documented justification. Approval will be based on transportation needs, emergency requirements, call-out availability, after hours meetings, cost effectiveness, or as otherwise determined by the Mayor and/or the Safety Service Director.
2. Permanent vehicle assignments shall be reviewed annually by the Mayor and/or the Safety Service Director during the budget appropriations process. All permanent vehicle assignments shall be reported to the City Auditor for income tax purposes. Employees assigned vehicles shall comply with the City Auditor's Office in meeting the IRS rules. All employees who have permanently assigned vehicles shall keep a daily record of any personal use of the vehicle. This shall include, but not be limited to, commuting to and from work. All costs associated with personal use must be added as income to the employee's W-2 statement. The records shall also include maintenance, insurance, fuel, etc. Failure to maintain and provide such information may result in loss of use of the vehicle.
3. Daily vehicle assignment will be at the discretion of the department head based on the operational needs of the respective department.

C. Qualifications for Using Employer Vehicles or Personal Vehicles on City Business:

1. All operators of Employer owned or leased vehicles or employees using their own personal vehicles for Employer business shall be at least eighteen (18) years of age.

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2. A copy of the license of each employee required to drive to conduct City business must be placed in the driver's file.

In those classifications which require a certain motor vehicle license, newly hired employees must generally possess such license as a condition of employment, and all current employees must maintain said license for the duration of their employment in said classification. Loss of license and driving privileges by such employees shall result in termination of employment for incompetency.

All drivers of Employer-owned vehicles must maintain a proper and valid Ohio driver's license or, if applicable, a commercial driver's license with appropriate endorsements, and be eligible for coverage under the City's vehicle insurance policy.

Driving a motor vehicle to conduct City business without a valid applicable operator's license shall result in an employee's termination from employment. An employee whose job duties require him/her to drive a motor vehicle but is not eligible or does not maintain eligibility for coverage under the City's vehicle insurance policy shall be terminated from employment.

3. Employees operating a vehicle on behalf of the Employer are expected to operate the vehicle in a responsible manner. An individual's driving record as maintained by the State of Ohio Bureau of Motor Vehicles (BMV), or record from any other state or country in which the driver or applicant has resided or operated a motor vehicle during the previous 36 months, or any other legal source, will be used as an indication of the individual's ability to responsibly operate a vehicle. The Mayor, Safety Service Director, or their designee will review the BMV driving record of each City employee who operates a vehicle on behalf of the Employer annually.
4. The following is a listing of motor vehicle related occurrences (violations, convictions, and accidents), the appearance of which on the driving record of a City employee will result in termination of the employee's employment with the City.
 - a. A Conviction for:
 - (1) Driving while under the influence of alcohol or drugs;
 - (2) Vehicular homicide or manslaughter;
 - (3) Leaving the scene of an accident;
 - (4) Attempting to elude or flee a police officer after a traffic violation; drag racing; or
 - (5) Other intentional and dangerous or reckless use of a motor vehicle.

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5. The following is a listing of motor vehicle related occurrences (violations, convictions, and accidents), the appearance of which on the driving record of a City employee during a 36 month period may result in discipline and the suspension of the employee's driving privileges for the City.
 - a. Two (2) or more "at fault" accidents, the nature and severity of the violations may be taken into consideration by the Employer.
 - b. Two (2) or more moving violations, the nature and severity of the violations may be taken into consideration by the Employer.
 - c. One (1) "at fault" accident and one moving violation, the nature and severity of which may be taken into consideration by the Employer.

In case here the Employer or the State of Ohio has suspended the employee's driving privileges, or the employee becomes uninsurable under the Employer's policy, and driving is an essential function of the employee's position, the employee shall be terminated.

6. The Employer may also require employees to participate in remedial or defensive driving courses when employees evidence poor driving records.
7. An applicant may be denied employment on the basis of an unsatisfactory driving record. At the sole discretion of the Employer, denial may be made without regard to the number of points or violations or whether they occurred within the State of Ohio. The Mayor, Safety Service Director, or their designee will review the BMV driving record of any applicant who, if employed, will be operating a vehicle on behalf of the Employer, prior to making an offer of employment.
8. Drivers shall report to their department head any moving violations or accidents which occur while they are on or off duty. On-duty accidents or moving violations shall be immediately reported to the department head. Off-duty accidents or moving violations shall be reported as soon as possible, not to exceed within five (5) calendar days of the occurrence.
9. Insurance coverage for personal vehicles used on Employer business shall be the responsibility of the owner of the vehicle. All employees who use non-Employer owned vehicles on City business shall annually show proof of liability insurance coverage to the Human Resources Coordinator. All non-Employer owned vehicles used for city business are required to have at a minimum, liability insurance coverage with a limit of no less than \$300,000.00. No mileage reimbursement shall be authorized until a current certificate of insurance is on file.

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D. Use of Vehicles:

1. Vehicles plainly marked as property of the City shall not be used for any purpose other than official City business.
2. Employees must continuously recognize that use of an Employer-owned vehicle is a privilege and that they are constantly visible as an official representative of the City. Employees should show every courtesy while operating a City vehicle or their personal vehicle on City business in order to enhance the good reputation of the City.
3. Employees shall exercise caution and responsibility and adhere to all safety regulations when operating Employer-owned vehicles. Operators and passengers shall wear safety belts at all times while driving or riding in an Employer-owned vehicle or their personal vehicle on Employer business. Negligent, reckless, or improper operation of vehicles while on Employer business is grounds for disciplinary action up to and including termination.
4. Except as otherwise provided herein, passengers not on official Employer business and hitchhikers are not permitted in Employer-owned vehicles. A family member or friend may be permitted as a passenger, but never as a driver, in Employer-owned automobiles on authorized trips to meetings, conferences, and conventions only if approved in advance by the Mayor or Safety Service Director.
5. Employees who must operate a City vehicle as part of their job or their personal vehicle on City business, either on a regular or occasional basis, are required to report any suspension or revocation of their driver's license to the department head immediately. The department head shall immediately notify the Safety Service Director in writing.
6. The presence of alcohol or controlled substances in the employee's body or use of alcoholic beverages or controlled substances during operation of a City vehicle or privately-owned vehicle operated on City business is prohibited and the employee will be terminated. Alcoholic beverages or controlled substances shall not be transported in a City vehicle except as required in the performance of the employee's duties (e.g., law enforcement). Any employee convicted of operating a City vehicle while under the influence of alcohol or drugs shall be terminated.
7. Turn signals and warning signals shall be utilized by all vehicle operators. Vehicle headlights shall be used at all times vehicle is in use, particularly during periods of limited visibility or any time the vehicle windshield wipers are in use.
8. Employees are responsible for ensuring any City vehicle which they are permitted to take home is properly maintained, kept locked, and parked in a safe and secure location.

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**USE OF EMPLOYER-OWNED VEHICLES OR
PERSONAL VEHICLES ON CITY BUSINESS**

**SECTION 6.02
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9. Employees shall ensure any City vehicle which they use is cleaned, fully fueled, and readied for service upon completion of its use.
 10. The operator of a vehicle shall be responsible for seeing that any service, safety, or maintenance items are corrected on the vehicle or reported to the proper authority.
- E. Accidents/Traffic Citations Involving City Vehicles or Personal Vehicles While on City Business:
1. Accident reports shall be completed and submitted to the Safety Service Director by the Department Head. A Driver's Report/Accident Report Form shall be completed, signed, and submitted by the employee to the department head. The department head shall review and submit the Driver's Report/Accident Report Form to the Safety Service Director. The driver will also report the accident to the appropriate law enforcement agency, obtain a copy of that agency's accident report, and forward such report to the department head. If the driver is a CDL holder, the driver may be required to take a drug or alcohol test, in accordance with 49 CFR Part 40.
 2. Parking, moving violations, and other fines received while operating a City vehicle or a personally owned vehicle while on City business are the responsibility of the operator.
 3. Operators involved in accidents while operating a City vehicle in a non-approved manner, will be subject to appropriate disciplinary action and may be liable for the cost to repair the vehicle.
- F. Mileage Reimbursement Requests: Any employee who uses a privately owned automobile on approved City business shall be reimbursed at the current reimbursement rate established by the Employer. The employee must obtain approval from the department head prior to incurring the expense. To receive reimbursement, the employee must submit the actual miles driven on Employer-related business. When air flight is less expensive than paying mileage, hotel and meal expenses, the cost of air flight may be approved at the discretion of the Mayor or Safety Service Director.

REFERENCE: Section 6.01 of this manual, Travel Expense Reimbursement; Driver's Report/Accident Report Form; O.R.C. 733.79; 49 CFR Part 40.

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**THE CITY OF CELINA, OHIO
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SECONDARY EMPLOYMENT

SECTION 6.03

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- A. Employees shall notify their department head in writing of any secondary employment or their intention to seek secondary employment prior to accepting such employment. The department head will confer with the employee and the Appointing Authority, if applicable, to determine whether the secondary employment presents a conflict.
- B. Time Conflicts: Full-time employment by the City of Celina shall be considered an employee's primary occupation and take precedence over all other occupations. Full-time employees shall not have other employment which presents a "time conflict". A time conflict for purposes of this section exists when the working hours of a secondary job directly conflict with an employee's scheduled working hours or mandatory overtime obligations, if any, or when the demands of a secondary job prohibit adequate rest or otherwise affect the employee's job performance.
- C. Interest Conflicts: No employee, regardless of employment status, shall have other employment which presents an "interest conflict" with their position. An interest conflict exists when an employee engages in any secondary employment which tends or may appear to compromise the employee's judgment, actions, or job performance or conflicts with the policies, objectives, and operations of the Employer. Such interest conflict shall include, but is not limited to:
1. Engaging in private secondary employment or business activity with parties that are interested in matters before, regulated by, or doing or seeking to do business with the City unless it is determined by Mayor or Safety Service Director that the employee is able to withdraw, as a public employee from consideration of matters that affect the interests of the party with which he desires to engage in private secondary employment or business activity;
 2. Use of City facilities, personnel, or resources in conducting private business or while engaging in private secondary employment including conducting demonstrations for clients using City-owned equipment;
 3. Use of employee's official title or identification on private business cards or other written materials while soliciting business or conducting demonstrations for clients;
 4. Use of the employee's relationship with other public officials and employees to secure a favorable decision or action by other officials or employees regarding the employee's private interests;
 5. Discussing or deliberating any matter involving the employee's own private business, including recommending the employee's secondary employer of business services to the City or citizens doing business with the City;
 6. Receiving fees for providing services rendered on projects that the employee has recommended in the employee's official capacity;

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SECONDARY EMPLOYMENT

SECTION 6.03

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7. Participating in decisions or recommendations regarding the employee's competitors;
 8. Use of the employee's position or authority in any other way to secure a benefit for the employee's secondary employer or private business; and
 9. Performing private business or secondary employment while on duty with the Employer or performing private business or secondary employment during the normal business hours of the City while having the appearance of being on duty with the City.
- D. Police Department: An interest conflict also exists for police department personnel if they engage in any employment or business involving the sale or distribution of alcoholic beverages, work for bail bond agencies, perform investigative work for insurance agencies or private security services, or perform collection services for attorneys.
- E. Uniforms and Equipment: No employee shall wear Employer-owned uniforms nor use Employer-owned equipment in performing job duties of any secondary employment or engage in any secondary employment which reflects poorly on the Police Department. Police Department personnel shall notify the Chief of Police prior to accepting such employment to determine if a conflict of interest exists.
- F. If the Appointing Authority believes an employee's secondary employment presents a conflict, the Appointing Authority may recommend the employee terminate the secondary employment relationship. Any policy infraction which is the direct or indirect result of an employee's outside employment may subject the employee to discipline or discharge consistent with the policies set forth in this manual.

REFERENCE: O.R.C. 4113.85.

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TOOLS, SUPPLIES, EQUIPMENT, CLOTHING AND ACCESSORIES	SECTION 6.04 PAGE 1 OF 4
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- A. The Employer provides certain tools, supplies, vehicles, equipment, clothing, and accessories to employees for the performance of job duties. An employee shall be held strictly responsible and accountable for equipment personally issued to the employee, in addition to any generally issued departmental equipment, tools, supplies, or clothing which are used by the employee. All employees are responsible for using and maintaining such assets in a safe and proper manner.

- B. The Employer provides clothing and accessories to employees to assist in performing the job duties within their assigned department, as specified below:

<u>Department</u>	<u>Clothing and Accessories</u>
Meter Readers	Cold weather coat or sweatshirt and pants Rubber boots Gloves Rubber safety gloves Eye protection Rain suit Up to Five T-shirts per year (City pays up to \$100 per year) Low Voltage safety gloves
Electric Department	Cold weather coat or sweatshirt and pants, fire retardant Long sleeve shirt and pants, fire retardant Eye protection Rubber boots Gloves Rain suit, fire retardant High & Low voltage safety gloves and sleeves Lineman boots Pole climbing gear Hard hat Up to Five T-shirts per year (City pays up to \$100 per Year.)
Engineering Department	Cold weather coat or sweatshirt and pants Rubber boots Gloves Rain suit Up to Five T-shirts per year (City pays up to \$100 per year)

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TOOLS, SUPPLIES, EQUIPMENT, CLOTHING AND ACCESSORIES	SECTION 6.04 PAGE 2 OF 4
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<u>Department</u>	<u>Clothing and Accessories</u>
Public Works Department	Cold weather coat or sweatshirt and pants Eye protection Safety vests Rubber boots Gloves Rain suit Steel toed shoes or boots (City pays up to \$150 per year) Hard hat Up to Five T-shirts per year (City pays up to \$100 per year)
Public Works Department Parks	Cold weather coat or sweatshirt and pants Eye protection Safety vests Rubber boots Gloves Rain suit Steel toed shoes or boots (City pays up to \$150 per year) Hard hat Up to Five T-shirts per year (City pays up to \$100 per year)
Sanitary & Sewer Collections	Cold weather coat or sweatshirt and pants Eye protection Safety vests Rubber boots Gloves Rain suit Steel toed shoes or boots (City pays up to \$150 per year) Hard hat Safety harness Up to Five T-shirts per year (City pays up to \$100.00 per year)

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TOOLS, SUPPLIES, EQUIPMENT, CLOTHING AND ACCESSORIES	SECTION 6.04 PAGE 3 OF 4
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<u>Department</u>	<u>Clothing and Accessories</u>
Wastewater Department	Cold weather coat or sweatshirt and pants Eye protection Rubber boots Hip boots Gloves Rain suit Safety harness Steel toed shoes or boots (City pays up to \$150 per year) Hard hat Five T-shirts per year (City pays up to \$100 per year)
Water Department Maintenance Crew	Cold weather coat or sweatshirt and pants Eye protection Rubber boots Gloves Rain suit Steel toed shoes or boots (City pays up to \$150 per year) Up to Five T-shirts per year (City pays up to \$100 per year)
Water Plant	Cold weather coat or sweatshirt and pants Rain suit Gloves Rubber boots Hip boots Eye protection Steel toed shoes or boots (City pays up to \$150 per year) Up to Five T-shirts per year (City pays up to \$100 per year)

- C. Loss, or, neglect, of tools, supplies, equipment, or clothing is strictly prohibited and may result in discipline and/or demand for payment to the Employer for the cost to replace or repair such asset(s). Willful neglect, intentional misuse, abuse, destruction or theft of tools, supplies, equipment, or clothing is strictly prohibited and shall result in termination of employment.

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TOOLS, SUPPLIES, EQUIPMENT, CLOTHING AND ACCESSORIES	SECTION 6.04 PAGE 4 OF 4
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- D. Use of Employer assets (facilities or equipment) for other than work purposes is prohibited without expressed written permission of the Safety Service Director. Presence in, or use of, Employer facilities (i.e., garage, office, etc.) during non-working hours by employees is prohibited, unless authorized by the department head.
- E. Use of all tools, supplies and equipment by an employee in the performance of the employee's duties shall be subject to control by the department head.
- F. Use of the Employer's supplies and equipment, (i.e., telephones, fax machine, copier, etc.) by an employee in relation to an employee's lawsuit against the City is prohibited.
- G. City employees who are given the privilege of using City-owned property, (i.e., desk, filing cabinets, lockers, etc.) shall waive any expectation of privacy in regard to such property upon employment. Such equipment and/or furniture is subject to search by the Employer without the employee's consent, and must be made accessible to the Employer upon request. For equipment that is capable of being locked (i.e., desks, filing cabinets, etc.) the Employer shall retain a key to such equipment.
- H. Employees shall submit requests prior to purchasing clothing and accessories to their department head. The department head will then submit the requests prior to purchase to the Safety Service Director for approval.
- I. Clothing and accessories, provided by the Employer, shall be used in the performance of City work only. After approval or denial of the request the employee will be notified.
- J. The Employer will provide all necessary safety gear/clothing required by Public Employment Risk Reduction Program standards, to include exceeding the limits stated in this section with proof of gear that is no longer up to standard.

REFERENCE: O.R.C. 4113.85; Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.

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BULLETIN BOARDS

**SECTION 6.05
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- A. The City provides and maintains City bulletin boards as a means of communicating information to employees. All material that is to appear on City bulletin boards shall be posted and removed in accordance with City policy.
- B. Union bulletin boards may also be permitted as specified in the respective collective bargaining agreements.
- C. All City notices, federal and state required notices and legal notices shall be posted in an area visible to all employees as designated by applicable law. Information of general public interest may be posted in the area designated for such purposes with prior approval of the Safety Service Director, provided the material to be posted does not contain:
 - 1. Personal, scandalous, or derogatory attacks upon any employee, public official, government agency, organization or group; or
 - 2. Attacks on and/or favorable or unfavorable comments regarding a candidate for public office; or
 - 3. Any material attacking, promoting, or advocating any religion; or
 - 4. Obscene, pornographic, sexually explicit, or profane materials.
- D. Employees or others wishing to have material posted on a City bulletin board shall submit the material to be posted to the Safety Service Director for approval in advance of posting. The material to be posted shall be signed by the person making the request.
- E. Material posted in violation of this policy shall be removed from the City bulletin board. Employees in violation of this posting policy shall be disciplined up to and including termination based on the severity of the violation.

REFERENCE: Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.

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**THE CITY OF CELINA, OHIO
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USE OF COMMUNICATION EQUIPMENT

SECTION 6.06

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- A. Generally: Telephones are provided for business use only and shall normally not be utilized to make personal phone calls. Employees who wish to make a telephone call on an Employer telephone, for purposes other than Employer business, must keep the number of calls low and the length of each call brief. Personal calls shall be kept to a minimum and shall not adversely affect the employee's work performance. Personal long distance calls must be charged to the employee's home phone or personal calling card. Likewise, employees are requested to ask friends, relatives and others not to call at work for personal reasons, other than in emergency situations.
- B. Radio Communications: Two-way radios are provided to certain employees for the purpose of quick and effective communication between employees during work hours. Such radios shall only be utilized for Employer business. Foul and/or obscene language, horseplay, and any other unprofessional communication by City employees, while using the radios is prohibited.
- C. Cell Phones: The following shall apply to all City-provided cell phone users:
1. City-provided cell phones are to be used primarily for City business.
 2. Only authorized City employees may make or receive calls on City-provided cell phones.
 3. City provided cell phones and the associated telephone number shall remain the sole property of the City of Celina and shall be subject to inspection or monitoring (including all related records and content) at any time without notice.
 4. Employees shall not use Employer-provided cell phones while off-duty unless specifically authorized by the employee's supervisor. Unless an employee is expressly authorized by the employee's supervisor or the supervisor's authorized designee for off-duty use of the cell phone, the cell phone shall be secured in the workplace at the completion of the employee's workday.
- D. Personal Cell Phones: In lieu of being provided a City-leased cell phone, employees may choose to lease their own cell phone, subject to the following requirements:
1. Personal cell phones shall be used primarily for business purposes only during working hours and their use shall not adversely affect the employee's work performance.
 2. Employees carrying personal cell phones shall notify their friends, family members, and others not to call them at work for personal reasons, except in case of emergency situations.

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USE OF COMMUNICATION EQUIPMENT

SECTION 6.06

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3. Authorized employees using their personal cell phones to conduct City business may be eligible for reimbursement up to fifty dollars (\$50) monthly, upon submission to the City Auditor's Office of documentation evidencing such expense.

<u>Personal Cell Phones</u>	<u>Monthly Reimbursement</u>
Mayor	\$50.00
Human Resources Coordinator	\$50.00
Customer Accounts Director	\$50.00
Administrative Assistant	\$50.00
Engineering Assistant II	\$50.00
Police Chief	\$50.00
Assistant Police Chief	\$50.00
Fire Chief	\$50.00
Public Works Supervisor	\$50.00
Public Works Assistant Supervisor	\$50.00
Park Maintenance Crewleader	\$20.00
Pool Manager	\$50.00
Electric Supervisor	\$50.00
Electric Crewleader	\$20.00
Electric Line Worker III	\$20.00
Electric Line Worker II	\$20.00
Electric Line Worker I	\$20.00
Water Treatment Plant Superintendent	\$50.00
Water Treatment Plant Assistant Superintendent	\$50.00
Waterline Maintenance Worker II	\$20.00
Waterline Maintenance Worker I	\$20.00
Wastewater Superintendent	\$50.00
Wastewater Assistant Superintendent	\$50.00
Wastewater Treatment Plant Operator III	\$20.00
Wastewater Treatment Plant Operator II	\$20.00
Wastewater Treatment Plant Operator I	\$20.00

- E. Authorization for Cell Phones: Authorization for a City-leased cell phone or to carry a personal cell phone to conduct City business, must first be approved by the Safety Service Director.
- F. If a cell phone used for City business becomes lost, stolen, or damaged the incident shall be reported immediately to the employee's immediate supervisor. It shall be the employee's responsibility to purchase a replacement cell phone where the phone is lost, stolen, or damaged.
- G. Use of telephones and radios for other than business purposes without prior authorization may result in disciplinary action.

**THE CITY OF CELINA, OHIO
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USE OF COMMUNICATION EQUIPMENT

SECTION 6.06

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- H. Use of cell phones while driving is prohibited with exception for law enforcement personnel. Law enforcement personnel operating emergency vehicles shall restrict the use of a cell phone to matters of an urgent nature and shall, where practicable, stop the vehicle at an appropriate location to use the cell phone. Except in an emergency, law enforcement officers who are operating vehicles not equipped with lights and siren shall not use a cell phone while driving unless the device is specifically designed and configured to allow hands-free use. Hands-free use shall be restricted to business-related calls or calls of an urgent nature.
- I. Other electronic device use while driving an Employer-owned vehicle or driving a personal vehicle on Employer business is strictly prohibited for all City employees.
- J. Cell Phones and Administrative Investigations:
1. Employees who carry either Employer-provided or personal cell phones during work hours shall provide telephone usage records during administrative investigations when requested. These records shall be for the dates and times of working hours.
 2. Employees shall produce personal and/or employer-provided cell phones and/or records during administrative investigations regardless of the time of usage when the usage concerns an allegation of misconduct that is directly, narrowly and specifically related to the employee's performance of duty or fitness to perform.

REFERENCE: Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties; O.R.C 4511.204.

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**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

PERSONNEL FILES

SECTION 6.07

PAGE 1 OF 2

- A. The Appointing Authority or designee maintains and is responsible for personnel information maintained concerning employees. "Personnel information" includes all information about an employee as defined in O.R.C. 1347.01(E), and may include but may not be limited to, such information as:
1. Personal data;
 2. Employment application documents;
 3. References;
 4. Medical reports;
 5. Documentation pertaining to an employee's change of status;
 6. Performance evaluations;
 7. Communications or disciplinary actions;
 8. Paid and unpaid leave records.
- B. The Appointing Authority shall only use the personnel information in the personnel information system in a manner consistent with the system and in accordance with O.R.C. Section 1347.01 et. seq., O.R.C. Section 149.43 et. seq., or as otherwise required by Ohio law or court orders.
- C. Each employee shall be allowed to review the contents of their personnel file(s) pertaining to them upon reasonable request, unless a physician, psychiatrist, or psychologist determines that the disclosure of the information is likely to have an adverse effect on the employee, in which case the information shall be released to a physician, psychiatrist, or psychologist who is designated by the employee or the employee's legal guardian.

Employees may also request that the Safety Service Director or other Appointing Authority conduct an investigation to determine if the information in their file is accurate, relevant, timely and complete. All information determined by the Safety Service Director or other Appointing Authority to be inaccurate as a result of such investigation shall be removed from the active file. If the Safety Service Director or other Appointing Authority determines the record to be correct, the employee may append a brief statement to the file explaining their position regarding the document.

The Safety Service Director or other Appointing Authority may refuse to allow inclusion of defamatory or scurrilous attacks upon another employee, supervisor or the Appointing Authority.

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PERSONNEL FILES

SECTION 6.07

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- D. Individuals requesting to obtain or review information about themselves must provide proof of identification upon request. Representatives of employees requesting to obtain or review confidential records must provide a written release from the employee requesting the record. (see Section 9 of this manual, Personnel File Release.)

- E. The Safety Service Director or other Appointing Authority, or their designee, shall monitor the accuracy, relevance, timeliness and completeness of its personnel information systems, take reasonable precautions to protect personal information in the system from unauthorized and unlawful modification, destruction, use or disclosure, and shall collect, maintain and use only that personal information necessary and relevant to the Employer's functions.

- F. An employee shall be terminated from employment for initiating or otherwise contributing to any disciplinary or other punitive action against any individual who brings to the attention of appropriate authorities, the press, or any member of the public, evidence of unauthorized use of information contained in personnel records.

REFERENCE: O.R.C. 149.43; O.R.C. 1347.

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**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

REPORTING CHANGES IN PERSONNEL INFORMATION

SECTION 6.08

PAGE 1 OF 1

- A. Failure to report changes in personnel information may prevent employees or their dependents from obtaining or maintaining valuable employee benefits or services. It is each employee's responsibility to report any change of personnel information within three (3) calendar days of the occurrence of the change. Notification shall be made in writing to the employee's immediate supervisor, Appointing Authority, and the Human Resources Coordinator.
- B. For the purposes of this section, a change in personnel information shall include but not be limited to the following:
1. Name change;
 2. Address change;
 3. Telephone number change;
 4. Marital status change;
 5. Changes which may affect employee benefits (i.e., insurance and pension(s) such as changes in dependents or beneficiaries).
 6. Number of exemptions for tax purposes;
 7. Citizenship;
 8. Selective service classification;
 9. Association with a government military service organization;
 10. Any changes in licensure or insurability relevant to the employee's job; or
 11. Driver's license records.
- C. Supervisory staff shall immediately forward the notification of any change to the Appointing Authority and the Human Resources Coordinator if the employee has not already submitted such notification.

REFERENCE: O.R.C. 1347.

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**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

SELF HELP TO PUBLIC RECORDS PROHIBITED

SECTION 6.09

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- A. Employees may not copy or remove any record or writing, even those regarded as “public records”, without first obtaining advanced written permission from the Safety Service Director or other Appointing Authority, or without going through the process for obtaining public records outlined in the City’s Public Records Policy adopted by Council.
- B. No employee may copy or use any City writing, document, or record in any grievance, appeal, or legal action without first having obtained the written permission of the Safety Service Director or other Appointing Authority. This particular policy does not apply to matters obtained through formal “discovery” under the Rules of Civil Procedure.
- C. No employee shall tape record any meeting, hearing, or appeal involving the Employer or a representative of the Employer without advanced written permission of the Safety Service Director or other Appointing Authority.
- D. Except for official City business, employees may not have any City writing or document in their possession, unless obtained through this policy.
- E. Penalty for Breach of this Policy: Any employee who is discovered to have violated any of the above enumerated policies will be subject to removal. Any former employee who is discovered to have obtained an unauthorized document or produced any unauthorized tape recording will be barred from reemployment by the City and may be subject to civil or criminal penalties.

REFERENCE: O.R.C. 2913.04.

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**THE CITY OF CELINA, OHIO
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NO EMPLOYEE EXPECTATION OF PRIVACY

SECTION 6.10

PAGE 1 OF 1

- A. No employee shall have any expectation of privacy regarding any personal information, documents, materials, or other personal items kept in any City-provided locker, vehicle, desk, file, computer, cellular telephone, or elsewhere in/on Employer-owned property.

- B. The Employer shall have the right to search and review any files, e-mails, websites, etc., maintained or accessed by the employee on any computer provided by the Employer for the employee's use. The Employer shall have complete access to any telephone records, cellular telephone logs, or other information maintained on any Employer-provided cellular telephone.

- C. Any City-provided locker, desk, vehicle, or other equipment shall be subject to search at any time by the Employer.

REFERENCE: O.R.C. 4113.85

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**THE CITY OF CELINA, OHIO
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CHAIN OF COMMAND

SECTION 6.11

PAGE 1 OF 1

- A. To ensure efficient, effective operations, to avoid confusion and to establish accountability; it is the Employer's policy that each employee should normally receive direction from only one (1) supervisor at any one (1) time.
- B. Employee work orders will be directed through the chain of command, except when circumstances are such that following the chain of command is not practical. The chain of command is as outlined in the Table of Organization.
- C. When two (2) or more supervisors of equal rank are present, unless specifically stated otherwise, the supervisor with the most seniority in rank shall be the ranking supervisor.

In circumstances where employees from one (1) department are assigned to assist another, the ranking supervisor of the assisted department shall be considered in charge, regardless of rank.
- D. In the absence of an employee's immediate supervisor, direction or supervision may be given by the next higher ranking supervisor.
- E. Questions or complaints arising from the application of policies, procedures, work rules, or other problems in the work place shall be discussed with the employee's immediate supervisor; or, if the problem is with the employee's supervisor, with the employee's next ranking supervisor as noted in the Table of Organization. If complaints or concerns are not resolved or acknowledged appropriately, employees should utilize the internal complaint procedure outlined in Section 8.06 of this manual.
- F. If an employee receives conflicting orders or directives from different supervisors, the employee is responsible for informing the supervisor, who issued the most recent directive, of the conflict. If the conflicting directive is not altered or retracted, the employee shall follow the most recently issued directive.
- G. If an employee needs clarification of an order or assignment, it should be requested as soon as possible.
- H. If an employee questions the legality of an order, the employee should question the order as soon as possible. In doing so, employees are required to articulate the reason(s) for the belief of the illegality of the order. If the issue cannot be resolved, the employee shall contact the next supervisor in the chain of command.
- I. Failure to follow lawful orders of a supervisor or intentionally disregarding the chain of command and internal complaint procedure, may constitute insubordination or other violation, and the employee shall be disciplined.

REFERENCE: Table of Organization; Section 8.04, Guidelines for Disciplinary Action and Penalties; Section 8.06 of this manual, Complaint Procedure.

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**THE CITY OF CELINA, OHIO
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EMPLOYEE MAIL AND VISITORS

SECTION 6.12

PAGE 1 OF 1

- A. The City prohibits staff members from receiving personal mail. If a staff member's personal mail should come to the City, it is possible that it may be opened by mistake or may be delayed. Mail from civic organizations or personally owned businesses is not to be sent to the City.

- B. City employees are discouraged from having visitors during working hours. If such visits do occur, the employee shall not let the visits interfere with the work productivity of the employee, and the visit shall not last for an excessive period of time. The Employer shall determine if a visit is for an excessive period of time. Visits that interfere with job duties or last for an excessive period of time shall result in discipline of the employee.

- C. All city mail, except that of the Municipal Court, is to have a mailing address of 225 North Main Street, Celina, Ohio 45822.

- D. City owned facilities, may use their own address for a shipping address but the mailing address shall be the City of Celina.

- E. The Police Department may have a post office box for confidential mailings.

REFERENCE: Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.

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**THE CITY OF CELINA, OHIO
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WORKPLACE VIOLENCE

SECTION 6.13

PAGE 1 OF 4

- A. Zero Tolerance Policy: The City of Celina is committed to providing a work environment that is safe, secure, and free of threats and violence. In furtherance of this commitment, the City enforces a zero tolerance policy for workplace violence. Consistent with this policy, threats or acts of physical violence which involve or affect residents or City employees, or which occur on City property, will not be tolerated. Employees who are found to have committed acts of workplace violence will be terminated from employment and face possible criminal prosecution.
- B. The word “violence” in this policy shall mean an act or behavior that:
1. Is physically assaultive;
 2. A reasonable person would perceive as obsessive (e.g., intensely focused on a grudge, grievance, or romantic interest in another person and likely to result in harm or threats of harm to persons or property);
 3. Consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of another;
 4. Would be interpreted by a reasonable person as carrying a potential for physical harm to the person;
 5. A reasonable person would perceive as intimidating or menacing;
 6. Involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or
 7. Consists of a communicated or reasonably perceived threat to destroy property.
- C. Prohibited Acts of Violence: Prohibited acts of workplace violence include, but are not limited to, the following:
1. Any act or threat of violence by an employee against another person’s life, health, well-being, or property.
 2. Any act or threat of violence, including, but not limited to, intimidation, harassment, or coercion.
 3. Any act or threat of violence which endangers the safety of employees, vendors, contractors, or the general public.
 4. Any act or threat of violence made directly or indirectly by words, gestures, or symbols.

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5. Use or possession of a weapon, firearm, or any other dangerous device on the City's premises, on a City controlled site, or an area that is associated with City employment except as required in the line of duty (i.e., law enforcement) or as specifically exempted in the Carry and Concealment of Weapons on City property (See Section 6.16 of this manual).
- D. The most common situations where workplace violence is likely to occur are as follows:
1. Dealing with the Public: Violent situations could occur in employee contact with the public. While the Employer has a strong commitment to client service, we do not intend for employees to be subjected to verbal or physical abuse by a client or citizen.
 2. On-the-Job: Situations could occur where relationships between employees, or between an employee and a supervisor, result in strong negative feelings by the individuals involved.
 3. Off-the-Job: An employee could become involved in a personal non-criminal dispute with a co-worker, family member, or neighbor during the employee's non-working hours. The Employer prohibits any act of violence by an employee towards any other employee while off duty. If the situation escalates, individuals sometimes secure restraining orders from the courts. If an employee requests such a restraining order, the employee should include the work location as well as the employee's place of residence in the order.
- E. The possession or use of dangerous weapons is prohibited on Employer property, in Employer vehicles, or in any personal vehicle which is used for Employer business or is parked on Employer property, except as hereinafter provided.
1. A dangerous weapon is defined as:
 - a. A loaded or unloaded firearm.
 - b. A weapon, device, electronic stun weapon, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
 2. Exceptions: Individuals may possess a firearm on Employer property only if the individual is employed in the capacity of a law enforcement officer and is engaged in law enforcement activities. Employees who possess a valid permit to carry a firearm must keep the firearm in an unloaded condition while at work and in the employee's vehicle, which shall be kept locked. Other employees, after appropriate training, may be authorized by the City to a City issued weapon or protective device used in the normal course of the employee's job duty (i.e., dog warden).

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- F. Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on the Employer's property shall be removed from the premises as quickly as safety permits and shall remain off the premises pending the outcome of an investigation. The Employer will initiate an appropriate response including criminal prosecution of the person(s) involved.
- G. It is a requirement that all employees report, in accordance with this policy, any behavior that compromises the City's ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential to the extent possible, except where there is a legitimate need to know. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a City-controlled site, or is associated with City employment.
- H. All incidences of suspected or potential violence should be reported to the employee's immediate supervisor or the Department Head. Do not take the position that the incident is too minor to report or that it does not appear to be a "real problem". Do not wait until it is too late to be proactive.
- I. Supervisor Responsibilities: All supervisors and department heads are responsible for assessing situations, and responding to reports of or knowledge of violence that have occurred in the workplace or that involves an assigned subordinate.
- J. When any actual, potential, or suspected incident of violence is brought to the attention of a supervisor or Department Head, the Department Head or designee shall immediately report the incident to the Safety Service Director. The Safety Service Director or designee shall:
1. Remove the person from the workplace.
 2. Contact and report the incident to the appropriate law enforcement agency.
 3. Conduct an administrative investigation of the incident.
 4. Terminate from employment employees who have committed an act of workplace violence.
- K. All employees who apply for, obtain, or are the subject of a restraining order which lists department locations as being protected areas, must provide to the Safety Service Director a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

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If any Employer facility or work locations are listed on a restraining order restraining an employee from being at a location where the employee performs job duties, the employee will be terminated from employment. If a restraining order prohibits an employee from being within a specified distance of a resident or co-worker, the employee will be terminated from employment.

REFERENCE: 29 USC 654; O.R.C. 4167.07.

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WORKPLACE SAFETY

**SECTION 6.14
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- A. The City of Celina believes that safety is a prime concern and responsibility of the City and its employees. The Employer will provide safe working conditions, tools, equipment, working methods, and training for its employees.
- B. The employee is responsible for following all safety rules and safe working methods of the Employer. If safe practices are not obeyed, an employee will be subject to disciplinary action.
- C. An employee who discovers unsafe conditions, equipment, or tools shall immediately report it to their supervisor or department head using the Workplace Safety Report Form contained in Section 9 of this manual.
- D. The supervisor or department head shall note all reports of safety complaints and forward copies to the Safety Service Director. Corrective action to adequately reduce workplace hazards will be taken by the Safety Service Director or designee.
- E. Safety clothing, shoes, glasses, etc., shall follow OSHA standards or recommended standards. Employees will wear appropriate safety gear.
- F. Safety meetings will be held by departments. Employees must attend these meetings.
- G. Department heads and supervisors are responsible for employee safety training.
- H. New employees will be trained on safety procedures during their probationary period.
- I. Safety training will be conducted periodically during the year for all employees. It will be mandatory for employees to attend department safety programs. Employees will be required to sign a statement indicating they have received the safety training and instruction. This will be placed in the department's and the employee's personnel files and copies sent to the Safety Service Director.

REFERENCE: 29 USC 654; O.R.C. 4167.07; Section 9 of this manual, Workplace Safety Report.

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PUBLIC RECORDS – INSPECTION, RELEASE, AND RETENTION

**SECTION 6.15
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- A. It is the policy of the City of Celina, Ohio, that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the City of Celina, Ohio, to strictly adhere to the state’s Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority. If the request is in writing, the explanation must also be in writing.
- B. Public Records Defined: The City of Celina, in accordance with state law, defines records as including the following: Any document – paper, electronic, or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records are public unless they are exempt from disclosure under state or federal law.
- C. Organization of Public Records: The records of the City of Celina are organized and maintained in such a manner so as to be easily utilized for the day to day operations of the City, but are available for inspection and copying for public records requests. Pursuant to Ohio Revised Code Chapter 149, the City has a records retention schedule with a committee comprised of the City Auditor, the City Law Director, the Mayor or designee, and a citizen appointed by the Mayor who meet semi-annually to determine and approve the retention of the destruction of records.
- D. Request for Public Records: Each request for public records should be evaluated for proper response.

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the City to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian may request additional information for clarification.

The requestor does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is the City’s general policy that identity and intended use of the public record is not to be questioned. However, the records custodian may ask for a written request and may ask for the requestor’s identity and/or intended use of the information requested if (1) it would benefit the requestor by helping the City identify, locate or deliver the records being sought, and (2) the requestor is informed that a written request and the requestor’s identity and intended use of the information requested are not required.

Public records are to be available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, with the exception of published holidays. The City does not designate employees solely for the task of providing public records. However, each records custodian shall make every effort to promptly provide public records for inspection. Copies of public records must be made available with a reasonable period of time. “Prompt” and “reasonable” take

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

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

Any denial of a public records request must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be clearly visible and accompanied by a supporting explanation.

Those seeking copies of public records will be charged only the actual cost of making copies. Requestors may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies. These fees may be collected in advance.

Documents in electronic mail format are public records if their content relates to the business of the office. Email is to be treated in the same fashion as records in other formats and should follow the same retention schedules. Records in private email accounts used to conduct public business are subject to disclosure, and all employees or representatives of this office are instructed to retain their emails that relate to public business and to copy them to their business email accounts.

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

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CONCEALED WEAPONS

**SECTION 6.16
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- A. The safety and security of employees, visitors, contractors, and the general public are of vital importance to The City of Celina. Therefore, the carrying of concealed handguns or other weapons by an employee or anyone else on City property is prohibited unless specifically authorized under this policy. Employees found guilty of violating this policy will be subject to termination of employment and face possible criminal charges.
- B. The purpose of this policy is to provide guidance to employees of the City of Celina pertaining to the possession of handguns and other weapons.
- C. Except as otherwise provided in subsection D (2) below, the City prohibits the possession, carrying use, or display of weapons (specifically including a handgun) while on duty (whether or not licensed to do so).
- D. The possession, display, or use of dangerous weapons is prohibited on City property, in City vehicles, or in any vehicle which is used for City business or is parked on City property, except as hereinafter provided.
 - 1. A dangerous weapon is defined as:
 - a. A loaded or unloaded firearm.
 - b. A weapon, device, electronic stun weapon, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
 - 2. Exceptions:
 - a. Individuals may possess a firearm on City property if the individual is employed in the capacity of a law enforcement officer and is engaged in law enforcement activities, or is the county prosecutor, court bailiff, or judge.
 - b. A City employee or official with a valid license to carry a concealed handgun onto a City owned parking lot, but must leave the handgun in their own locked vehicle, either in the glove compartment (or other locked compartment), in the trunk, or locked inside a gun case when they report to work.
 - c. An employee or official with a valid license to carry a concealed handgun who is reporting for work may remove the handgun from their own vehicle parked on City property only for the purpose of transporting it to and from the trunk of the vehicle for storage.
 - d. An employee may store hunting firearms in a personal vehicle, which is parked on City property so long as the employee satisfies the requirements of

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SECTION 6.16

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- e. O.R.C. 2923.16 and does not display or otherwise access such firearm while on duty.
 - f. A City employee with a valid license to carry a concealed weapon, and who is traveling out of town and staying overnight on City business may carry a concealed weapon during such travel in accordance with applicable laws.
 - g. In special circumstances, with written authorization from the Safety Service Director and Chief of Police, an employee may carry a firearm while on-duty. Such authorization may be limited in scope, time, and geographic area.
- E. All employees, Supervisors, and Department Heads are responsible for reporting violations of policy to the Celina Police Department.
- F. This policy shall be applicable to any City owned property including but not limited to the following locations:
- 1. All City of Celina buildings and facilities.
 - 2. All City of Celina parking areas.
 - 3. Any and all land under City of Celina control.
- G. Any employee observing a person displaying or showing a strong indication that they may pose the threat of carrying a weapon, handgun or holster, in violation of this policy, shall immediately notify the Celina Police Department.
- The person who displays a weapon, handgun or holster on the Employer's property, except as specifically exempted in subsection D2, shall be removed from the premises by the police department as quickly as safety permits and shall remain off the premises pending the outcome of an investigation. The Employer will initiate an appropriate response requesting criminal prosecution of the person(s) involved.
- H. It is a requirement that all employees report, in accordance with this policy, any behavior that compromises the Employer's ability to maintain a safe work environment. All reports will be immediately investigated by the Police Department and kept confidential, except where there is a legitimate need to know. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as a possible concealment of a weapon, in violation of this policy, when that display is job related or might be carried out on a City-controlled site, or is associated with City of Celina employment.

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- I. All incidences of suspected or potential concealment should be reported to the Celina Police Department. Do not take the position that the incident is too minor to report or that it does not appear to be a “real problem”. Do not wait until it is too late to be proactive.

- J. Supervisors are responsible for follow up with the Appointing Authority in assessing situations, making decisions on the appropriate response, and responding to reports of concealed weapons that have occurred in the workplace or that involves an employee of the Employer.

- K. When any actual, potential or suspected concealment, in violation of this policy, is brought to the attention of a supervisor or the Appointing Authority, the Appointing Authority or designee shall evaluate the severity of the situation immediately. If it is concluded that an actual act of carry and concealment has occurred or if there is a likelihood that violence could result, the Appointing Authority or designee shall:
 - 1. Discuss the situation with law enforcement and employee(s) who witnessed the concealment; and
 - 2. Determine what action is to be taken to prevent the situation from occurring again. Such actions may include but not be limited to:
 - a. Request of legal prosecution;
 - b. Terminating the employee(s) from employment.

- L. The City of Celina shall post in obvious locations signage that contains the following:

“Pursuant to the 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 or holster onto these premises”.

REFERENCE: O.R.C. 2923.12.

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- A. The following exists as the City of Celina’s policy regarding access to and disclosure of data contained in the City’s information systems. Information systems include but are not limited to: e-mail, Internet, software, hardware/peripherals (e.g., computers, mouse, keyboard, printer, monitor, tablet, smart phone, copiers, fax, etc.), departmental information and/or data systems.

The use of information systems and assignment of an e-mail/Internet account through the City of Celina is a benefit to the employee and should be treated as such. The following constitute proper use of these privileges. Computer, Internet, and electronic mail usage may be monitored by the Employer at any time. The use of any electronic technology resources of the City of Celina implies acceptance of all current operational policies.

In order to ensure that the systems are being used properly and in compliance with this policy, the City, without notice, may periodically access, display, copy, delete, or listen to any messages or communications sent, received, created, deleted, or stored through or in its systems.

- B. General Standards of Conduct for Internet Use:

1. Employees shall use the information systems for City of Celina business only. Information systems shall not be used for gathering and/or distribution of personal or non-business information. This includes, but is not limited to, soliciting for commercial ventures, religious or political causes, outside organizations or other non-job-related functions.
2. Any use of City computers or online computer services to facilitate illegal activity is prohibited.
3. Downloading, viewing, or distributing offensive or harassing statements, or to disparage others based on race, national origin, sex, pregnancy, sexual orientation or gender identity, age, disability, known pregnancy, childbirth, or related medical condition, military status, veteran status, genetic information, political, or religious belief is prohibited.
4. Viewing, distributing, transmitting, downloading, printing, or soliciting items displaying materials, pornography, non-forensic nudity, non-forensic sexually explicit content, or non-forensic items that are racist, sexist, or harassing in a manner that is sexual, racial, religious and/or pertaining to national origin, military status, veteran status, age, disability, known pregnancy, childbirth, or related medical condition, genetic information, or any actual, graphic, animation or other depiction, in any other form, of these items is prohibited.
5. Use of social media (e.g., Facebook, MySpace, LinkedIn, Twitter, Digg, Google+, etc.) is not permitted on City systems. Employees assigned to update and manage the

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City's web presence pages shall visit and utilize such pages for City of Celina business purposes only.

6. Employees shall not engage in Internet time loss activities such as eBay, online retail shopping, games, online gambling services, chat or discussion threads, posting on online bulletin boards and blogs, etc.
7. Disruption of Employer information systems, supporting equipment, or information available on it is prohibited, including, but not limited to, tampering with hardware or software, vandalizing or destroying data, introducing or using computer viruses, attempting to gain access to restricted information or networks, violating copyright laws, or installing non-City-owned software of any kind.
8. The use of Employer information systems (e.g., Internet, e-mail, social media, cellular phones, etc.) to harass other users or to transmit materials likely to be offensive or objectionable is prohibited.
9. Users of Employer information systems are to protect themselves and others by not issuing or releasing confidential information, addresses, passwords, or telephone numbers, remembering that online computer services are not private.
10. Employees shall not use a code or password, access a file, or retrieve any stored information unless authorized to do so. Unless otherwise authorized by the Employer, employees should not attempt to gain access to another employee's messages without the employee's permission. All computer pass codes or passwords used on the City of Celina's equipment must be provided to supervisors.
11. Employees are prohibited while on or off duty from posting, or in any other way broadcasting, without prior Employer approval, information on the Internet (including but not limited to sites maintained by or pertaining to the City of Celina), or other medium of communication, the business of the City of Celina. This includes anything posted to a social networking website, blog, or other similar Internet forum of communication. Although information may be posted to a "private" webpage, the employee should be aware this information can still be accessed by the public in a number of ways. This policy is not meant to infringe upon an individual's First Amendment rights. Examples of prohibited postings include but are not limited to:
 - a. Photographs/images relating to any work related matter;
 - b. Video or audio files pertaining to any work related matter;
 - c. Video, audio, photographs, or any other images, etc. which memorialize any work related action of the Employer;

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- d. Logos/uniforms/badges or other items which are symbols associated with the Employer;
- e. Medical and/or any other such information about the City of Celina, its employees, and/or its clients which is deemed confidential by the Employer and/or applicable statute(s);
- f. Any other item, information, or material which is identifiable to the City of Celina.
- g. Pictures, video, or comments that are insubordinate with respect to the employee's employment.
- h. Pictures, videos, or comments that constitute or could be construed as unlawful behavior.
- i. References that in any way represent the employee as an employee of the City of Celina without the Employer's approval. This shall include but not be limited to:
 - (1) Text which identifies the City;
 - (2) Photos that depict the logos, patches, badge, or other identifying symbol of the City;
 - (3) Accounts of events which occur within the City; or
 - (4) Any other material, text, audio, video, photograph, or image which would be identifiable to the Employer.
- j. Materials which promote violence or the use of weaponry against employees, customer, vendors, or the public of the City of Celina.
- k. Materials that advocate domestic terrorism and/or contains instructions or directions on the manufacture or procurement of illegal explosive devices, chemical weapons, biological weapons, or other weapons of mass destruction.
- l. Any materials which would be detrimental to the mission and function of the City of Celina. (e.g., pictures, videos, or comments that are sexual, offensive, harassing, or pornographic in nature along with reference to the City, its customers, vendors, employees, or individual's employment; etc.).
- m. False information about the City of Celina, employees, or those who have a relationship with the City of Celina. This also includes disparagement of a fictitious character or computer-generated likeness that resembles the above.

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12. Employees are prohibited from using their title as well as any reference to the City of Celina in any correspondence to include e-mails, postings, blogs, Twitter, YouTube or Flickr video, social network sites such as Facebook, chat or discussion sites, bulletin boards, and online encyclopedias unless the communication is of an official nature and is serving the mission of the City. This prohibition also includes signature lines in personal e-mail accounts. An employee may seek Employer approval for such use. Should there be any doubt as to the appropriateness of any such use, the employee should direct such questions to the Safety Services Director.
13. Employees shall not violate copyright and/or trademark laws or licensing agreements by downloading, copying, transmitting, reusing, or otherwise plagiarizing information, written materials, images, photographs, drawings, musical performances, logos, service marks, trademarks, and/or software without first obtaining proper authorization from the holder of the rights to the material(s).

C. E-mail

1. Any message sent or received via a City of Celina e-mail system may be monitored by the City at any time, with or without prior notification. If the City discovers any misconduct or criminal activity, the information contained in such e-mail messages may be used to document such conduct and may be revealed to the appropriate authorities. All e-mail usage shall comply with the City of Celina's policy and all state and federal laws including those barring discrimination because of age, race, sex, sexual orientation or gender identity, pregnancy, religion, military status, veteran status, genetic information, disability or known pregnancy, childbirth, or related medical condition, etc.
2. E-mail relevant to the course of business in the City of Celina should be printed and filed in the same manner as written correspondence.
3. E-mail relevant to a specific case should be printed and filed, if appropriate.
4. E-mail accounts are to be used only by the authorized owner of the account or another person with the owner's specific authorization.
5. Subscriptions to unrelated services or news groups are not allowed as they create unnecessary traffic on the e-mail system.
6. It is permissible to transmit documents via e-mail as attachments. However, transmitting copyrighted material including software, research data, and manuscripts without the consent of the copyright holder is strictly prohibited.
7. Caution should be exercised before opening any attachment to any incoming e-mail. If the e-mail is of unknown origin, or is not business-related, the attachment should

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not be opened. Examples of questionable attachment types include but are not limited to: .exe, .scr, .dll, .cab, cgi-install, etc.

8. The use of personal e-mail is not forbidden, but should be used with common sense and restraint as is the telephone for personal business.
9. The downloading of files/programs for personal use from the Internet is prohibited
10. Viewing, participating in, or forwarding chain and/or junk e-mails (SPAM) is prohibited.

D. Standards of Conduct for E-mail on the City of Celina Electronic System:

1. Be careful when forwarding e-mail messages. Use common sense: if you would not forward a copy of a paper memo with the same information, do not forward the e-mail.
2. Global transmission of e-mail is prohibited without the advance written permission of the Safety Service Director.
3. Be careful what you write. E-mail is not the same as conversation. It is a written record, can be duplicated, and may constitute a “public record”.
4. Use normal capitalization and punctuation. Typing a message in all caps is bad “netiquette”.
5. If a user discovers defamatory, disparaging, or otherwise damaging statements about the City of Celina on the Internet, the user should inform the appropriate department head to follow-up on that discovery.

E. Use of the World Wide Web: The Internet is a powerful and useful tool for research and other functions. Employees are encouraged to develop computer and Internet skills to improve their job knowledge and to promote the interests of the City. Employees should treat the Internet as a formal communications tool similar to the telephone, radio, video, and written communications. All employees are responsible for their actions and communications using computers and the Internet. All employee activity online via the use of City of Celina computers and devices may be monitored at any time.

F. Employees shall address work related complaints with the Employer utilizing the chain of command and starting with the employee’s immediate supervisor.

G. Any question regarding this policy should be directed to the Safety Services Director or designee before risking possible violation of this policy.

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- H. Any violation of this policy or other improper use of the Employer's information systems (computers, e-mail, Internet, etc.) shall result in discipline up to and including termination. The level of discipline will be based on the seriousness of the violation and the employee's discipline record.

REFERENCE: Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.

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WHISTLEBLOWER/FRAUD REPORTING

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- A. In accordance with O.R.C. 124.341, if an employee in the classified or unclassified civil service becomes aware, in the course of employment, of a violation of state or federal statutes or the misuse of public resources, and the Appointing Authority has authority to correct the violation or misuse, the employee may file a written report identifying the violation or misuse with the Appointing Authority. In addition to or instead of filing a report with the Appointing Authority, the employee may file a written report with the Office of Budgeting and Management's Office of Internal Auditing or file a complaint with the State of Ohio auditor's fraud-reporting system created under O.R.C. 117.103.

If the employee reasonably believes that the violation or misuse of public resources is a criminal offense, the employee, in addition to, or instead of filing a written report with the Appointing Authority or the Office of Internal Auditing, may report it to the Law Director.

External complaints may be made in three (3) ways:

1. File a written complaint at:

Ohio Auditor of State's Office
Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, Ohio 43215

or

OBM Office of Internal Audit
30 East Broad Street, 34th Floor
Columbus, Ohio 43215-3457

2. Call the Fraud Hotline 1-866-FRAUD OH (1-866-372-8364)
3. Online:

<https://ohioauditor.gov/fraud/default.html>

- B. Except as otherwise provided in section (C) of this policy, the Appointing Authority shall not take any disciplinary action against an employee in the classified or unclassified civil service for making any report authorized by section (A) of this policy.
- C. An employee in the classified or unclassified civil service shall make a reasonable effort to determine the accuracy of any information reported under division (A) of this policy. The employee is subject to disciplinary action, including suspension or removal, as determined by the Appointing Authority, for purposely, knowingly, or recklessly reporting false information under division (A) of this policy.

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WHISTLEBLOWER/FRAUD REPORTING

SECTION 6.18

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D. For the purposes of this policy:

1. An employee acts *purposely* when it is his specific intention to cause a certain result, or when the gist of the offense is a prohibition against conduct of a certain nature, regardless of what the offender intends to accomplish thereby, it is his specific intention to engage in conduct of that nature.
2. An employee acts *knowingly*, regardless of his purpose, when he is aware that his conduct will probably cause a certain result or will probably be of a certain nature. A person has knowledge of circumstances when he is aware that such circumstances probably exist.
3. An employee acts *recklessly* when, with heedless indifference to the consequences, he perversely disregards a known risk that his conduct is likely to cause a certain result or is likely to be of a certain nature. A person is reckless with respect to circumstances when, with heedless indifference to the consequences, he perversely disregards a known risk that such circumstances are likely to exist.

E. Current employees shall sign acknowledgement of this policy within 30 days of adoption. Newly hired employees shall sign acknowledgment of this policy within 30 days of appointment.

REFERENCE: O.R.C. 124.341; O.R.C. 117.103.

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SOCIAL MEDIA

SECTION 6.19

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- A. Purpose: The purpose of this policy is to make an employee aware of his or her privacy rights and prohibited conduct with respect to an employee's actions and its impact on the Employer when using social media sites on and off duty. This policy is also intended to ensure efficient use of employee time and to minimize any distraction from an employee's assigned tasks and duties.

Employees shall remember they are paid by public funds and the public holds them to a high standard of professionalism. The Employer has an overriding interest and expectation in deciding what is "spoken" on behalf of the Employer. This policy is not meant to infringe on one's right to free speech, rights under O. R.C. 4117, or any other protected activity.

- B. Scope: All employees will be subject to and held accountable for any conduct outlined in Social Media Policy. This policy works in conjunction with other related personnel policies and procedures (e.g., discriminatory harassment).

Social Media refers to the use of websites such as, but not limited to, Facebook, Twitter, LinkedIn, Instagram, and Snapchat. For purposes of this policy, blogs and other internet forums shall also be covered. Nothing in this policy is meant to prohibit access to any social media website or blog which may be work-related.

- C. Policy

1. While at work during paid time or representing the Park District in an official capacity, employees shall not access social media websites or social media electronic device applications for personal use.
2. An employee enjoys no expectation of privacy to information posted into cyberspace even while off duty. This includes anything posted to a social media website, blog, or other similar Internet forum of communication. Although information may be posted to a "private" webpage, the employee should be aware this information can still be accessed by the public and other sources in a number of ways.
3. Employees shall be disciplined up to and including termination of employment for their social media activity which portrays the City in a negative light or reflects poorly on the City. Examples of prohibited conduct include, but are not limited, to:
 - a. Posting one's photograph while wearing the Employer's uniform (or other similar attire, which could be misidentified as the official uniform).
 - b. Posting pictures, videos, or comments that are insubordinate with respect to the employee's employment.
 - c. Posting pictures, videos, or comments that constitute or could be construed as unlawful behavior.

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SOCIAL MEDIA

SECTION 6.19

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- d. Knowingly or recklessly posting false information about the Employer, supervisors, coworkers, public officials, or those who have a relationship with the Employer. This also includes disparagement of a fictitious character or computer-generated likeness that resembles the aforementioned persons.
 - e. Posting, transmitting, or disseminating any pictures or videos of official training, activities, or work-related assignments without the express permission of a supervisor.
 - f. Posting pictures, videos, or comments that are sexual, obscene, violent, harassing, or pornographic in nature.
 - g. Disclosing any work-related confidential or proprietary information on any social media website, blog, or other online application. This includes information that may eventually be obtained through a valid public record's request.
 - h. Implying they are speaking on behalf of the Employer unless authorized to do so.
 - i. Disclosing directly or indirectly, their affiliation with the City on any social media site or other online outlet unless authorized to do so.
4. Employees are encouraged to follow the internal complaint procedure and not take to the Internet to voice work-related complaints.
 5. Employees shall note delete does not necessarily mean delete. In other words, once a comment is posted online, it may already be saved on a server or saved as a screenshot by another user and therefore, retrievable although an individual has deleted the comment from the page.
 6. Any deviation from the above policy shall be approved by the Employer in writing.

REFERENCE: Section 8 of this manual, Employee Discipline, Appeals, and Complaints.

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CONTACT WITH THE MEDIA

SECTION 6.20

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- A. Media is defined as entities engaged in mass communication (broadcasting, publishing, and the Internet) and includes but is not limited to newspaper, television, radio, Internet blogger, etc.
- B. All contacts made with news media regarding the City of Celina shall be handled by the Appointing Authority or designee.
- C. All news releases must be approved in advance by the Appointing Authority or designee.
- D. Employees are strictly prohibited from discussing City operations with the news media without the prior authorization of the employee's Appointing Authority or designee. Only the Appointing Authority or their designee(s) are authorized to release official information concerning issues related to the City to the media.
- E. If the news media should contact any employee for a comment about the City of Celina's policies, procedures, rules, etc., the employee shall refrain from commenting and refer the person to the Appointing Authority or designee.
- F. Violations of this policy will result in disciplinary action, up to and including termination (see Section 8 of this manual, Employee Discipline, Appeals, and Complaints).

REFERENCE: Section 8 of this manual, Employee Discipline, Appeals, and Complaints.

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SECTION 7 EMPLOYEE CONDUCT

- 7.01 Ethics of Public Employment
- 7.02 Tardiness
- 7.03 Absenteeism and Notification of Absence
- 7.04 Solicitation and Distribution
- 7.05 Personal Appearance
- 7.06 Drug Free Workplace
- 7.07 Gambling
- 7.08 Garnishments
- 7.09 Political Activity
- 7.10 Confidential Information
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ETHICS OF PUBLIC EMPLOYMENT

SECTION 7.01

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- A. All employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the State of Ohio and other rules and regulations as may be set forth by the City. The compensation of all employees is paid through taxes and user fees. Therefore, each employee assumes the responsibility to serve the public honestly, effectively and in a friendly manner.
- B. Conduct that is illegal or may bring discredit to the City will not be tolerated. In recognition of this responsibility and in accordance with O.R.C. 102 and 2921.42, no employee shall:
1. Use their position with the City for personal gain or engage in any transaction which is in conflict with the proper discharge of the employee's official duties.
 2. Use or disclose confidential or proprietary information concerning the property, government, or affairs of the City without proper legal authorization.
 3. Solicit or accept anything of value, whether in the form of services, loans, items or promises from any person, firm or corporation which is interested directly or indirectly in any manner whatsoever in conducting business with the City.
 4. Accept from any person, firm or corporation known to be doing business with the City, any material or service for the private use or benefit of the employee.
 5. Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper performance of the employee's official duties or may impair independent judgment or action in the performance of official duties.
 6. While an employee, or for one (1) year thereafter, represent another person before a public agency on any matter in which the employee personally participated as an employee.
 7. Receive or agree to receive outside compensation for services rendered in a matter before any office or department of the City, unless excepted as provided in O.R.C. Section 102.04.
 8. Have a personal interest in a contract with the City or use their position or authority to secure approval of a public contract in which the employee, a member of the employee's family or business associate has an interest.
 9. Use their position or authority to secure approval of the employment of a member of the employee's family or a business associate or to obtain a pay increase, fringe benefit improvement, or promotion of such individual(s).

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- C. Any employee who may have a doubt as to the application of this Section or other ethics laws or regulations should seek the advice of the Safety Service Director prior to engaging in any questionable activity. The Safety Service Director may seek an advisory opinion from the City Law Director or the Ohio Ethics Commission.

Employees shall be provided with a copy of Ohio's Ethics Laws, O.R.C. Section 102, and O.R.C. Section 2921.42 within 15 days of hire and the Employer will require employees to acknowledge receipt in writing (see Section 9 of this manual, Ohio Ethics Law and Related Statutes).

REFERENCE: O.R.C. 2921.42; Section 9 of this manual, Ohio Ethics Law and Related Statutes.

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TARDINESS

SECTION 7.02

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- A. Habitual tardiness is inexcusable and will not be tolerated. Tardiness is defined as any situation where an employee, not on approved paid or unpaid leave of absence, reports to work after the employee's scheduled starting time and such tardiness is not excused.
- B. Employees shall be responsible for reporting to work at the place designated by their immediate supervisor and shall not leave their work area or quit working prior to their scheduled quitting time.
- C. An employee shall not be paid for time he/she is tardy without approved paid leave. In addition, an employee will be disciplined for his/her tardiness unless the supervisor deems the reason for being tardy acceptable (see Section 8.04 of this manual, guidelines for Disciplinary Action and Penalties).
- D. Violations of this policy shall result in disciplinary action.

REFERENCE: Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties; O.R.C. 124.34.

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ABSENTEEISM AND NOTIFICATION OF ABSENCE

**SECTION 7.03
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- A. Absenteeism may increase the workload on other employees and may adversely affect the quality of service that can be delivered to the public. Therefore, unexcused absences will not be tolerated. Employees will be considered absent for purposes of this section if they fail to report to work for an entire workday or leave work prior to their scheduled quitting time, and such absence has not been excused, or the payment of sick leave as defined in this manual has been denied. In addition to not being paid for the time absent, employees disciplined for any unexcused absences may be disciplined pursuant to Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.
- B. There are circumstances where an employee's absence and/or tardiness may be excused for legitimate reasons and when notification procedures contained in this section and elsewhere in this manual are met. These circumstances include:
1. Hospitalization;
 2. Major outpatient procedures, if approved by department head;
 3. Funeral leave;
 4. Jury duty;
 5. Military leave;
 6. Time off for a work-related injury;
 7. Suspension;
 8. Approved vacation leave;
 9. Approved sick leave; or
 10. Approved leave of absence without pay.

The Employer reserves the right to deny approval of absences for employees who demonstrate a pattern of otherwise legitimate absences.

- C. Termination: Employees who fail to report to work at their regularly scheduled time and remain absent for three (3) or more consecutive workdays without reporting such absence, shall be terminated.
- D. AWOL: Anytime an employee is absent from work the employee must complete the appropriate leave request form. An employee will be considered absent without leave (AWOL) unless the department head approves paid leave (i.e., vacation, sick leave, etc.) or

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ABSENTEEISM AND NOTIFICATION OF ABSENCE

SECTION 7.03

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an unpaid leave of absence. An employee will not be paid if found to be absent without leave.

E. Notification: Absent employees must report to their supervisor or designee by their scheduled starting time, or other time as dictated by departmental policy or bargaining agreement, on each day of absence and explain the reason for their absence. Upon returning to work, employees shall report to their department head to provide additional information regarding the reason for their absence and to provide all documentation required to substantiate the reason for their absence.

F. Application of Discipline:

1. Each full day of unexcused absence shall count as a separate absence (i.e., an employee absent for two (2) consecutive days is charged with two (2) absences).
2. The Employer will consider only absences which have occurred over the previous 12 months from the date of the most recent occurrence in applying this policy.
3. Written reprimands may be issued by the supervisor. A Record of Written Reprimand shall be given to the employee and a copy placed in the employee's personnel file. A copy of the written reprimand shall also be provided to the department head and Appointing Authority.
4. The Appointing Authority may reduce an employee's pay or classification, suspend, fine or terminate an employee. Suspensions or fines of more than 24 hours pay, reductions in pay or classification and terminations of classified employees will be filed with the Civil Service Commission, as required.

REFERENCE: O.R.C. 124.34; Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.

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SOLICITATION

SECTION 7.04

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- A. Generally: This policy is intended to protect the interests of the citizens of the City of Celina by ensuring that only official Employer business is transacted in the Employer’s work areas during work time.
- B. Non-employee Solicitation and Distribution: There shall be no solicitation or distribution by non-employees at any time on any City property or in any work area. This section shall not apply to vendors who provide services or materials to the City.
- C. Employee No Solicitation Rule: There shall be no solicitation by employees of any other employee or non-employee during work time. Solicitation of other employees during non-working time is permitted during non-work time (e.g., break, lunch, etc.) for both the employee doing the soliciting and the employee being solicited.
- D. Employee No Distribution Rule: There shall be no distribution of non-work-related goods, materials, or written information by employees during work or non-work time in the work area. Employees may distribute goods, materials, and written materials during non-work time in non-work areas only.
- E. City equipment (e.g., copy machine, computer, etc.) may not be used to solicit, distribute, or sell items among employees.
- F. Miscellaneous: The terms “distribution”, “solicitation”, “vendor”, “work time”, “non-work time”, “work areas” and “non-work areas” are defined in the Definitions Section 1.03 of this manual. This solicitation and distribution policy shall be clearly posted on the Employer’s premises. Any deviations from this policy shall be approved as to content and form by the Safety Service Director.
- G. Employee Compliance: Employee compliance with these policies is required. Employee violations of these policies will result in appropriate disciplinary action (see section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties).

REFERENCE: Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties).

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PERSONAL APPEARANCE

SECTION 7.05

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- A. The Employer reserves the right to prescribe appropriate attire and grooming and to set standards which are deemed to be in the best interest of the City and ensure an appropriate image for the City.
- B. The Employer requires that an employee's clothing, grooming, and overall appearance be appropriate, in good taste, present a favorable public image, and be in conformity with regulations established by the Employer due to the specialized nature of service provided or the employment position maintained.
- C. Clothing shall be conducive to the safe and effective performance of required job duties.
- D. Certain employees may be required to wear regulation uniforms while on duty. The applicable departments may establish policies and procedures governing uniforms. When employees are required to wear a regulation uniform, the City shall provide the uniforms and/or provide a uniform allowance as prescribed by the City ordinance or applicable collective bargaining agreement.
- E. Employees are required to keep uniforms neat, clean and in good repair. City issued uniforms may only be worn by employees while conducting official City business.
- F. The Employer will maintain a dress code addendum, which will provide guidelines for employees to use to determine acceptable work attire. The Employer will provide a copy of the addendum, and any changes to the addendum, to all applicable employees.
- G. Any employee who has a question regarding the guidelines contained on the dress code addendum, or any other personal appearance issue, should refer the question to the employee's department head.

REFERENCE: O.R.C. 4113.85.

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DRUG FREE WORKPLACE

**SECTION 7.06
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A. Drug Free Workplace Policy:

1. Generally: The City of Celina is concerned with the effects that alcohol and drug abuse can have on employees, their families, and employees' abilities to perform their work safely and efficiently. Drug use poses a significant threat to the City of Celina's goals. It is the policy of the City to maintain a safe and productive workplace free of drugs and free of those individuals who use drugs. The City believes that it is important, as a public entity, to serve as a leader in the community in the war against drugs by establishing a policy prohibiting the manufacture, distribution, dispersal, possession, or use of controlled substances in the workplace. The following policy is designed to meet the above objectives and comply with the provisions of the Federal Drug-Free Workplace Act of 1988.

The City of Celina recognizes that drug abuse and addiction may be treatable illnesses. The City realizes that early intervention and support improve the success of rehabilitation. The City encourages employees to voluntarily seek help for drug problems by utilizing the services of qualified professionals in the community to assess the seriousness of suspected drug problems and identify appropriate sources of help.

Nothing in this statement of policy is to be interpreted as constituting a waiver of the Employer's responsibility to maintain discipline or the right to take disciplinary measures in the case of poor job performance or misconduct that may result from alcoholism or drug dependency.

2. Coverage: Any individual who conducts business for the City or is applying for a position is covered by this policy. This policy includes, but is not limited to all employees.
3. Acknowledgement and Notice:
 - a. All applicants for employment will be required to acknowledge they are aware of the City of Celina's Drug-Free Workplace Policy, and they understand it is a condition of employment.
 - b. Prior to hiring, all successful applicants will receive a copy of the City's Drug Free Workplace policy. They also will be required to sign an Acknowledgment of Employer's Information Regarding the Drug Free Workplace Act Policy contained in Section 9 of this manual, which will become a permanent part of the employee's personnel file.
 - c. Employees shall be given an opportunity to ask questions about this policy. Questions shall be forwarded to the Mayor or designee.

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DRUG FREE WORKPLACE

**SECTION 7.06
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4. Drug Testing Policy: The City of Celina may require current employees to undergo testing for alcohol or drug use, when there is reasonable suspicion to believe the employee is under the influence of alcohol or drugs while at work.

5. Definitions: For purposes of this policy:

Alcoholic Beverage: For purpose of this policy, an “alcoholic beverage” is any beverage that may be legally sold and consumed and has an alcohol content in excess of three percent (3%) by volume.

Employee: Any person (i.e., management, supervisory, or non-supervisory), who is paid in whole or in part by the City of Celina.

City of Celina Premises: Is used in the broadest sense and includes all land, property, buildings, structures, installations, parking lots, and means of transportation owned by or leased to the City of Celina or otherwise being utilized for City business. Private vehicles parked on City of Celina’s premises are included within this definition.

Controlled Substance: Any drugs, compound, mixture, preparation, or controlled substance contained in Schedules I through V of Section 202 of the Controlled Substances Act (21 USC 812) or as defined in the Ohio Revised Code, O.R.C. 3719.41, 3719.43, and 3719.44.

Conviction: Any finding of guilt, including a plea of nolo contendere (no contest) or the imposition of a sentence, or both, by any judicial body with the responsibility to determine violations of the federal or state criminal drug statutes.

Criminal Drug Statute: A criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance.

Unlawful/Illegal: Is not conforming to, permitted by, or recognized by federal or state law. Should a substance be considered prohibited, unlawful, or illegal at the federal level but not at the state level or at the state level but not at the federal level, it is considered unlawful for the purposes of this manual (i.e., medical marijuana is permitted in Ohio but prohibited by federal law; therefore, employees are prohibited from the use of medical marijuana; etc.).

Workplace: Means wherever an employee is representing or conducting business for the City including all working hours, whenever conducting business for or representing the City, while on call, and/or while on City of Celina premises.

6. “Zero Tolerance” of Prohibited Activity: The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee, which

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DRUG FREE WORKPLACE

**SECTION 7.06
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takes place in whole or in part in the workplace is strictly prohibited, will be reported to law enforcement, and will result in termination from employment. Reporting to work with a blood alcohol content (BAC) of .04 or higher or the on-duty consumption of alcohol is strictly prohibited and will result in termination from employment.

The use, possession, or distribution of medical marijuana by employees is strictly prohibited and will result in termination of the employee's employment.

CDL Positions: For an initial alcohol drug test result of 0.02 – 0.039, the employee shall be immediately restricted from performing safety-sensitive functions until the employee completes a return-to-duty process with a DOT-qualified substance abuse professional.

7. Prescription and Over-the-Counter Medications: An employee may continue to work, even though under the influence of a prescription or over-the-counter medication if the employee does not pose a threat to his/her own safety or the safety of coworkers and if the employee's job performance is not significantly affected by the medication. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate action determined by the Safety Service Director or designee.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of the Drug Free Workplace policy to misuse and/or abuse prescription medications. The illegal or unauthorized use of prescription drugs which takes place in whole or in part in the workplace will result in termination from employment.

No prescription drug will be brought on Employer premises or to the workplace by any person other than the one for whom it is prescribed, or a member of the employee's immediate family unless extenuating circumstances exist where the employee immediately needs the medication and an immediate family member is unavailable. When an employee has a need for a prescription drug on Employer premises and/or in the workplace, that employee shall notify the employee's immediate supervisor of such need prior to the prescription drug being brought onto Employer premises or into the workplace. Such drugs shall be used only in the manner, combination, and quantity prescribed. Under no circumstances shall marijuana, whether or not prescribed, be brought onto employer premises or into the workplace.

8. Notification of Drug-Related Work Restrictions: Any person using any drug or medication which is known or advertised as possibly affecting or impairing judgment or coordination; causing dizziness or drowsiness; or which may adversely affect the employee's ability to perform work in a safe and productive manner; shall notify his/her immediate supervisor of such usage and restrictions before beginning work.

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**SECTION 7.06
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Such notification shall include the name(s) of all drugs being taken, the prescribed dosage of each drug, and any warnings or restrictions associated with such drugs that may affect the employee's ability to think clearly and/or perform his/her work duties in a safe and efficient manner.

9. Notification of Conviction: Any employee convicted of any federal, state, or municipal criminal drug statute must notify the Safety Service Director of such fact within five (5) calendar days of the conviction.

10. Employer Action: If, after receiving the notice of conviction from an employee, the Safety Service Director concludes that the employee has violated the City of Celina's Drug Free Workplace Policy, the employee will be terminated from employment.

If an employee's licensure has been revoked due to a conviction, sentence, and/or court order and such licensure is required to perform the essential functions of the employee's position, the employee will be terminated from employment.

11. Failure to Report: Any employee who fails to report a drug-related conviction shall be:
 - a. terminated from employment;
 - b. forever barred from future employment with the City of Celina; and
 - c. held civilly liable for any loss of federal funds resulting from the failure to report the conviction.

B. Reasonable Suspicion Testing:

1. Drug and alcohol testing may be conducted on employees when the Employer has reasonable suspicion of drug or alcohol use. Reasonable suspicion that an employee used or is using a controlled substance or alcohol in an unlawful or abusive manner may be based upon, but not limited to:
 - a. Observable phenomena, such as direct observation of use, possession, or distribution of alcohol, a controlled substance, or marijuana, or of the physical symptoms of being under the influence of alcohol, a controlled substance, or marijuana, such as but not limited to slurred speech, dilated pupils, odor of alcohol, a controlled substance, or marijuana, changes in affect, or dynamic mood swings;
 - b. A pattern of abnormal conduct, erratic or aberrant behavior, or deteriorating work performance such as frequent absenteeism, excessive tardiness, or recurrent accidents, that appears to be related to the use of alcohol, a

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- controlled substance, or marijuana, and does not appear to be attributable to other factors;
- c. Arrest or conviction for a drug or alcohol related offense, or the identification of an employee as the focus of a criminal investigation into unauthorized possession, use, or trafficking of a controlled substance or marijuana;
 - d. Information regarding use of alcohol, a controlled substance, or marijuana provided by reliable and credible sources or independently corroborated;
 - e. Repeated or flagrant violations of the safety or work rules of the Employer, that are determined by the employee's supervisor to pose a substantial risk of physical injury or property damage and that appear to be related to the use of alcohol, a controlled substance, or marijuana and that do not appear attributable to other factors;
 - f. Facts or circumstances developed in the course of an authorized investigation of an accident or unsafe working practice.
2. In the case where the City has reasonable suspicion to believe that the employee has violated the alcohol or controlled substances prohibitions stated in this policy, the following procedure will be followed:
- a. Law enforcement officer shall be required to observe and document the employee's conduct leading to or disproving reasonable suspicion by completing the "Observed Behavior — Reasonable Cause Record" located in Section 9 of this manual. If possible, witnesses shall also complete a signed statement documenting the employee's conduct. The written record detailing the observations leading to a reasonable suspicion test shall be completed as soon as possible.
 - b. Any employee who has been ordered to undergo a drug and alcohol test shall be accompanied to the testing site by their supervisor or designee.
 - c. A refusal to comply with the drug and alcohol testing will constitute insubordination and a presumption of impairment, and shall result in discharge.
3. Testing Protocol and Procedure: The testing procedure shall be as designated by the laboratory, medical facility, or collection site conducting the test.
- a. Specimen Collection and Testing Procedure: Testing will be conducted by trained collection personnel who meet quality assurance and chain of custody requirements for urine collection and breath alcohol testing. Confidentiality

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- is required from all labs. Any individual subject to testing under this policy shall be permitted to provide urine specimens in private, but subject to strict scrutiny by collection personnel so as to avoid any alteration or substitution of the specimen. Collection personnel may use such procedures as deemed necessary to ensure the proper collection of samples to be tested, including but not limited to, specimen temperature measurement, urine adulteration testing, and, if deemed necessary, observed urine specimen collection by a same-sex observer. Collected specimens will be sealed in appropriate containers following chain of custody requirements.
- b. Urine will initially be screened for the presence of drugs. Should the initial test demonstrate the presence of any drugs at or above the screening cutoff levels listed below, then a confirmatory test will be performed. The substances that may be tested for are: Amphetamines, Cannabinoids (THC), Cocaine, Opioids, Phencyclidine (PCP), Barbiturates, Benzodiazepines, Methaqualone, Methadone, and Propoxyphene.
 - c. CDL Positions: All testing for CDL positions will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines and will be carried out by collection sites working in conjunction with Health and Human Services (HHS) certified laboratories.
 - d. Alcohol Testing: Alcohol testing will be performed using a breath test conducted by a trained officer or breath alcohol technician.
 - e. Test Review Results: Drug test results will be reported by the testing laboratory to a medical review officer (MRO). The MRO will contact the employee to determine whether there are any valid reasons for the presence of the substances for which the employee has tested positive. The MRO will notify the authorized employer's representative of any result he/she determines is positive for the improper use of controlled substances.
4. For reasonable suspicion testing, the Safety Service Director or designee shall inform the employee that he/she is immediately relieved of duty with pay, pending the results of the drug and alcohol test. The supervisor shall accompany the employee home or ensure that a family member or friend accompanies the employee home. The supervisor will document the date and time the employee was brought home or released to a family member or friend.
 5. The Safety Service Director or designee is required to notify the employee if the controlled substance test results were positive and which substances actually tested positive.

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If the test results are positive, the employee may request, at the employee's expense, that a confirming test be conducted according to the laboratory's established procedures.

6. A positive test shall result in discharge.

C. Reasonable Suspicion Searches: City of Celina equipment such as desks, filing cabinets, files, and other property remain the property of the City. If the Safety Service Director has reason to believe that City property is being used for alcohol or illegal drug use, sale, distribution, possession, or manufacture such property may be subject to Employer-initiated searches at any time and without notice. See Section 6.10 of this manual, No Employee Expectation of Privacy.

If the Safety Service Director has reason to believe that an employee is involved in the use, sale, distribution, possession, or manufacture of alcohol or illegal drugs or if the employee was involved in an on-the-job accident or injury, the Safety Service Director may contact city police and request a search of the employee and his/her possessions including the employee's vehicle as appropriate.

D. Post Accident Testing: As soon as practicable following:

1. An employee working in a safety-sensitive position may be tested for drugs and/or alcohol as soon as practicable following an accident.
2. Post accident testing for an employee not working in a safety-sensitive position will occur as soon as practicable following:
 - a. An accident in which a fatality has occurred; or
 - b. When the City has reasonable suspicion to believe that the employee has violated the alcohol or controlled substances prohibitions stated in this policy.
3. The Employer shall cease attempts to collect a sample from the employee for the test after eight (8) hours following the accident for alcohol and after thirty-two (32) hours for controlled substances.

E. Random Testing: Only employees who perform safety sensitive job duties will be subject to random testing.

CDL Positions: In accordance with 49 CFR 382.305, each year, a minimum of ten percent (10%) of the average number of CDL license holder positions shall be subject to random alcohol testing and fifty percent (50%) shall be subject to random drug testing. The

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DRUG FREE WORKPLACE

SECTION 7.06

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percentage tested may vary according to the percentage determined by the Federal Motor Carrier Safety Administration (FMCSA) pursuant to 49 CFR 382.305.

- F. Duty to Undergo Tests: Whenever ordered to do so, an employee must report for testing in the manner and at the time and place designated by the Employer. Failure to do so will result in immediate termination.

At the testing facility, the employee must cooperate fully with those conducting the test. Failure to do so will result in immediate termination.

If, after three (3) hours following the employee's arrival at the testing location, the employee fails to produce a testable specimen, the employee shall submit to a medical examination by a physician with expertise in the medical issues raised. Such physician shall be selected by the Employer. The Employer will request a report from the physician to determine if there is an acceptable medical reason for not being able to provide a specimen. If it is determined that there is no legitimate physiological or preexisting psychological reason for not providing a urine specimen, it will be considered a refusal to test and the employee shall be terminated from employment.

Pursuant to H.B. 223, an employee who refuses a drug or alcohol test or tests positive for drugs or alcohol may be ineligible for any applicable benefits from the Bureau of Workers' Compensation (BWC).

- G. Reporting and Recordkeeping: The Safety Service Director will be responsible for maintaining all records and reports concerning the employer's substance abuse testing program. The Safety Service Director will also be responsible for statistical recordkeeping and report, both internally and externally, as the Bureau of Workers' Compensation or other regulating agencies may require.

All records, test results, communications, and reports regarding the Employer's Drug Free Workplace policy shall be forwarded to the Safety Service Director to ensure confidentiality of recordkeeping. No manager, supervisor, or employee will provide any employee-specific information concerning this program to any unauthorized third party.

- H. Training for Supervisors of CDL Positions: In accordance with 49 CFR 382.603, all supervisors that are designated to supervise CDL drivers must also undergo a one-time two (2) hour training requirement. The training, at minimum, must include at least 60 minutes of alcohol misuse training and 60 minutes of controlled substance use training, which enables supervisors to recognize signs of drug and alcohol use.

REFERENCE: O.R.C. 3796.28; O.R.C. 4123.54; 41 USC 812; 49 CFR 382.603; 49 CFR Part 40.

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GAMBLING

SECTION 7.07

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The Employer does not permit gambling in any form by employees during workdays or on the Employer's premises. Gambling is defined as playing a game of chance or wagering money on the outcome of a game, contest, or other event. For the purpose of this policy, the workday includes regular working hours, lunch periods, clean-up time, and other breaks. Violation of this policy shall result in termination of the employee's employment. (See Section 8.04, Guidelines for Disciplinary Action and Penalties).

REFERENCE: O.R.C. 124.34; Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.

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GARNISHMENTS

SECTION 7.08

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- A. A court ordered legal claim against the wages of an employee by a creditor for nonpayment of a debt and served by the constituted legal authority is a garnishment and must be recognized and executed by the City Auditor and the Employer. Repeated garnishments on the wages of an employee shall result in disciplinary action if the employee fails to demonstrate a reasonable effort to resolve his/her financial problems.
- B. When a garnishment is received for an employee, the following procedure of notification will apply:
1. The Human Resources Coordinator will determine whether or not the employee has had previous garnishment of wages.
 2. The Human Resources Coordinator will notify the Appointing Authority.
 3. The Appointing Authority will schedule a conference with the employee and the employee's supervisor to discuss the garnishment.
- C. If the garnishment is the first received for an employee, the following procedure will apply:
1. The employee will be informed by the Appointing Authority of the consequences of further garnishments.
 2. Referral to an appropriate agency will be made by the Appointing Authority in order to assist the employee in working out the employee's financial difficulties.
- D. If the garnishment is the second received for an employee:
1. A meeting will be arranged between the employee and the Appointing Authority.
 2. Depending on the circumstances, the employee may be subject to disciplinary action.

REFERENCE: O.R.C. 124.34; Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.

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POLITICAL ACTIVITY

SECTION 7.09

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- A. City employees in the classified service shall not take an active part in political campaigns which involve candidates for any City of Celina offices, other than to cast a vote in an election or to express privately their views and opinions as a citizen. Political activities in regard to state and national offices are not prohibited, but such activities must be confined to non-working hours and shall not take place on City property.

Employees of the City are to serve all City residents equally. The political opinions or affiliations of any resident shall in no way affect the amount or quality of service received from the City.

Certain specific political activities are legally permitted or prohibited to all classified City employees, including classified employees on authorized leave of absence from their positions. Unclassified employees are substantially less restricted, except those unclassified employees subject to Federal Merit Standards. Employees who are subject to Federal Merit Standards are generally those paid with federal funds distributed directly or by the State of Ohio.

All employees are encouraged to exercise their constitutional right to vote. References in this policy to politics and political activity refer to partisan activities, campaigns, and elections involving primaries, partisan ballots, or partisan candidates. The following are examples, but the lists are not necessarily all-inclusive.

- B. Activities Prohibited to All Employees (including Unclassified Employees Not Subject to Federal Merit Standards).
1. Soliciting a contribution from any person while the soliciting employee is performing his or her official duties.
 2. Soliciting a contribution while the soliciting employee is in those areas of a public building where official business is transacted or conducted.
 3. Soliciting a contribution from a public employee while that employee is performing his or her official duties.
 4. Soliciting a contribution from a public employee while that employee is in those areas of a public building where public business is transacted.
 5. Coercing, intimidating, or causing harm to another person or threatening to do so, because that person makes or does not make a contribution to a candidate, campaign committee, political party, legislative campaign fund, or political action committee.
 6. Knowingly soliciting a contribution at the direction of or with the authorization of a City elected officer or his or her campaign committee from:

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POLITICAL ACTIVITY

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- a. A City employee whose Appointing Authority is the City elected officer;
 - b. A City employee whose Appointing Authority is authorized or required by law to be appointed by the City elected officer;
 - c. A City employee who functions in or is employed in or by the same public agency, department, division, or office as the City elected officer.
7. Knowingly soliciting a contribution at the direction of or with authorization of a candidate for City elected office or his or her campaign committee from:
- a. A City employee whose Appointing Authority will be the candidate, if elected;
 - b. A City employee whose Appointing Authority will be appointed by the candidate, if elected;
 - c. A City employee who will function in or be employed in or by the same public agency, department, division, or office as the candidate, if elected.
- C. Activities Permitted to Classified Employees and Unclassified Employees Subject to Federal Merit Standards.
1. Registering and voting.
 2. Expressing opinions, either orally or in writing, but not political campaigning.
 3. Voluntarily financially contributing to political candidates or organizations.
 4. Circulating nonpartisan petitions or petitions stating views on legislation.
 5. Attending political rallies. Employees may attend political rallies that are open to the general public.
 6. Signing nominating petitions in support of individuals.
 7. Displaying political pictures in the employee's home(s) or on the employee's property.
 8. Wearing political badges or buttons or displaying political stickers on their private vehicles.
 9. Participating as a precinct election official under Section 3501.22 of the Ohio Revised Code.

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POLITICAL ACTIVITY

**SECTION 7.09
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D. Activities Prohibited to Classified Employees and Unclassified Employees Subject to Federal Merit Standards.

1. Participating as a candidate for public office in a partisan election or 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.
2. Filing petitions meeting statutory requirements for partisan candidacy to elective office.
3. Circulating official nominating petitions for any candidate participating in a partisan election.
4. Holding an elected or appointed office in any partisan political organizations.
5. Accepting party-sponsored appointment to any office normally filled by partisan election.
6. Campaigning by writing for publications, by distributing political material or by making speeches on behalf of a candidate for partisan elective office.
7. Soliciting, either directly or indirectly, any assessment, contribution, or subscription either monetary or in-kind for any political party or political candidate.
8. Soliciting the sale of, or selling, political party tickets, materials, or other political matter.
9. Engaging in partisan activities at the election, such as soliciting votes, or transporting or helping get out the voters on election day.
10. Engaging in political caucuses of a partisan nature.
11. Participating in a political action committee which supports partisan activity.

E. Engaging in unauthorized political activity shall result in termination of the employee's employment. (See Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties).

REFERENCE: 42 USC 4701; O.R.C. 124.57; Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.

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CONFIDENTIAL INFORMATION

SECTION 7.10

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- A. In the course of working at the City of Celina, employees and volunteers will have access to confidential information. Personal, financial, and business information is considered confidential. The City adopts this policy to help protect employees, customers, contractors, and the City from consequences associated with the loss or misuse of confidential information. All employees and volunteers must respect the confidentiality of information by not revealing it unless it is necessary to do so in the performance of job duties. Employees shall sign a Confidentiality Statement (see Section 9 of this manual, Forms) upon beginning employment, to be placed in the employee's personnel file.
- B. It is the responsibility of all employees and volunteers to keep confidential all information accessed through all forms of communication including:
1. Computerized data system;
 2. Hard copy records and reports;
 3. Client contact;
 4. Observation;
 5. Faxing;
 6. Electronic mail;
 7. Verbal communication;
 8. Employee pay records.
- C. Any access by an employee or volunteer of confidential information, either through the computerized system or in hard copy, will only be for legitimate business purposes when the individual has a legal need to know.
- D. Access to computerized data systems will be controlled by individual user security access codes. Employees shall not attempt to access any data which they have not been authorized to view.
- E. Every precaution must be taken by all employees and volunteers to protect confidential information when in the form of hard copy records or reports. These precautions include but are not limited to shredding, disposing of paper into locked recycling bins, locking filing cabinets, limiting physical access to offices during nonbusiness hours, personally delivering confidential information, or sending information through interoffice mail only in a sealed envelope labeled "Confidential".

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F. Identity Theft Protection:

1. Personal identifying information is a form of confidential information that includes, but is not limited to, the following: the name, address, telephone number, driver's license, driver's license number, commercial driver's license, commercial driver's license number, state identification card, state identification card number, social security card, social security number, birth certificate, place of employment, employee identification number, mother's maiden name, demand deposit account number, savings account number, money market account number, mutual fund account number, other financial account number, personal identification number, password, or credit card number of a living or deceased individual.
2. No employee, without the express or implied consent of the other person, shall use, obtain, or possess any personal identifying information of another person with intent to do either of the following:
 - a. Hold the person out to be the other person;
 - b. Represent the other person's personal identifying information as the employee's own personal identifying information.
 - c. Create, obtain, possess, or use the personal identifying information of any person with the intent to aid or assist another person to carry out a or b of this subsection D2.
3. No employee who is permitted to use another person's personal identifying information shall use, obtain, or possess the other person's personal identifying information with intent to defraud any person by doing any act identified in subsection D2 a or b of this section.
4. Each employee and contractor performing work for the City will comply with the following policies:
 - a. Internally, personal identifying information may be transmitted using approved City e-mail. All sensitive information must be encrypted when stored in an electronic format.
 - b. Any personal identifying information sent externally must be encrypted and password protected and only to approved recipients. Additionally, a statement such as this should be included in the e-mail:

“This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited”.

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CONFIDENTIAL INFORMATION

**SECTION 7.10
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5. All employees have a duty to identify and report any suspected fraudulent activity by another employee, customer, contractor, or vendor. Once potentially fraudulent activity is detected, an employee shall:
 - a. Gather all related documentation and write a description of the situation. Present this information to the Department Head.
 - b. The Department Head will notify the Appointing Authority and the Appointing Authority or designee will determine whether the attempted transaction was fraudulent or authentic.
 - c. If a transaction is determined to be fraudulent one or more of the following actions will be taken:
 - (1). The transaction will be canceled;
 - (2). The appropriate law enforcement agency will be notified;
 - (3). The City's Law Director will be contacted; and
 - (4). The actual customer whose identity may have been compromised will be notified that a fraud has been attempted.
- G. Misusing, removing, or revealing documents or information of a confidential nature without prior and appropriate authorization shall result in termination of employment. (See Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties).

REFERENCE: O.R.C. 149.43; O.R.C. 2913.49; Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties; Section 9 of this manual, Forms.

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TOBACCO FREE

**SECTION 7.11
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- A. In light of the Surgeon General’s and Environmental Protection Agency’s determinations that the inhaling of secondary smoke may be hazardous to one’s health and in compliance with O.R.C. 3791.031, and for the safety of the Employer’s premises, the use of any tobacco products is hereby prohibited in all buildings, facilities, and vehicles owned, leased, or under the control of the Employer including, but not limited to, all office space, stairwells, conference rooms, lobbies, hallways, public waiting rooms, restrooms, mechanical areas, storage areas, and at any outside worksite.
- B. Smoking is also prohibited at or near any location where there exists a danger of fire or explosion.
- C. Tobacco use is prohibited in any area immediately adjacent to locations of ingress or egress to the City buildings, or in any area at which smoke may enter the City buildings through entrances, windows, ventilation systems, or other means.
- D. The use of any tobacco product including, but not limited to smoking tobacco, smokeless tobacco, chewing tobacco, snuff, and dissolvable tobacco products is prohibited in any area, regardless of its nature, which has been designated by the Employer as a no smoking area.
- E. Any activity, which will lead to violation of the terms and provisions of Section 3794.01 through 3794.09 of the Ohio Revised Code, any successor of or amendment to the same, or any regulations properly adopted pursuant thereto, is prohibited.
- F. Employees, who choose to smoke or use any other tobacco products including, but not limited to, smokeless tobacco, chewing tobacco, snuff, or dissolvable tobacco products during working hours, shall do so in a manner consistent with this policy, and they shall not be entitled to any additional breaks or to take their breaks at different intervals in order to smoke.
- G. Where the word, “smoking”, is used, it is intended to include the use of e-cigarettes, “vaping”, and other forms of inhalation of nicotine resulting in the expulsion of smoke, water vapor, etc. The Safety Service Director retains ultimate discretion as to what constitutes, “smoking”.
- H. Violation of this policy will result in discipline of the violating employee (see Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties).

REFERENCE: O.R.C. 3791.031; O.R.C. 3794.01 through 3794.09; Section 8.04 of this manual, Guidelines for Disciplinary Action and Penalties.

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USE OF ELECTRONIC RECORDING EQUIPMENT

**SECTION 7.12
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- A. To safeguard confidential information, to eliminate the unauthorized creation of public records, to eliminate self-help to public records, to eliminate violations of Revised Code 2933.52, to safeguard HIPAA protected information, and to reduce opportunities for illegal harassment, the Employer regulates the use of electronic equipment used to capture images such as camera phones, camera PDAs, video equipment, cameras, handheld scanners, flash drives, and any other device capable of capturing or storing an image. The Employer also regulates the use of any device capable of making an audio recording.
- B. No employee shall record any conversation, including, but not limited to, any meeting, hearing, or appeal involving the Employer or a representative of the Employer without the advance written permission of the Safety Service Director.
- C. Employees are prohibited from using any recording function of a device capable of recording images or audio recordings while on the Employer's premises or at any location where Employer work activities are being conducted, without prior approval from the Appointing Authority. These types of devices are prohibited even when not in use in areas where personal privacy is generally acknowledged, including dressing rooms, bathrooms, etc.
- D. Employees are forbidden from creating or transmitting offensive, harassing, vulgar, obscene, or threatening images or communications to any other employee or member of the public regardless of whether the employee is on or off duty. Electronic equipment may not be used to defame, embarrass, or disparage the Employer, employees, members of the public, visitors, or vendors.
- E. Employees are prohibited from capturing images of any accident or crime scene except as required in the performance of their job responsibilities. Employees are further prohibited from sharing such images obtained in the performance of their job responsibilities with anyone except as required in order for the employee to carry out his/her job duties.
- F. Privileged or confidential materials or communications are not to be photocopied, scanned, photographed, or otherwise copied or recorded except as authorized by the department head. Any unauthorized recording of any type is strictly prohibited.
- G. Use of electronic recording equipment (City equipment or equipment owned or leased by the employee) while at work or for work-related business constitutes consent for the City to access the electronic device to inspect and copy data to meet the needs of the City, which may include litigation, public records retention and release requirements and internal investigations.
- H. Any employee who has a question regarding the use of electronic recording devices capable of making audio or visual recordings should request clarification of the Employer's policy before risking a possible violation. Employees are to immediately report any violations of this policy to their department head. Any employee violation of this policy will be terminated from employment.

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REFERENCE: O.R.C. 124.34; Section 8.04, Guidelines for Disciplinary Action and Penalties.

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**SECTION 8
EMPLOYEE DISCIPLINE, APPEALS, AND COMPLAINTS**

- 8.01 Disciplinary Principles
- 8.02 Progressive Discipline
- 8.03 Predisciplinary Conference — Classified Employees
- 8.04 Guidelines for Disciplinary Action and Penalties
- 8.05 Conviction of a Felony
- 8.06 Complaint Procedure
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DISCIPLINARY PRINCIPLES

**SECTION 8.01
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- A. The City of Celina Appointing Authority believes a clearly written discipline policy will serve to promote fairness and equality in the workplace, and will minimize potential misunderstandings among employees in disciplinary matters. The basic guidelines, set forth below, must consistently be applied in order to effectively and fairly correct unsatisfactory job behavior. The following general guidelines shall govern the discipline of employees:
1. Employees shall be advised of expected job behavior, the types of conduct that the Employer has determined to be unacceptable, and the normal penalties for such unacceptable behavior. Of course, some infractions will warrant discipline or discharge even without a specific rule violation.
 2. Immediate attention will be given to policy infractions unless special circumstances warrant further investigation or delay.
 3. Discipline will be applied uniformly and consistently. Any deviations from standard procedure shall be clearly justified and documented.
 4. Each offense will be dealt with as objectively as possible.
 5. Discipline shall usually be progressive, but depending on the severity of the offense, may proceed immediately to suspension or termination.
 6. An employee's immediate supervisor and all other supervisors up to and including the Appointing Authority are responsible for administering discipline.
- B. The tenure of City employees shall be based on reasonable standards of job performance and personal and professional conduct.
- C. Any appointment to a position in the classified service which is specified as emergency, seasonal, or temporary shall be considered non-permanent and shall be only for the duration specified at the time of appointment. Non-permanent employees may be terminated at any time at the discretion of the Appointing Authority.
- D. The discipline of documented verbal warnings, written reprimands, and suspensions of less than 24 hours are not appealable.

REFERENCE: O.R.C. 124.34.

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PROGRESSIVE DISCIPLINE

SECTION 8.02

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- A. The City of Celina has adopted this discipline policy as a guide for the uniform administration of discipline. It is not, however, to be construed as a delegation of, or a limitation upon, the Employer's right to impose a different level of discipline when the circumstances warrant or when the infraction involves an at will employee.
- B. This policy provides general guidelines for specific offenses, however, the examples of specific offenses given in any grouping are not all inclusive, and serve merely as a non-binding guide.
- C. The guidelines for discipline provided in this policy do not preclude the application of a more or less severe penalty for any infractions when specific circumstances warrant such deviation.
- D. All active records of discipline shall be maintained in the employee's personnel file. Working suspensions have the same effect as suspensions from work without pay for purposes of recording disciplinary actions and demonstrating progressive discipline.
- E. The Appointing Authority may issue a fine or working suspension under certain circumstances, for example, to impose discipline when the Appointing Authority is understaffed. However, the Appointing Authority should use fines sparingly and not in a manner that would cause a non-exempt (hourly) employee to be paid less than minimum wage under the FLSA. All records of discipline shall be maintained in the employee's personnel file.
- F. The purpose of disciplinary action is to correct misconduct and encourage improved performance or behavior, except where the employee is removed. To that end, an employee may request, and the Employer may agree, to remove a disciplinary action from an employee's general personnel file after two (2) years when the employee has shown marked improvement. The record of discipline will be kept in a separate "dead" file for at least seven (7) years or for the period of time designated in the City's public record retention schedule, whichever is longer. The Employer is required by the Ohio Civil Rights Commission to maintain such records.
- G. Supervisors may recommend and/or the department head may issue verbal warnings and written reprimands. The Appointing Authority may also issue verbal warnings and written reprimands. Forms for issuing discipline are included in this manual (see Section 9 of this manual, Forms). These forms should, in each case of discipline, be completed and signed by the department head, delivered to the employee, and signed by the employee. The completed form shall be placed in the employee's personnel file.
- H. Only the Appointing Authority has the authority to reduce in classification or pay, fine, suspend, or terminate an employee. Prior to such discipline, a predisciplinary conference must be held if it involves a classified employee. (See Section 8.03 of this manual, Predisciplinary Conference-Classified Employees).

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PROGRESSIVE DISCIPLINE

SECTION 8.02

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- I. Reduction in classification or pay, suspension, fine, or removal of an unclassified employee may be executed at the discretion of the Appointing Authority. A written notice shall be provided to the employee. While a predisciplinary conference is not legally required for unclassified employees, it is recommended that the Appointing Authority meet with the employee to provide the employee with an opportunity to respond regarding the alleged infraction, prior to reducing, suspending, fining, or removing the employee from public service.

- J. In any case of reduction, suspension of more than 40 work hours for an overtime-exempt employee or more than 24 work hours for an employee required to be paid overtime, fine of more than 40 hours pay for an overtime-exempt employee or more than 24 hours pay for an employee required to be paid overtime, or removal, the Appointing Authority shall serve the affected employee with a copy of the order of reduction, suspension, fine, and/or removal. Such order shall state the reason(s) therefore. Probationary employees who are removed or reduced must be notified, but need not be served an “order”.

- K. An Appointing Authority may place an employee on administrative leave with pay, but only in circumstances where the health or safety of an employee or of any person or property entrusted to the employee’s care could be adversely affected. The length of the leave shall not exceed the length of the situation for which the leave is granted. For example, in a disciplinary situation such leave might extend until the Appointing Authority completes the predisciplinary process, investigates the alleged infraction, and takes action or decides not to do so. Compensation for administrative leave shall be equal to the employee’s base rate of pay.

REFERENCE: O.R.C. 124.34; O.R.C. 124.388; Section 9 of this manual, Forms.

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PREDISCIPLINARY CONFERENCE – CLASSIFIED EMPLOYEES

SECTION 8.03

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- A. Generally: Whenever the Employer or designee determines a classified employee may have committed an offense which could result in a suspension, fine, reduction, or removal, the employee will be notified of the allegations and a predisciplinary conference will be scheduled to give the employee an opportunity to offer an explanation of the alleged misconduct. It is not necessary to conduct a predisciplinary conference for a verbal warning or written reprimand.
- B. Hearing Officer: Predisciplinary conferences will be conducted by a hearing officer. The hearing officer may be the Appointing Authority or any person the Appointing Authority selects to serve in such capacity.
- C. Notice: Not less than 24 hours prior to the scheduled starting time of the conference, the Appointing Authority or designee will provide the employee with a written outline of the charges which may be the basis for disciplinary action (Notice of Predisciplinary Conference). The written allegations should indicate in sufficient detail the behavior or conduct which is the basis for the belief that discipline is necessary. In response, the employee must sign an acknowledgment of the notice and must:
1. appear at the conference, with or without representative, to present an oral or written statement in the employee's defense and answer questions regarding the alleged misconduct; or
 2. elect in writing to waive the predisciplinary conference (Waiver of Predisciplinary Conference).
- D. If the allegations involve potential criminal charges as well as employment misconduct, the Employer should confer with the City Law Director prior to questioning the employee or scheduling a predisciplinary conference.
- E. The employee will be notified by the Appointing Authority or designee of the time, location, and person who will conduct the conference. At the predisciplinary conference, the hearing officer conducting the conference will recite the allegations. The employee will be provided a description of the evidence that is the basis of the allegations.
- F. Testimony: The hearing officer will ask the employee to respond to the allegations of misconduct which were outlined to the employee. If it is later proven that the employee's statements were not truthful, such dishonesty shall result in further disciplinary action.
- G. Witnesses: At the conference, the employee may present any testimony, witness, or documents which explain whether or not the alleged misconduct occurred. The employee shall provide a list of witnesses to the hearing officer as far in advance as possible, but not later than four (4) hours prior to the predisciplinary conference. It is the employee's responsibility to notify witnesses their attendance is desired.

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PREDISCIPLINARY CONFERENCE – CLASSIFIED EMPLOYEES

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- H. Delay of Predisciplinary Conference: Upon a reasonable request and adequate advance notice from the employee, the Appointing Authority may temporarily delay the predisciplinary conference. Generally, the Employer should permit only one (1) such delay.
- I. Recording of Proceedings: At the discretion of the Appointing Authority, the predisciplinary conference may be recorded. The responding employee may also record the proceedings in a similar manner, if the Appointing Authority authorizes the employee to record proceedings.
- J. Hearing Officer Report: If the Appointing Authority is not present at the predisciplinary conference, the following shall apply:

The hearing officer shall objectively hear the case and shall prepare a written report setting forth findings of fact and concluding whether or not the alleged misconduct occurred. The hearing officer may state whether one person's explanation or evidence was more convincing and for what reason, especially when stories or evidence conflict. The hearing officer shall not recommend discipline. A copy of the hearing officer's report will be provided to the employee and the Appointing Authority within five (5) working days following its preparation. The Appointing Authority will decide what discipline, if any, is appropriate, and may agree or disagree with the hearing officer's conclusions.

- K. The hearing officer shall determine when the conference is concluded and will adjourn the meeting. The hearing officer may also independently investigate facts alleged by the responding employee or the employee's witnesses, may limit the number of witnesses, and may reconvene the conference if necessary to get additional information or to allow the employee an opportunity to respond further or to respond to new matters. For example, if the employee provides an explanation that involves facts previously unknown to the Employer, the hearing officer may continue the hearing to allow the Employer time to investigate. As another example, if the employee or a witness provides information which indicates the employee may have committed additional infractions, the hearing officer may continue the conference to allow the Employer time to investigate or to allow the Employer to issue a revised notice before concluding the predisciplinary conference. This is proper procedure provided no discipline is issued prior to reconvening the predisciplinary conference and the employee has not already been disciplined for the same offense.
- L. Administrative Leave: When the Appointing Authority determines it is necessary to temporarily remove an employee from the workplace to protect the health or safety of the employee, other employees, or of any person or property entrusted to the employee's care, the Appointing Authority may immediately authorize an administrative leave of absence with pay. Such leave shall normally last only until the investigation, predisciplinary hearing, and/or other corrective action is completed.
- M. Within a reasonable time following receipt of the report, the Appointing Authority shall determine what discipline, if any, is warranted based upon the facts presented.

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PREDISCIPLINARY CONFERENCE – CLASSIFIED EMPLOYEES

SECTION 8.03

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N. If discipline is warranted, the Appointing Authority shall determine the severity of the discipline using the policies herein as a guideline.

REFERENCE: Loudermill vs. Cleveland Board of Education. 3 IER Cases (CAG) 142 (1988).

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- A. O.R.C. Section 124.34 sets out the forms of misconduct which are the legal basis for reduction, suspension, fine, or removal of a classified employee. Those forms of misconduct are:
1. Neglect of duty;
 2. Incompetency;
 3. Inefficiency;
 4. Dishonesty;
 5. Drunkenness;
 6. Immoral conduct;
 7. Insubordination;
 8. Discourteous treatment of the public;
 9. Any other failure of good behavior;
 10. Any other acts of misfeasance, malfeasance, or nonfeasance; or
 11. Any violation of Civil Service rules; or
 12. Any violation of employer policies or work rules.
- B. The offenses set forth in Groups I, II, and III below are non-inclusive examples of the above forms of misconduct and guidelines for determining the appropriate level of discipline for classified employees. The same groups of offenses shall be applicable to bargaining unit employees who have waived bargaining civil service through their collective bargaining Agreement.
- C. Unclassified employees shall also be prohibited from committing those offenses listed herein. However, classified employees shall not be governed by the progressive discipline procedure.
- D. 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 productivity, efficiency and/or morale. Group I Offenses, if left undisciplined by proper authority, will usually cause only a temporary impact against the organization unless such acts are compounded over time.
- E. Group II Offenses may be defined as those infractions which are of a more serious nature than the 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 II Offenses, if left undisciplined by proper authority, can cause a more serious and longer lasting impact against the organization than the Group I Offenses.
- F. Group III Offenses may be defined as those infractions which are of a very serious or possibly a criminal nature and/or which cause a critical disruption to the organization in terms of decreased productivity, efficiency and/or morale. Group III Offenses, if left undisciplined by proper authority, may have a long lasting and serious adverse impact on the organization.

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G. THIS DISCIPLINE POLICY IS A GENERAL GUIDELINE ONLY. THE FOLLOWING EXAMPLES OF SPECIFIC OFFENSES ARE NOT ALL INCLUSIVE, AND ARE NOT INTENDED TO BE BINDING ON THE EMPLOYER.

GROUP I OFFENSES

FIRST OFFENSE	Verbal warning (issue to the employee a Record of Verbal Warning)
SECOND OFFENSE	Written reprimand (issue to the employee a Record of Written Reprimand)
THIRD OFFENSE	A working suspension of up to 24 hours; a fine not to exceed 24 hours pay; or a suspension without pay of up to 24 hours;
FOURTH OFFENSE	Five (5) to 15 day working suspension or suspension without pay; or a fine up to five (5) days pay (issue to the employee an Order of Removal, Suspension, or Reduction);
FIFTH OFFENSE	Termination of employment (issue to the employee an Order of Removal, Suspension, or Reduction)

Following are examples of Group I Offenses. Following each offense in parentheses are examples of the various charges of misconduct which may be applicable under Civil Service Rules and Regulations (O.R.C. 124.34).

1. Failure to properly and completely clock/sign in or out (inefficiency, neglect of duty, or failure of good behavior).
2. Failure to properly “report off” work for any absence or failure to timely notify the proper party of absence (neglect of duty, failure of good behavior, or nonfeasance).
3. Leaving a post of continuous operations prior to being relieved by employee of incoming shift (neglect of duty or failure of good behavior).
4. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping (inefficiency, neglect of duty, or failure of good behavior).
5. Failure to observe official safety rules or common safety practices (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
6. Failure to report accidents, injuries, or equipment damage (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).

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7. Discourteous treatment of the public (discourteous treatment of public or failure of good behavior).
8. Inattention to the needs of the public (discourteous treatment of public or failure of good behavior).
9. Distracting the attention of others, unnecessary shouting, use of profane, or other inappropriate language, misuse of two-way radios, or otherwise causing disruptions on the job (inefficiency, neglect of duty, or failure of good behavior).
10. Malicious mischief, horseplay, wrestling, or other undesirable or potentially harmful conduct (inefficiency, immoral conduct, discourteous treatment of public, or failure of good behavior).
11. Interfering with the work performance of subordinates/other employees or causing other disruptions of the workplace (inefficiency, neglect of duty, or failure of good behavior).
12. Failure to cooperate with other employees (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
13. Neglect of or careless failure to observe Employer rules, regulations, policies, and procedures (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
14. Excessive garnishments (failure of good behavior or nonfeasance).
15. Use or possession of another employee's working equipment or property without approval (dishonesty or failure of good behavior).
16. Unauthorized use of the Employer's telephone for other than business purposes (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
17. Obligating the Employer for any minor expense, service, or performance without prior authorization (dishonesty, neglect of duty, failure of good behavior, or misfeasance).
18. Neglect of or careless failure to care for Employer property or equipment (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
19. Inefficiency (e.g., lack of application or effort on the job, unsatisfactory performance, failure to maintain required performance standards, etc.) (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
20. Neglect of, or careless failure to, prepare required reports or documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).

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21. Failure of a supervisor to administer discipline as provided herein or to otherwise enforce the rules, regulations, policies, and procedures of the Employer (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
22. Failure to commence duties at the beginning of the work shift, or leaving work prior to the end of the work shift (inefficiency, neglect of duty, or failure of good behavior).
23. Leaving the job or work area during the regular working hours without authorization (neglect of duty, failure of good behavior, or nonfeasance).
24. Making preparations to leave work without specific prior authorization before the lunch period, any official break period or specified quitting time (neglect of duty, failure of good behavior, or nonfeasance).
25. Establishing a pattern use of sick leave or other misuse or abuse of sick leave (neglect of duty, malfeasance, failure of good behavior).
26. Violating the Tobacco Free policy (failure of good behavior, neglect of duty, or violation of any policy or work rule of the employee's Appointing Authority).
27. Any violation of the Employer's policy contained in this manual or otherwise violation of any policy or work rule of the employee's Appointing Authority).

GROUP II OFFENSES

FIRST OFFENSE	A working suspension of up to 24 hours; a fine not to exceed 24 hours pay; or a one (1) to three (3) days suspension without pay of up to 24 hours.
SECOND OFFENSE	Five (5) to 15 day working suspension or suspension without pay; or a fine up to five (5) days pay (issue to the employee an Order of Removal, Suspension, or Reduction)
THIRD OFFENSE	Termination of employment (issue to the employee an Order of Removal, Suspension, or Reduction)

Following are examples of Group II Offenses. Following each offense in parentheses are examples of the various charges of misconduct which may be applicable under Civil Service Rules and Regulations (O.R.C. 124.34).

1. Disregarding job duties and neglecting work by sleeping, reading for pleasure, playing cards, viewing T.V., etc. when there are work duties to be completed (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).

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2. Reporting to work or working while unfit for duty (incompetence or failure of good behavior). This may be a Group III Offense for CDL holders.
3. Failure to report for overtime work, without proper excuse, after being scheduled to work (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
4. Willful refusal to clock/sign in or out when required (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
5. Performing private work on Employer time (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
6. Neglect or careless failure to observe official safety rules, or common safety practices (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
7. Threatening, intimidating, or coercing subordinates, other employees, or general public (inefficiency, neglect of duty, or failure of good behavior).
8. Use of abusive or offensive language or gestures toward subordinates, other employees, residents or the general public (immoral conduct, insubordination, failure of good behavior, or malfeasance).
9. The making or publishing of false, vicious or malicious statements concerning other employees, residents, the Employer, or its operations (dishonesty, failure of good behavior, or malfeasance).
10. Solicitation or distribution on Employer property in violation of the solicitation and distribution policy (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
11. Willful disregard of the Employer's rules, regulations, policies, and procedures (inefficiency, neglect of duty, failure of good behavior, misfeasance, malfeasance, or nonfeasance).
12. Negligent failure to obey a reasonable order of a supervisor or failure to carry out work assignments, including verbal instructions (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
13. Neglect or carelessness in the use of Employer property or equipment (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
14. Obligating the Employer for a major expense, service, or performance without prior authorization (dishonesty, neglect of duty, failure of good behavior, or misfeasance).
15. Unauthorized use of Employer property or equipment, including the unauthorized reproduction of this manual or the Employee Handbook (inefficiency, neglect of duty, failure of good behavior, or misfeasance).

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16. Negligent failure to report accidents, injuries, or equipment damage (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
17. A traffic violation or accident while driving an Employer vehicle which evidences neglect, recklessness, or improper operation of the vehicle by the employee (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
18. Refusing to provide testimony in court, during a public hearing (Civil Service Commission, SERB, etc.) or any other official hearing, investigation, or proceeding involving the Employer (insubordination, failure of good behavior, or nonfeasance).
19. Refusing to provide testimony or information concerning any investigation (insubordination, failure of good behavior, or nonfeasance).
20. Possession or storage of alcoholic beverages on the Employer's premises (neglect of duty, drunkenness, failure of good behavior, or malfeasance).
21. Unauthorized presence on the Employer's property (failure of good behavior or misfeasance).
22. Habitual neglect of timely completion of required reports or documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
23. Willful failure to timely complete required reports and documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
24. Unauthorized posting or removal of notices or documents on or from bulletin boards (failure of good behavior, misfeasance).
25. Unexcused absence of an employee (except when an employee is absent for three (3) or more consecutive days without leave or notification) (nonfeasance, neglect of duty, inefficiency, failure of good behavior, or violation of any policy or work rule of the employee's Appointing Authority).
26. Any violation of the Employer's policy contained in this manual or otherwise (violation of any policy or work rule of the employee's Appointing Authority).

GROUP III OFFENSES

FIRST OFFENSETermination of employment

Following are examples of Group III Offenses. Following each offense in parentheses are examples of the various charges of misconduct which may be applicable under Civil Service Rules and Regulations (O.R.C. 124.34).

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1. Wanton or willful neglect in the performance of assigned duties (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
2. Instigating, leading or participating in any walkout, strike, sit-down, stand-in, sympathy strike, call-in, slow-down, refusal to return to work at the scheduled time for a scheduled shift, or other concerted curtailment, restriction, or interference with work in or about the Employer's premises in violation of R.C. Chapter 4117 (neglect of duty, failure of good behavior, or misfeasance).
3. Refusal, without legitimate reason, to work during emergency situations or conditions (insubordination, neglect of duty, failure of good behavior, or nonfeasance).
4. Signing/clocking or altering other employees' time cards or records; altering one's own time card or record or having one's time card or record signed/clocked or altered by another, without authorization (dishonesty, failure of good behavior, or malfeasance).
5. Knowingly concealing a communicable disease (i.e., T.B., etc.) which may endanger others (neglect of duty, failure of good behavior, misfeasance, or malfeasance).
6. Carrying or possessing firearms, explosives or weapons in the work area (failure of good behavior or malfeasance), except in accordance with Section 6.16 of this manual, Concealed Weapons.
7. Willfully withholding information which threatens the safety and security of the Employer, its operations, or employees (dishonesty, failure of good behavior, misfeasance, or malfeasance).
8. Willfully demeaning, verbally abusing and/or humiliating a resident, employee, or other person (discourteous treatment of the public, neglect of duty, failure of good behavior, or malfeasance).
9. Threatening, intimidating, or physically abusing a resident, employee, or other person (malfeasance, failure of good behavior, or violation of a policy or work rule of the employee's Appointing Authority).
10. Committing an act of discrimination, sexual harassment, or engaging in conduct giving insult or offense on the basis of race, color, sex, sexual orientation or gender identity, age, religion, ancestry, national origin, veteran's or military status, genetic information, disability or known pregnancy, childbirth, or related medical condition (immoral conduct, neglect of duty, failure of good behavior, violation of a policy or work rule of the employee's Appointing Authority, or malfeasance).

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11. Fighting with, or attempting to injure a resident, employee, or other person (discourteous treatment of the public, neglect of duty, failure of good behavior, violation of a policy or work rule of the employee's Appointing Authority, or malfeasance).
12. Insubordination by refusing to perform assigned work or to comply with the written or verbal instructions of a supervisor (insubordination, neglect of duty, failure of good behavior, or nonfeasance).
13. Providing false testimony, statements, or information in any official Employer, court or administrative investigation, hearing, or proceeding (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
14. Providing false information, making a false statement, committing a fraudulent act, or withholding pertinent information in the employment application process (dishonesty, failure of good behavior, misfeasance, or malfeasance).
15. Gambling during work hours (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
16. Stealing or similar conduct, including destroying, damaging, concealing, or converting any property of the Employer or of other employees (dishonesty, failure of good behavior, or malfeasance).
17. Dishonesty or dishonest action. Examples of "dishonesty" or "dishonest actions" are: theft, pilfering, making false statements to secure an excused absence, or justify an absence or tardiness. These are examples only and do not limit the terms dishonesty and dishonest action (dishonesty or malfeasance).
18. Engaging in unauthorized political activity as provided in the Political Activity Section of this manual (failure of good behavior, malfeasance).
19. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance which takes place in whole or in part in the workplace (drunkenness, immoral conduct, neglect of duty, failure of good behavior, or malfeasance).
20. The obtaining, possession, or use of a harmful intoxicant with purpose to induce intoxication or similar physiological effects in violation of the Drug Free Workplace Policy (failure of good behavior, violation of any policy or work rule of the employee's Appointing Authority, or neglect of duty).
21. Failure to report a workplace-related drug conviction (failure of good behavior, violation of any policy or work rule of the employee's Appointing Authority, or neglect of duty).

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22. Refusal to cooperate with drug and/or alcohol testing (failure of good behavior, violation of any policy or work rule of the employee's Appointing Authority, neglect of duty, or insubordination).
23. Driving a motor vehicle on duty or Employer business without a valid, applicable operator's license (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
24. Failure to obtain, maintain, and/or report the loss of required licenses, certifications, or other qualifications of an employee's position (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
25. Conviction of any violation of law which may adversely affect the public's trust in the employee's ability to perform the duties of the employee's position (dishonesty, failure of good behavior, violation of any policy or work rule of the employee's Appointing Authority, or malfeasance).
26. Intentional misuse of Employer or other public funds (dishonesty, neglect of duty, failure of good behavior, or malfeasance).
27. Willful neglect or intentional misuse, abuse, or destruction of the property, equipment or tools of the Employer or another employee (inefficiency, neglect of duty, failure of good behavior, misfeasance, violation of a policy or work rule of the employee's Appointing Authority, or malfeasance).
28. Soliciting or accepting a gift, gratuity, bribe, or reward for the private use of the employee, or otherwise using one's position, identification, name, photograph, or title for personal gain, or otherwise violating the Employer's Code of Conduct or Ohio's ethics laws for public employees (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
29. Engaging in off-duty employment activities which the Employer has determined to be an interest or time conflict (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
30. Making false claims or misrepresentations in an attempt to obtain any benefit (dishonesty, failure of good behavior, neglect of duty, or malfeasance).
31. Misusing, removing, or revealing documents or information of a confidential nature or revealing such information without prior and appropriate authorization (dishonesty, neglect of duty, failure of good behavior, or malfeasance).
32. Misuse, removal or destruction of Employer records without prior authorization (dishonesty, neglect of duty, failure of good behavior, or malfeasance).

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33. Committing violations of official safety rules or common safety practices (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
34. Discriminatory harassment (immoral conduct, neglect of duty, failure of good behavior, violation of a policy or work rule of the employee's Appointing Authority).
35. Conviction of certain felonies (conviction of a felony while employed in the civil service).
36. Conduct unbecoming a City employee (failure of good behavior, unsatisfactory performance, dishonesty, immoral conduct, discourteous treatment of the public, neglect of duty, or malfeasance).
37. Engaging in sexual activity while on duty (immoral conduct, neglect of duty, failure of good behavior).
38. Conduct violating morality or common decency (immoral conduct, failure of good behavior, or malfeasance).
39. Willful disregard for the Employer's interest (e.g., failure of good behavior, insubordination, unsatisfactory performance, incompetency or inefficiency).
40. Refusal to submit to an examination, unexcused failure to appear for an examination, or refusal to release the results of an examination to the Employer (insubordination, failure of good behavior, neglect of duty, or violation of any policy or work rule of the employee's Appointing Authority).
41. Failure to return to work at the expiration of an authorized leave of absence without acceptable justification (neglect of duty, failure of good behavior, violation of any policy or work rule of the employee's Appointing Authority).
42. Failure to be eligible or maintain eligibility for coverage under the City's vehicle insurance policy and the employee's job duties require driving a motor vehicle (incompetency, neglect of duty, failure of good behavior, or violation of any policy or work rule of the employee's Appointing Authority).
43. Initiating or otherwise contributing to any disciplinary or other punitive action against any individual who brings to the attention of appropriate authorities, the press, or any member of the public, evidence of unauthorized use of information contained in personnel records (failure of good behavior, malfeasance, or violation of any policy or work rule of the employee's Appointing Authority).
44. Being restricted by court order from being at a location where the employee performs job duties (neglect of duty, failure of good behavior, incompetency, unsatisfactory performance, or violation of any policy or work rule of the employee's Appointing Authority).

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45. Being prohibited by court order from being within a specified distance of a resident or co-worker (neglect of duty, failure of good behavior, incompetency, unsatisfactory performance, or violation of any policy or work rule of the employee's Appointing Authority).
 46. Failure to report for work and remaining absent for three (3) or more consecutive workdays without reporting such absence (nonfeasance, neglect of duty, or violation of any policy or work rule of the employee's Appointing Authority).
 47. Unauthorized recording (failure of good behavior or violation of any policy or work rule of the employee's Appointing Authority).
 48. Unauthorized capturing of images (failure of good behavior or violation of any policy or work rule).
 49. Any violation of the Employer's policy contained in this manual or otherwise.
- H. Multiple minor policy infractions should be dealt with by following the progressive discipline procedure set forth below:
1. Multiple offenses which are unrelated are progressively disciplined in the groups in which the offenses are outlined in these guidelines; and
 2. Multiple offenses which are related are progressively disciplined regardless of the groups in which the offenses are listed and regardless of the order in which the offenses occurred.
 3. Multiple offenses which are closely related in time, even if unrelated or in different groups hereunder, may be combined to result in discipline which exceeds the severity of the total sum of the separate offenses.

REFERENCE: O.R.C. 124.34.

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CONVICTION OF A FELONY

**SECTION 8.05
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- A. Conviction of a felony is a separate basis for reducing in pay or position, suspending, or removing an employee, even if the employee has already been reduced in pay or position, suspended, or removed for the same conduct that is the basis of the felony. An employee may not appeal to the Civil Service Commission any disciplinary action taken by an Appointing Authority as a result of the employee's conviction of a felony. If an employee removed under this section is reinstated as a result of an appeal of the removal, any conviction of a felony that occurs during the pendency of the appeal is a basis for further disciplinary action under this section upon the employee's reinstatement.
- B. Any employee convicted of a felony immediately forfeits the person's status as a classified employee in any public employment on and after the date of conviction for the felony. If an employee is removed under this section as a result of being convicted of a felony or is subsequently convicted of a felony that involves the same conduct that was the basis for the removal, the employee is barred from receiving any compensation after the removal notwithstanding any modification or disaffirmance of the removal, unless the conviction for the felony is subsequently reversed or annulled.
- C. As used in this policy, "felony" means any of the following:
1. A felony that is an offense of violence as defined in Section 2901.01 of the Revised Code;
 2. A felony that is a felony drug offense as defined in Section 2925.01 of the Revised Code;
 3. A felony under the laws of this or any other state or the United States that is a crime of moral turpitude;
 4. A felony involving dishonesty, fraud, or theft;
 5. A felony that is a violation of Section 2921.05, 2921.32, or 2921.42 of the Revised Code.
- D. Any person removed for conviction of a felony is entitled to a cash payment for any accrued but unused vacation leave as authorized by City policy. If subsequently reemployed in the public sector, such person shall qualify for and accrue sick and vacation leave in the manner specified by City policy for a newly appointed employee and shall not be credited with prior public service for the purpose of receiving these forms of leave.

REFERENCE: O.R.C. 124.34; O.R.C. 2901.01; O.R.C. 2925.01; O.R.C. 2921.05; O.R.C. 2921.32; O.R.C. 2921.42.

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COMPLAINT PROCEDURE

SECTION 8.06

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- A. The City and its Appointing Authorities recognize that within any organization there will be occasional differences among employees regarding interpretations of rules or other problems stemming from conditions of employment. Whenever differences or problems arise, every attempt should be made to resolve the matter informally through normal channels. In the event a difference or problem cannot be resolved informally, an employee should put the complaint or problem in writing and give it to the immediate supervisor. To be effective this should normally be done within five (5) working days from when the problem arose. The supervisor will then attempt to resolve the matter and give the employee a written response within five (5) working days.
- B. If the problem is not satisfactorily resolved, the employee should submit the written complaint and supervisor's answer to the Department Head within five (5) working days of the immediate supervisor's reply. The Department Head will, if necessary, meet with those concerned and otherwise attempt to resolve the matter, and also provide a written response.
- C. If the problem is still not satisfactorily resolved, the employee may submit the complaint in writing to the Safety Service Director or designee within five (5) working days after receiving the Department Head's reply. The Safety Service Director or designee's response shall be in writing and shall be final.
- D. Where the complaint is one which qualifies for appeal under rules of the Civil Service Commission, the employee must appeal through the Civil Service Commission in accordance with the rules of that body.
- E. Complaints regarding discriminatory harassment should be filed in accordance with Section 2.04, Discrimination Complaint Procedure.

REFERENCE: Section 2.04, Discrimination Complaint Procedure; Civil Service Rules and Regulations.

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APPEALS OF PERSONNEL ACTIONS

SECTION 8.07

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- A. Classified Employees: Classified employees may appeal suspensions or fines of more than 24 hours, reductions in pay or classification, layoffs, job abolishment's, or terminations either through the internal complaint procedure contained in this manual or to the Civil Service Commission.

Temporary, intermittent and other employees serving in the unclassified service have no appeal rights to the Civil Service Commission. Probationary employees likewise may not appeal to the Civil Service Commission.

Disciplinary action based on conviction of a "felony" within the meaning of R.C. 124.34 may not be appealed to the Civil Service Commission.

- B. Appeals to the Civil Service Commission by classified employees must be filed within ten (10) days of the date the employee is served the disciplinary order. An appeal from a layoff or a displacement must be filed no later than ten (10) days after receipt of the notice of layoff or displacement.
- C. The Civil Service Commission maintains authority to decide whether an appeal warrants a hearing. When an appeal is heard, the Civil Service Commission may affirm, disaffirm or modify personnel actions implemented by the Appointing Authority.
- D. Bargaining unit employees may appeal personnel actions in accordance with the Grievance Procedure of the applicable collective bargaining agreement.

REFERENCE: O.R.C. 124.34.

Original Adoption Date:_____ Revision Date:_____

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

**SECTION 9
FORMS**

Acknowledgment of Employer's Information Regarding the Drug Free Workplace Act Policy
Acknowledgment of Receipt of Documents
Acknowledgment of Receipt of Personnel Policy and Procedure Manual
Acknowledgment of Receipt of Public Records Policy
Accident/Illness Report
Application for Employment
Authorization to Release Pay
Certification of Health Care Provider for Employee's Serious Health Condition
Certification of Healthcare Provider for Family Member's Serious Health Condition
Certification of Qualifying Exigency for Military Family Leave
Certification for Serious Injury or Illness of a Current Servicemember – for Military Family Leave
Complaint Form
Confidentiality Statement
Counseling Session Form
Discrimination Complaint Form
Drug Testing Consent
Employer Acknowledgment of Auditor of State's Fraud Reporting System Information
Equal Employment Opportunity Questionnaire
Exit Interview
Expense Report
Family and Medical Leave Notice
First Report of an Injury, Occupational Disease or Death (BWC)
Form I-9 (Immigration Reform and Control Act)
Injury Accident Report
Intermittent Appointment Letter
Letter of Resignation
Medical Practitioner's Statement
New Hire Reporting Form
Notice of Employee's Leave Status
Notice of Predisciplinary Conference
Notification of Intention to Convert Sick Leave upon Retirement
Observable Behavior – Reasonable Cause Record
Ohio Ethics Laws and Related Statutes
Order of Removal, Suspension, or Reduction
Payroll Change Notice
Performance Evaluation
Personnel File Release
Record of Suspension
Record of Verbal Warning
Record of Written Reprimand

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

**SECTION 9
FORMS**

Request for Family and Medical Leave
Request for Leave of Absence Form
Request for the Inspection/Release of Public Records
Seasonal Employment
Temporary Appointment Letter
Temporary Assignment
Vacant Position Bid Form
Vacation Transfer Request
Waiver of Predisiplinary Conference
Workplace Safety and Illegal Activity Acknowledgment
Workplace Safety Report Form
Workplace Violence Incident Report

**THE CITY OF CELINA, OHIO
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**ACKNOWLEDGMENT OF EMPLOYER'S INFORMATION
REGARDING THE DRUG FREE WORKPLACE ACT POLICY**

PAGE 1 OF 1

Please sign below and present this acknowledgment to your supervisor within one (1) week of the issuance of this policy and procedure or issuance of the revised pages of the policy and procedure. This document will be maintained in your personnel file.

Date: _____

I hereby acknowledge that I have received and read a copy of my employer's policy and procedures on a Drug Free Workplace, which establishes my obligations as an employee. By my signature below, I hereby acknowledge that I understand this policy, and agree to support and comply with its terms and conditions. I further understand that if I breach this policy or acknowledgment, I could be subject to criminal prosecution, and I shall be terminated from employment.

Signature of Employee

**THE CITY OF CELINA, OHIO
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ACKNOWLEDGMENT OF RECEIPT OF DOCUMENTS

You have been given copies of the following documents if applicable, that have an important impact on your employment with the Employer. Each of the documents was explained to you and you were given an opportunity to read each one. If you have any remaining questions or concerns about these documents, stop now and ask the Employer's representative before proceeding. The following documents may be subject to change and the employee will be notified of such changes through the usual channels of dissemination.

If you do not have any questions, please acknowledge that each of the following documents was given to you by signing and dating the following.

I HEREBY ACKNOWLEDGE THAT I HAVE RECEIVED A COPY OF THE FOLLOWING DOCUMENTS, IF APPLICABLE WHICH ESTABLISH MY OBLIGATIONS AS AN EMPLOYEE OF THE CITY. BY MY SIGNATURE BELOW, I HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THESE DOCUMENTS OR WILL READ EACH OF THESE DOCUMENTS, AND AGREE TO COMPLY WITH ALL TERMS AND CONDITIONS THEREIN. I FURTHER UNDERSTAND THAT IF I BREACH THESE POLICIES OR ACKNOWLEDGMENTS, I COULD BE SUBJECT TO DISCIPLINE INCLUDING TERMINATION OF MY EMPLOYMENT.

	DATE	SIGNATURE
POSITION DESCRIPTION	_____	_____
PERSONNEL POLICY & PROCEDURE MANUAL	_____	_____
OHIO ETHICS LAW AND RELATED STATUTES	_____	_____
DRUG FREE WORKPLACE POLICY AND ACKNOWLEDGMENT	_____	_____
STANDARD OPERATING PROCEDURES	_____	_____
NONDISCRIMINATION POLICY	_____	_____
EQUAL EMPLOYMENT OPPORTUNITY/ DISCRIMINATORY COMPLAINT PROCEDURE	_____	_____
COMPLAINT PROCEDURE	_____	_____

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

ACKNOWLEDGMENT OF RECEIPT OF DOCUMENTS

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CONFIDENTIALITY STATEMENT

WORKPLACE SAFETY AND ILLEGAL
ACTIVITY ACKNOWLEDGMENT

PUBLIC RECORDS, INSPECTION,
RELEASE, AND RETENTION

SIGNATURE

DATE

NOTE: New employees shall complete this acknowledgment within 14 days following their employment.

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

**ACKNOWLEDGMENT OF RECEIPT OF PERSONNEL
POLICY AND PROCEDURE MANUAL**

PAGE 1 OF 1

Name of Employee: _____

I hereby acknowledge that I have read, or had read to me, the City of Celina's Personnel Policy and Procedure Manual. I hereby acknowledge that I understand and agree to comply with all of the policies and procedures contained therein.

I further understand that this document is not an employment contract and that changes may occur to this document. I agree to comply with all changes to such policies and procedures.

Date

Signature of Employee

THIS FORM MUST BE COMPLETED, SIGNED AND RETURNED TO THE SAFETY SERVICE DIRECTOR WITHIN TWO (2) WEEKS OF THE ISSUANCE OF THIS DOCUMENT.

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

ACKNOWLEDGMENT OF RECEIPT OF PUBLIC RECORDS POLICY PAGE 1 OF 1

Name of Employee: _____

I hereby acknowledge that I have received a copy of The City of Celina Public Records Policy. I further acknowledge that I will read and comply with all of the policies within the Public Records Policy. I also understand that this policy will be incorporated as a part of the City of Celina Personnel Policy and Procedure Manual.

Signature of Employee: _____

Date: _____

**THIS FORM MUST BE COMPLETED, SIGNED, AND RETURNED TO THE HUMAN
RESOURCE COORDINATOR'S OFFICE WITHIN ONE (1) WEEK OF THE ISSUANCE OF
THIS NEW POLICY.**

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

ACCIDENT/ILLNESS REPORT

PAGE 1 OF 2

This form complies with OSHA's Form 301 and must be completed within 7 calendar days after you receive information that a recordable work-related injury or illness has occurred. It must be kept on file for 5 years following the year to which it pertains, in accordance with Public Law 91-596 and 29 CFR 1904 (OSHA's Record keeping Rule).

Employer Information

Date of this Report ___/___/___ Company Name _____
 Completed by _____ Job Title _____ Phone _____ Ext. _____
 Mailing Address _____
City State Zip

Employee Information

Name _____
Last First Middle
 Job Title _____ Hire Date ___/___/___
 Employee/Payroll # _____ Employee Insurance # _____
 Home Address _____
City State Zip
 Birth Date ___/___/___ Gender Male Female

Physician/Health Care Professional Information

Name of Attending Physician or Health Care Professional _____
 Location where treatment was given (if different from worksite)
 Facility Name _____
 Street Address _____
City State Zip
 Was employee treated in an emergency room?: _____ Yes No
 Was employee hospitalized overnight as an in-patient?: _____ Yes No
 If yes, length of stay _____

Incident Information

Case # (from Column A of Form 300) _____ Date of Incident ___/___/___
 Time employee began work _____
 Time of incident Check here if time cannot be determined _____
 Date of initial injury/illness diagnosis ___/___/___
 Number of days away from work _____ Number of days of restricted work activity _____
 Check one: Injury/Illness Fatality If this incident was a fatality, date of death: ___/___/___

NOTE: If a fatality occurred of more than 3 employees were hospitalized, OSHA must be verbally notified within 8 hours.

Did the incident occur on employer's premises? _____ Yes No
 If yes, where on the premises did the incident occur? _____
 If no, location of the incident: _____
City State Zip

(If injury occurred where number and street are unidentifiable, please provide place references)

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Incident Information (continued)

What was the employee doing just before the incident occurred? Be as specific as possible. If employee was using tools, equipment, or materials, name them and specify what the employee was doing with them. (Example: "climbing a ladder while carrying painting materials", "daily computer entry")

Explain how the incident occurred. List the event(s) that resulted in the injury or illness, what happened, how it happened, and name objects and how they were involved. (Example: "foot slipped on wet ladder rung and employee fell 15 feet"; employee developed shooting pains in arm over time") Use a separate sheet if necessary.

Explain the injury/illness. Indicate the part of the body that was affected and how it was affected. (example "broken leg", "carpal tunnel syndrome')

Name the object or substance that directly injured the employee. (Example "Concrete ground") If this question does not apply to the incident, leave it blank.

Witness Information

1. Name: _____ Phone _____
Address _____

City _____ State _____ Zip _____

2. Name: _____ Phone _____
Address _____

City _____ State _____ Zip _____

Notification Information and Follow-up

	Yes	No	N/A	Date
Has the Family been contacted? If yes, name of family member: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___/___/___
Has the personal Department been contacted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___/___/___
Has the State Workers' Compensation Agency been contacted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___/___/___
Has the cause of the injury/illness been corrected?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___/___/___

Describe future action to be taken, including preventative measures to ensure that such injury/illness does not occur again.

Completed by: _____ Date ___/___/___

Approved by: _____ Date ___/___/___

Supervisor on duty: _____ Date ___/___/___

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

APPLICATION FOR EMPLOYMENT

PAGE 1 OF 7

AN EQUAL OPPORTUNITY EMPLOYER

PLEASE TYPE OR PRINT RESPONSES TO ALL OF THE QUESTIONS
CONTAINED ON THE ENTIRE APPLICATION FORM

POSITION SOUGHT: _____

LAST NAME: _____ FIRST NAME: _____

MIDDLE INITIAL: _____

HOME ADDRESS: _____ COUNTY: _____

CITY/STATE/ZIP: _____

HOME PHONE: _____

ARE YOU AT LEAST 18 YEARS OF AGE? YES:___ NO:___

EMPLOYMENT HISTORY AND WORK EXPERIENCE

IN THIS SECTION, LIST ALL EMPLOYMENT HISTORY AND WORK EXPERIENCE IN DATE ORDER, INCLUDING MILITARY EXPERIENCE. BEGIN WITH YOUR CURRENT EMPLOYER. USE ADDITIONAL PAPER IF NECESSARY. FAILURE TO INCLUDE ALL EMPLOYMENT MAY BE GROUNDS FOR DISQUALIFICATION.

CURRENT EMPLOYER: _____

(Enter "None" if unemployed)

MAY WE CONTACT YOUR CURRENT EMPLOYER PRIOR TO AN OFFER OF EMPLOYMENT? YES:___ NO:___

ADDRESS: _____

PHONE NUMBER: _____

DATES EMPLOYED: _____ TO _____

JOB TITLE: _____

SUPERVISOR'S NAME: _____

BEGINNING SALARY:___ PER _____ CURRENT SALARY:___ PER _____

DESCRIBE YOUR DUTIES, RESPONSIBILITIES, EQUIPMENT OPERATED, PROMOTIONS, ETC.: _____

WHY DO YOU WANT TO LEAVE? _____

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PREVIOUS EMPLOYER: _____

ADDRESS: _____

PHONE NUMBER: _____

DATES EMPLOYED: _____ TO _____

JOB TITLE: _____

SUPERVISOR'S NAME: _____

BEGINNING SALARY: _____ PER _____ ENDING SALARY: _____ PER _____

DESCRIBE YOUR DUTIES, RESPONSIBILITIES, EQUIPMENT OPERATED, PROMOTIONS,
ETC.: _____

WHY DID YOU LEAVE? _____

PREVIOUS EMPLOYER: _____

ADDRESS: _____

PHONE NUMBER: _____

DATES EMPLOYED: _____ TO _____

JOB TITLE: _____

SUPERVISOR'S NAME: _____

BEGINNING SALARY: _____ PER _____ ENDING SALARY: _____ PER _____

DESCRIBE YOUR DUTIES, RESPONSIBILITIES, EQUIPMENT OPERATED, PROMOTIONS,
ETC.: _____

WHY DID YOU LEAVE? _____

PREVIOUS EMPLOYER: _____

ADDRESS: _____

PHONE NUMBER: _____

DATES EMPLOYED: _____ TO _____

JOB TITLE: _____

SUPERVISOR'S NAME: _____

**THE CITY OF CELINA, OHIO
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BEGINNING SALARY: _____ PER _____ ENDING SALARY: _____ PER _____

DESCRIBE YOUR DUTIES, RESPONSIBILITIES, EQUIPMENT OPERATED, PROMOTIONS,
ETC.: _____

WHY DID YOU LEAVE? _____

PREVIOUS EMPLOYER: _____

ADDRESS: _____

PHONE NUMBER: _____

DATES EMPLOYED: _____ TO _____

JOB TITLE: _____

SUPERVISOR'S NAME: _____

BEGINNING SALARY: _____ PER _____ ENDING SALARY: _____ PER _____

DESCRIBE YOUR DUTIES, RESPONSIBILITIES, EQUIPMENT OPERATED, PROMOTIONS,
ETC.: _____

WHY DID YOU LEAVE? _____

**IF YOU NEED TO LIST ANY ADDITIONAL PREVIOUS EMPLOYERS, PLEASE USE
ANOTHER SHEET OF PAPER TO DO SO.**

EDUCATION AND TRAINING

**THIS SECTION IS INTENDED TO GIVE THE EMPLOYER INFORMATION ABOUT
THE EDUCATION AND TRAINING THAT THE APPLICANT HAS COMPLETED, AND
TO DEMONSTRATE THE SKILLS, KNOWLEDGE, AND ABILITIES OF THE
APPLICANT TO PERFORM THE JOB DUTIES OF THE POSITION.**

HIGH SCHOOL ATTENDED: _____

ADDRESS: _____

DID YOU GRADUATE? _____ HIGH SCHOOL EQUIVALENT? _____

COURSES PERTAINING TO JOB APPLIED FOR: _____

ACTIVITIES, AWARDS, SPORTS, ETC.: _____

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COLLEGE OR TRADE SCHOOL ATTENDED: _____

ADDRESS: _____

DID YOU GRADUATE? _____ DEGREE: _____

COURSES PERTAINING TO JOB APPLIED FOR: _____

ACTIVITIES, AWARDS, SPORTS, ETC.: _____

GRADUATE SCHOOL(S) ATTENDED: _____

ADDRESS: _____

DID YOU GRADUATE? _____ DEGREE: _____

PLEASE USE THE FOLLOWING SPACE TO PROVIDE ANY FURTHER INFORMATION ON TRAINING, EDUCATION, SKILLS, ABILITIES, HOBBIES, VOLUNTEER WORK, ETC., THAT YOU POSSESS OR HAVE EXPERIENCED THAT MAY BE HELPFUL IN THE EVALUATION OF YOUR APPLICATION.

PERSONAL INFORMATION

DO YOU HAVE ANY COMMITMENTS (I.E., SECOND JOB, SCHOOL, ETC.) WHICH MIGHT INTERFERE WITH, OR ADVERSELY AFFECT, YOUR EMPLOYMENT SHOULD WE SELECT YOU FOR A POSITION? YES:___ NO:___

If yes, please explain: _____

DO YOU POSSESS A VALID DRIVERS LICENSE? YES:___ NO:___

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APPLICATION FOR EMPLOYMENT

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IF NO, CAN YOU OBTAIN ONE PRIOR TO EMPLOYMENT? YES:___ NO:___

DO YOU POSSESS A VALID COMMERCIAL DRIVER'S LICENSE? YES:___ NO:___

ARE YOU ELIGIBLE TO WORK IN THE UNITED STATES? YES:___ NO:___

PLEASE LIST THREE REFERENCES WHO ARE NOT RELATED TO YOU THAT YOU HAVE KNOWN AT LEAST ONE YEAR:

NAME: _____

PHONE: _____ ADDRESS: _____

NAME: _____

PHONE: _____ ADDRESS: _____

NAME: _____

PHONE: _____ ADDRESS: _____

PLEASE READ EACH OF THE FOLLOWING PARAGRAPHS CAREFULLY. INDICATE YOUR UNDERSTANDING OF, AND CONSENT TO, THE CONTENTS AND CONDITIONS OF EACH PARAGRAPH BY PLACING YOUR INITIALS AT THE END OF EACH PARAGRAPH. IF YOU HAVE ANY QUESTIONS REGARDING THESE PARAGRAPHS, CONTACT THE EMPLOYER BEFORE INITIALING THE PARAGRAPH.

1. I understand and accept that, if I am selected for employment, my employment may be conditioned upon my passing a medical and/or psychological examination that the employer deems necessary to determine whether I can physically and/or mentally perform the essential functions of the position, with reasonable accommodation when necessary. I understand and accept that this may also include drug, alcohol, or substance abuse testing.

Initials: _____

**THE CITY OF CELINA, OHIO
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2. If employed, I understand and accept that, depending on the department in which I am applying for employment, I may be required to work evening shifts, night shifts, weekends, be on call, and/or work mandatory overtime hours.

Initials: _____

3. I understand and accept that if any information required in this application is found to be falsified or intentionally excluded, my application shall be disqualified from further consideration. I further understand and accept that if I am employed by the employer, I shall be terminated from employment if any information required by this application has been falsified or intentionally excluded.

Initials: _____

4. I understand and accept that the employer requires a high degree of integrity and confidentiality of its employees. I also understand and accept that the various law enforcement and informational agencies that exchange information and data with the employer require that the employer's employees do not have a past record of unlawful activities. Therefore, I understand and accept that, depending on the department in which I am applying for employment, it may be necessary for the employer to investigate my background.

Initials: _____

5. I hereby authorize all the employers, schools, and personal references named in this application to provide information regarding me to the employer. I further authorize the release of personnel, academic, and other records to the employer.

Initials: _____

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APPLICATION FOR EMPLOYMENT

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I SOLEMNLY SWEAR THAT ALL OF THE INFORMATION FURNISHED IN THIS EMPLOYMENT APPLICATION IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I AUTHORIZE INVESTIGATION OF ALL STATEMENTS CONTAINED IN THIS APPLICATION. I UNDERSTAND THAT ANY MISREPRESENTATION OR FALSIFICATION OF THE INFORMATION PROVIDED SHALL LEAD TO WITHDRAWAL OF AN EMPLOYMENT OFFER OR TERMINATION FOLLOWING EMPLOYMENT. I RECOGNIZE THAT MY FUTURE EMPLOYMENT WITH THE EMPLOYER WILL BE JEOPARDIZED IF I ENGAGE IN SUBSTANCE ABUSE, ILLEGAL DRUG USE, OR ALCOHOL ABUSE.

I AGREE THAT ANY CLAIM OF LAWSUIT RELATING TO MY SERVICE WITH THE CITY OF CELINA MUST BE FILED NO MORE THAN SIX (6) MONTHS AFTER THE DATE OF THE EMPLOYMENT ACTION THAT IS THE SUBJECT OF THE CLAIM OR LAWSUIT. I WAIVE ANY STATUTE OF LIMITATION TO THE CONTRARY. I UNDERSTAND, ALSO, THAT I AM REQUIRED TO ABIDE BY ALL RULES AND REGULATIONS OF THE EMPLOYER.

Applicant's Signature

Date

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I _____ hereby authorize the City of Celina to release my pay and/or pay statement (circle one or both) to _____ on _____, (date) and relieve the City of any liability in regard to such release.

I hereby extend this authorization to all future pay dates until this authorization is rescinded by me in writing to the City Auditor

Employee's Signature

Date

ACKNOWLEDGMENT OF RECEIPT:

I hereby acknowledge receipt of paycheck/pay statement #: _____ on _____, (Date)

Signature

Date

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

**CERTIFICATION OF HEALTH CARE PROVIDER
EMPLOYEE'S SERIOUS HEALTH CONDITION**

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**THE CITY OF CELINA, OHIO
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**CERTIFICATION OF HEALTH CARE PROVIDER
FOR FAMILY MEMBER'S SERIOUS HEALTH CONDITION**

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**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

**CERTIFICATION OF QUALIFYING EXIGENCY
FOR MILITARY FAMILY LEAVE**

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**THE CITY OF CELINA, OHIO
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**CERTIFICATION FOR SERIOUS INJURY OR ILLNESS OF A
CURRENT SERVICEMEMBER – FOR MILITARY LEAVE**

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**THE CITY OF CELINA, OHIO
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COMPLAINT FORM

PAGE 1 OF 2

Name of Employee: _____

Classification: _____

Date of Occurrence: _____

STEP 1: Date complaint was discussed with Immediate Supervisor: _____
 (if applicable)

STEP 2 – DEPARTMENT HEAD

Date complaint was reduced to writing and presented: _____

Nature of complaint; what is the issue or allegation, what has been violated?

Employee Signature: _____

If complaint is a group complaint, all employees in the group shall sign on the back of this form. The employee whose name appears in the above space shall process the complaint.

A complaint must be filed with the Department Head within five (5) working days from the date of the response received in the informal Step 1 or within five (5) working days of the occurrence of the incident giving rise to the complaint if Step 1 was not applicable.

Department Head: _____

Date Received: _____

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COMPLAINT FORM

PAGE 2 OF 2

Department Head's Answer:

Department Head's Signature: _____ Date: _____

STEP 3 – SAFETY SERVICE DIRECTOR:

Delivered by employee to the Safety Service Director no later than 30 days from submittal of the complaint in Step 1 or 2.

Date Submitted: _____

Received by: _____

Date of Hearing: _____ (within 15 days of receipt)

Safety Service Director's Answer:

Safety Service Director's Signature:

_____ Date: _____

**THE CITY OF CELINA, OHIO
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CONFIDENTIALITY STATEMENT

PAGE 1 OF 1

Please sign below and present this acknowledgment slip to your supervisor for inclusion in your personnel file.

Date: _____

I hereby acknowledge that I have received and read a copy of the City of Celina's policy and procedures on Confidential Information, which establishes my obligations as an employee of the City of Celina. By my signature below, I hereby acknowledge that I understand this policy, and agree to support and comply with its terms and conditions. I further understand that if I breach this policy or acknowledgment, I could be subject to discipline up to and including termination of my employment.

Signature of Employee

**THE CITY OF CELINA, OHIO
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COUNSELING SESSION FORM

PAGE 1 OF 1

DATE: _____ EMPLOYEE: _____

TOPIC: _____

EMPLOYEE COMMENTS: _____

EMPLOYEE'S SIGNATURE: _____

SUPERVISOR'S SIGNATURE: _____

**THE CITY OF CELINA, OHIO
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DISCRIMINATION COMPLAINT FORM

PAGE 1 OF 2

Individuals who feel they have been discriminated against on the basis of race, color, religion, sex, sexual orientation or gender identity, national origin, age, disability, known pregnancy, childbirth, or related medical condition, or have been sexually harassed by an employee of the Employer or while working for the Employer may file a complaint by completing this form and submitting it to the EEO/ADA Coordinator, who is currently the Safety Service Director.

Name of Complainant: _____

Classification (if employee): _____

Address (if non-employee): _____

Basis of complaint: _____
(continue on back or
separate page if necessary)

Date(s) of incident(s): _____

Was any adverse
employment action taken? _____

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DISCRIMINATION COMPLAINT FORM

PAGE 2 OF 2

If claiming discrimination based on disability or a known pregnancy, childbirth, or related medical condition, what accommodation do you request?

Were there any witnesses to the complaint?

If claiming discrimination other than disability or known pregnancy, childbirth, or related condition, what resolution do you request?

When was the alleged discrimination reported and to whom?

What remedy are you seeking?

Signature of Complainant

Date

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DRUG TESTING CONSENT

PAGE 1 OF 1

I, _____, do hereby give my consent and (1)
(Staff Member Name)
authorize the City of Celina or its designee to collect a urine sample from me on _____
(date)

and to forward this urine sample to any authorized drug testing laboratory for the performance of drug testing analysis to identify the presence or absence of alcohol and/or controlled substance(s) in my system and (2) authorize any laboratory performing the foregoing alcohol/drug analysis to provide the results of this testing to the City of Celina; and (3) do hereby release and hold harmless the City of Celina, any drug testing laboratory and their respective employees, agents, and representatives and any other persons involved in the withdrawal, transportation, testing, and reporting of the above information, from any liability and/or claim with regard to the above described procedures.

I understand that any refusal to submit to the foregoing drug testing and/or a positive drug test report based on the foregoing analysis shall result in discharge of my employment with the City of Celina.

I am currently taking prescription medication: Yes No

Date

Employee Signature

Date

Witness Signature

**THE CITY OF CELINA, OHIO
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**EMPLOYEE ACKNOWLEDGEMENT OF AUDITOR OF STATE'S
FRAUD REPORTING SYSTEM INFORMATION**

PAGE 1 OF 1

Pursuant to Section 117.103(B)(1) of the Ohio Revised Code, a public office shall provide information about the Ohio fraud-reporting system and the means of reporting fraud to each new employee upon employment with the public office.

Each employee is required to sign this form. Each new employee has thirty (30) days after beginning employment to confirm receipt of this information.

By signing below you are acknowledging that the City of Celina provided you with information about the fraud-reporting system as described by Section 117.103(A) of the Ohio Revised Code, and that you read and understand the information provided. You are also acknowledging you have received and read the information regarding Section 124.341 of the Ohio Revised Code and the protections you are provided as a classified or unclassified employee if you use the fraud reporting system.

I, _____, have read the information provided by the City of Celina regarding the fraud-reporting system operated by the Ohio Auditor of State's Office. I further state that the undersigned signature acknowledges receipt of the City of Celina's policy.

Printed Name, Title and Department

Signature of Employee

Date

**THE CITY OF CELINA, OHIO
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EQUAL EMPLOYMENT OPPORTUNITY QUESTIONNAIRE

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Antidiscrimination Notice: It is an unlawful employment practice for an employer to fail or refuse to hire, promote, or discharge any individual, or otherwise to discriminate against an individual with respect to that individual's terms and conditions of employment, based on such individual's race, color, religion, sex, sexual orientation or gender identity, national origin, age, disability, known pregnancy, childbirth, or related medical condition, genetic history, veteran or military status, ethnicity, or ancestry.

NOTE: We are requesting the following information in order to monitor our equal employment opportunity efforts and to assist us in complying with recordkeeping and reporting requirements associated with the administration of state and federal civil rights laws.

Submission of this information is voluntary and refusal to provide such information shall not adversely affect consideration of you for employment or affect your continued employment if you are already working for the City.

This information will be kept confidential in a secured environment with limited access.

If currently employed by the City, what is the job title of your position?

If applying for a specific position, please indicate the job title you are seeking:

How did you learn of this position?

Newspaper

Posting on Bulletin Board

Electronic Posting

Other _____

Sex: Male Female

Date of Birth: _____

Disability: Are you an individual with a physical or mental impairment which substantially limits one or more of your major life activities? Yes No

Veteran Status: Are you a veteran? Yes No

Disabled Veteran

Vietnam Era Veteran

Desert Storm/Shield Veteran

Race:

- White (not Hispanic or Latino): persons having origins in any of the original peoples of Europe or the Middle East.
- Black or African American (not Hispanic or Latino): persons having origins in any of the black racial groups of Africa.
- Hispanic or Latino: persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino): a person having origins in any of the original peoples of Hawaii, Guan, Samoa, or other Pacific Islands.
- Asian: a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- Native American or Alaska Native (not Hispanic or Latino): a person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- Two or More Races: all persons who identify with more than one or the above six races.

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

EXIT INTERVIEW

PAGE 1 OF 2

TO BE COMPLETED BY EMPLOYMEE

Name: _____ Department: _____

Job Title: _____ Termination Date: _____

Current Mailing Address: _____

Reason for Separation: _____

EMPLOYEE'S EVALUATION OF THE JOB

	Excellent	Satisfactory	Fair	Poor	Unsatis- factory
Interest Job Held					
Performance Recognition					
Supervisory Fairness					
Chance for Advancement					
Wages and Benefits					
Rapport with Other Workers					
Training received on the Job					
Description of Position Compared to Actual Work					
Communication Between Employees and Management					
General Working Conditions					

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

EXIT INTERVIEW

PAGE 2 OF 2

Employee's Comments: _____

Employee Signature

Date

TO BE COMPLETED BY SUPERVISOR

Interviewer's Comments: _____

Supervisor's final evaluation of employee: _____

Would supervisor recommend for rehire? YES ___ NO ___

Interviewer's Signature

Date

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

Employee:	
Title:	
Date:	

Dates	
From:	
To:	

Date	Description/Location	Mileage	Amount	Lodging	Meals	Other	Total

Totals					
---------------	--	--	--	--	--

Signature	
	Date: _____
	Date: _____

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

FAMILY AND MEDICAL LEAVE NOTICE

PAGE 1 OF 2

TO: _____

RE: Family and Medical Leave

This notice is provided to you in response to: (check one)

- Your use or request for use of paid leave and/or leave without pay for the period beginning _____ or,
- Your request for Family and Medical Leave dated _____, requesting leave for the period beginning _____ and continuing until on or about _____.

This is to inform you that: (check appropriate boxes)

1. You are eligible not eligible for Family and Medical Leave (FML). _____

2. The requested leave will will not count against your FML entitlement.
3. You will will not be required to furnish medical certification of a serious health condition. If requested, you must furnish certification (by having your physician complete the Certification of Healthcare Provider Form) by _____ (insert date) (must be at least 15 days after you are notified of this requirement) or we may delay the commencement of your FML until certification is submitted.
4. We will require that you use all applicable accrued paid leave concurrent with FML. Your current applicable paid leave balances are: _____ hours of accrued sick leave (if applicable), _____ hours of accrued vacation. This total of _____ hours of applicable paid leave shall count against your FML entitlement.
5. For the duration of your leave, your current group health insurance coverage will be maintained so long as you continue to pay your portion of the premium. While you are on paid leave, your portion will be deducted from your paycheck. Beginning _____ and by the _____ of each month thereafter until _____, \$ _____ is due at the _____. Failure to pay said amounts within 30 days after the due date will result in the termination of our obligation to pay our share of the premium for your coverage.
6. You will will not be required to present a fitness for duty certificate prior to being restored to employment. If such certification is required but not received, your return to work may be delayed until the certification is provided.
7. While on leave you will will not be required to furnish us with periodic reports every _____ (indicate appropriate interval of periodic reports) of your status and intent to return to work.

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

FAMILY AND MEDICAL LEAVE NOTICE

PAGE 2 OF 2

8. You will will not be required to furnish recertification relating to a serious health condition as follows: _____

9. Upon return to work, you will be restored to your original position or a position with equivalent pay, benefits and other terms of employment. If you elect not to return to work at the expiration of FML, you may be liable to repay us for our share of all insurance premiums paid on your behalf while on unpaid FML.

DATE: _____ TITLE: _____

SIGNATURE: _____

EMPLOYEE NAME: _____

DEPARTMENT: _____

DATE OF FAMILY & MEDICAL LEAVE APPROVAL: _____

LAST DAY IN ACTIVE PAY STATUS: _____

REMAINING DAYS OF FAMILY & MEDICAL LEAVE: _____

DATE: _____ SIGNATURE: _____

(Department Head)

NOTE: This form MUST be completed and sent to the City of Celina **NO LATER THAN five (5) days** prior to **the** last date in active pay status to insure paid health insurance for the above named employee on Family & Medical Leave.

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

FIRST REPORT OF AN INJURY, OCCUPATIONAL DISEASE OR DEATH (BWC)

Complete form following this page.

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

FORM I-9 (IMMIGRATION REFORM AND CONTROL ACT)

Complete form following this page.

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

- _____
- _____
12. Names and Addresses of Witnesses To Accident: _____
- _____
- _____
13. What Were the Contributing Causes or Unusual Circumstances Involved With the Accident?
- _____
- _____
- _____
14. What Unsafe Act, Practice, Condition, or Equipment Caused the Accident? _____
- _____
- _____
15. How Can a Similar Accident be Prevented? _____
- _____
- _____
16. How Soon Will Action Be Taken To Correct The Accident Cause? _____
- _____
17. Have You Had Any Previous Accidents? _____ If Yes, When? _____
- Use Additional Sheets if You Have Other Comments.

Signature of Employee

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

INJURY/ACCIDENT REPORT

PAGE 3 OF 3

SUPERVISOR'S REPORT

2. Nature of Injury: _____

(State Employee's Complaints and Part of Body Injured)

3. Employee Sent To: _____

(State Name and Address of Doctor and/or Hospital)

4. Did Employee Report Back to Work? _____ Date Returned to Work: _____

Date

Signature of Witness

(Use Additional Sheets if Necessary)

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

LETTERHEAD

Name
Address
Date

Welcome to employment with the City of Celina. You are being appointed to the position of _____, effective _____.
(name of position) (date)

This is an intermittent appointment. You will be required to work an irregular schedule which will be determined by the fluctuating demands of the work and is not predictable.

Your actual work hours will be determined on a daily basis depending on the need for your services which will fluctuate.

As an intermittent appointment, this position is in the unclassified service. You shall serve in this position at the pleasure of the Appointing Authority, and may be terminated from employment with or without cause, with or without notice, with no right of appeal.

Please contact me if you have any questions concerning your appointment.

Appointing Authority Date

I hereby acknowledge and accept appointment to the unclassified service as provided herein.

Signature of Employee Date

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

LETTER OF RESIGNATION

PAGE 1 OF 1

I, _____, hereby voluntarily resign my position with the
City of Celina

_____, as _____,
(department or agency) (job title)

effective _____.
(date)

Reason for Leaving (optional):

Employee Signature: _____ Date: _____

Date received: _____

ACCEPTANCE OF RESIGNATION

Date: _____

Signature: _____
Department Head

Date: _____

Signature: _____
Safety Service Director

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

MEDICAL PRACTITIONER'S STATEMENT

PAGE 1 OF 2

Employee Authorization to Release Protected Health Information

Employee Name: _____

(Please Print)

Employee's Signature/Date

I hereby authorize this medical practitioner to release the information requested below, or any other information requested by my Employer, the City of Celina, relative to my use of sick leave, FMLA leave, disability leave, etc.

Statement of the Practitioner

_____ (Name of Practitioner)	_____ (Phone number)
_____ (Street Address)	_____ (City, State, Zip Code)
Type of Practice: _____	Date: _____

Date and time you examined the above named employee: ___/___/___ at ___ a.m./p.m.

State the reason you examined the individual: _____

(State exact nature of illness, injury, or treatment)

Please state your prognosis: _____

May the employee return to work immediately

G Yes G No

If not, when do you reasonably expect the employee may return?

Date: ___/___/___

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

MEDICAL PRACTITIONER'S STATEMENT

PAGE 2 OF 2

Have you placed this employee under any work restrictions (e.g., weight lifting limitations, number of hours per day, etc.)? If so, please state the restrictions:

Have you prescribed any medications which may impair performance? Yes No

If so, what are the medications, and for how long are they prescribed? _____

If the above named City employee was accompanying a member of the employee's family who was seen by you, was the employee's presence required? Yes No

If the above named individual was seen by you for a reported occupational disease or injury, please submit any additional information necessary to assist in the processing of a Workers= Compensation claim.

Was the illness or injury job-related? Yes No

Is this illness or injury a reoccurrence of a prior illness or injury (answer only if reported as job-related)? Yes No

Actual Signature of Licensed Medical Practitioner

Date

Note: This form must be completed to justify payment to employee of sick leave or other medical leave benefits. Statements from practitioners that refer only to being under "professional care" are unacceptable.

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

NOTICE OF EMPLOYEE'S LEAVE STATUS

PAGE 1 OF 1

This form serves to notify the City Auditor's Office that the following employee:

_____ is
(employee's name)

_____ separated from service; or
(check whichever applies) _____ off work on workers= compensation; or
_____ on any other unpaid leave of absence.

effective from _____ to _____.
(date) (date, if known)

Reason for separation or absence: _____

Submitted by: _____
Department Head Signature

(date)

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

NOTICE OF PREDISCIPLINARY CONFERENCE

PAGE 1 OF 1

Name: _____

From: _____

Job Title/Department: _____

Date: _____

This notice is provided to you to advise that a predisciplinary conference will be held at _____ (time) at _____ (location) on _____ (date) to provide you with an opportunity to respond to the following allegations of misconduct:

Alleged Offenses: _____

Type of Offense: Group _____ Number(s) _____

You have the right to:

- (1) Appear at the hearing with or without a representative, to present an oral or written statement and any documents in your defense, and answer questions regarding the alleged misconduct; or
- (2) Elect in writing to waive your opportunity to have a predisciplinary conference (waiver form enclosed).

If you elect to attend the conference and present any evidence in your defense, or if you are called to testify as to any allegations of misconduct by the Appointing Authority, you must answer all questions truthfully. If it is proved in a subsequent conference that your responses to questions were not truthful, such dishonesty may result in further disciplinary action.

At the conference you may present any testimony, witnesses, or documents which would explain whether or not the alleged misconduct occurred. You shall provide a list of witnesses to the hearing officer no later than four (4) hours prior to the predisciplinary conference. It is your responsibility to notify your witnesses that their attendance is desired. A written report will be prepared by the person conducting the conference concluding as to whether or not the alleged misconduct occurred. A copy of this report will be provided to you within five (5) working days following its preparation.

The predisciplinary conference will be conducted by: _____ (name);
_____ (telephone number).

If you have any questions in regard to this procedure, please contact this individual immediately.

I hereby acknowledge that I have received a copy of the Notice of Predisciplinary Conference and that it was received not less than 24 hours prior to the scheduled starting time of the conference.

Signature of Employee

Date

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

**NOTIFICATION OF INTENTION TO CONVERT
SICK LEAVE UPON RETIREMENT**

PAGE 1 OF 1

On this _____ day of _____, I _____
(date) (month) (year) (name)

have notified the proper appointing authority of my intention to convert the balance of my legally accrued and unused sick leave to a cash benefit payment.

I understand my present sick leave balance to be _____. I further understand that such payment
(hours)

payment shall be made only once and will eliminate all sick leave credit which I have accrued.

Employee Signature

ADMINISTRATIVE ACTION:

_____ Number of sick leave hours accrued.

_____ The lesser of ____ of accrued hours or ____ hours.

\$ _____ Total dollar value of sick leave authorized for conversion to cash.

Human Resources Coordinator

(date)

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

OBSERVABLE BEHAVIOR – REASONABLE CAUSE RECORD

PAGE 1 OF 2

Name of Observed Employee: _____

Location: _____

Time _____ a.m. _____ p.m. Date _____

When there is reasonable suspicion that an employee at work is unfit for duty, the supervisor or manager observing the behavior as well as another supervisor/department head as witness, if possible, must complete the checklist below. Where “Other” is checked, please describe.

Observation Checklist

- | | | | |
|-------------------------|--|--|--|
| Walking: | <input type="checkbox"/> Holding on | <input type="checkbox"/> Stumbling | <input type="checkbox"/> Unable to walk |
| | <input type="checkbox"/> Unsteady | <input type="checkbox"/> Staggering | <input type="checkbox"/> Swaying |
| | <input type="checkbox"/> Falling | <input type="checkbox"/> Other | |
| Standing: | <input type="checkbox"/> Swaying | <input type="checkbox"/> Feet wide apart | <input type="checkbox"/> Unable to stand |
| | <input type="checkbox"/> Rigid | <input type="checkbox"/> Staggering | <input type="checkbox"/> Sagging at knees |
| | <input type="checkbox"/> Other | | |
| Speech: | <input type="checkbox"/> Whispering | <input type="checkbox"/> Slurred | <input type="checkbox"/> Shouting |
| | <input type="checkbox"/> Incoherent | <input type="checkbox"/> Slobbering | <input type="checkbox"/> Silent |
| | <input type="checkbox"/> Rambling | <input type="checkbox"/> Mute | <input type="checkbox"/> Slow |
| | <input type="checkbox"/> Other | | |
| Demeanor: | <input type="checkbox"/> Cooperative | <input type="checkbox"/> Calm | <input type="checkbox"/> Talkative |
| | <input type="checkbox"/> Polite | <input type="checkbox"/> Sarcastic | <input type="checkbox"/> Sleepy |
| | <input type="checkbox"/> Crying | <input type="checkbox"/> Silent | <input type="checkbox"/> Sleeping on job |
| | <input type="checkbox"/> Argumentative | <input type="checkbox"/> Excited | <input type="checkbox"/> Other |
| Actions: | <input type="checkbox"/> Hostile | <input type="checkbox"/> Fighting | <input type="checkbox"/> Profanity |
| | <input type="checkbox"/> Drowsy | <input type="checkbox"/> Threatening | <input type="checkbox"/> Hyperactive |
| | <input type="checkbox"/> Erratic | <input type="checkbox"/> Calm | <input type="checkbox"/> Resisting communication |
| | <input type="checkbox"/> Other | | |
| Eyes: | <input type="checkbox"/> Bloodshot | <input type="checkbox"/> Watery | <input type="checkbox"/> Droopy |
| | <input type="checkbox"/> Dilated | <input type="checkbox"/> Glassy | <input type="checkbox"/> Closed |
| | <input type="checkbox"/> Other | | |
| Face: | <input type="checkbox"/> Flushed | <input type="checkbox"/> Pale | <input type="checkbox"/> Sweaty |
| | <input type="checkbox"/> Other | | |
| Appearance/
Clothing | <input type="checkbox"/> Neat | <input type="checkbox"/> Unruly | <input type="checkbox"/> Messy |
| | <input type="checkbox"/> Stains on clothing | <input type="checkbox"/> Having Odor | <input type="checkbox"/> Dirty |
| | <input type="checkbox"/> Bodily excrement stains | <input type="checkbox"/> Other | <input type="checkbox"/> Partially dressed |

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

OBSERVABLE BEHAVIOR – REASONABLE CAUSE RECORD

PAGE 2 OF 2

Breath: No alcoholic odor Faint alcoholic odor Alcoholic odor
 Sweet/pungent tobacco odor Heavy usage, breath spray Other

Movements: Fumbling Jerky Nervous
 Slow Normal Hyperactive
 Other

Eating/
Chewing: Gum Candy Mints
 Other

Miscellaneous: Presence of alcohol and/or drugs in associate's possession or vicinity
 On-the-job misconduct by employee
 Employee admission concerning alcohol use and/or drug use or possession
 If there are witnesses to employee's conduct, list below:

Other Observations: (if accident, provide details)

Employee's Explanation of Reasons for His/Her Conduct:

Once above portion of form has been completed by you and a witness, you are now ready to take a position with the employee. Be certain to follow company procedures as outlined in our drug-free policy.

Employee has agreed to testing (Check one)
 Employee has not agreed to testing

Supervisor/Department Head Signature

Date

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

To read the Ohio Ethics Law and Related Statutes, go to the following web link:

<http://www.ethics.ohio.gov/ethicslawrevisedcode.html>

If you are unable to access the web link, the Director can provide you with a hard copy of the document to review.

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

ORDER OF REMOVAL, SUSPENSION, OR REDUCTION

PAGE 1 OF 1

EMPLOYEE'S NAME: _____ DATE: _____

POSITION: _____ DEPARTMENT: _____

DESCRIPTION OF VIOLATION: Group Offense: _____

Reduction: _____

Date: _____

Suspension: _____

Number of Days: _____ Date: _____

Removal: _____ Date: _____

Effective Date/Time of Disciplinary Order: _____

Safety Service Director or
Chief of Police Signature

Title

I hereby acknowledge that a copy of the above Order of Removal, Suspension, or Reduction has been given to me.

Signature of Employee

Date

Original: Personnel File
Copy: Employee
 Civil Service Commission
 City Auditor

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

PERSONNEL FILE RELEASE

PAGE 1 OF 1

Employee Name: _____

I hereby authorize _____ to inspect and/or obtain copies of the following confidential information in my personnel file:

In exchange for the inspection and/or release of such confidential information, the undersigned individual/organization agrees to indemnify and hold harmless the City of Celina and its officials of any and all liability directly or indirectly arising from the inspection and/or release of said information.

Employee Signature

Date

Representative Signature

Date

OFFICE USE ONLY

Number of copies @ _____ per photocopy = _____.

Payment received by _____ Date _____

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

RECORD OF SUSPENSION

PAGE 1 OF 1

Employee's Name: _____ Classification: _____

VIOLATION

DATE VIOLATION OCCURRED: _____

LOCATION OF VIOLATION: _____

PREVIOUS DISCIPLINARY ACTIONS/DATES: _____

TYPE OF VIOLATION:	Group _____	Number(s) _____
___ Incompetency	___ Inefficiency	___ Neglect of Duty
___ Dishonesty	___ Drunkenness	___ Immoral Conduct
___ Insubordination	___ Misfeasance	___ Malfeasance
___ Nonfeasance	___ Failure of Good Behavior	___ Discourteous Treatment of the Public
___ Other (explain below)		

Description of Violation(s): _____

(Attach additional sheets if necessary)

Date of discussion of the particulars: _____

Did employee request to have a representative present: _____ Whom? _____

Attach Hearing Officer's Report & Findings: _____

Name of Hearing Officer

Date(s) that suspension from duty without pay will occur:

Department Head (date)

Signature of Appointing Authority (date)

This suspension is issued as a corrective measure in an effort to help you improve your conduct. Any further violations could result in more severe disciplinary actions. I hereby acknowledge that a copy of the above Order of Suspension has been given to me this day.

cc: Employee
Employee Personnel File
Civil Service Commission
City Auditor

Signature of Employee

Date

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

RECORD OF VERBAL WARNING

PAGE 1 OF 1

Employee's Name: _____

Classification: _____ Department: _____

TYPE OF VIOLATION:	Group _____	Number(s) _____
___ Incompetency	___ Inefficiency	___ Neglect of Duty
___ Dishonesty	___ Drunkenness	___ Immoral Conduct
___ Insubordination	___ Misfeasance	___ Malfeasance
___ Nonfeasance	___ Failure of Good Behavior	___ Discourteous Treatment of the Public
___ Other (explain below)		

Date Violation Occurred: _____

Location Where Violation Occurred: _____

Description of Violation: _____

(attach additional sheets if necessary)

Necessary Corrective Action: _____

(attach additional sheets if necessary)

This verbal warning is issued as a corrective measure in an effort to help you improve your conduct. Further violations can result in more severe disciplinary action.

_____ Signature of Person Issuing Warning	_____ Title	_____ Date
--	----------------	---------------

I hereby acknowledge that a copy of the above Record of Verbal Warning has been given to me this day.

_____ Signature of Employee	_____ Date
--------------------------------	---------------

Employee Written Remarks: ___ No ___ Yes (see attached)

cc: Employee
Employee Personnel File
Appointing Authority

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

REQUEST FOR FAMILY AND MEDICAL LEAVE

PAGE 1 OF 3

EMPLOYEE NAME: _____ DATE: _____

LEAVE REQUESTED: (CHECK ONE)

___ DUE TO BIRTH OF CHILD OF EMPLOYEE;

___ DUE TO PLACEMENT OF CHILD WITH THE EMPLOYEE FOR ADOPTION/
FOSTER CARE;

___ LEAVE TO CARE FOR A FAMILY MEMBER WITH A SERIOUS
HEALTH CONDITION: _____

(name of person)

RELATIONSHIP OF FAMILY MEMBER TO YOU: _____
(must be spouse, child, parent, or person "in loco parentis" to employee) who has the
following serious health condition

(State exact nature of health condition)

___ BECAUSE OF THE FOLLOWING SERIOUS HEALTH CONDITION THAT RENDERS
EMPLOYEE UNABLE TO PERFORM THE ESSENTIAL FUNCTIONS OF THE
EMPLOYEE'S POSITION:

(State exact nature of health condition)

___ QUALIFYING EXIGENCY BECAUSE A FAMILY IS ON OR HAS BEEN CALLED TO
COVERED ACTIVE DUTY IN THE REGULAR ARMED FORCES (INCLUDING THE
NATIONAL GUARD AND RESERVES) TO A FOREIGN COUNTRY.

RELATIONSHIP OF FAMILY MEMBER TO YOU: _____

___ LEAVE TO CARE FOR A COVERED SERVICE MEMBER WITH A SERIOUS INJURY
OR ILLNESS.

RELATIONSHIP OF COVERED SERVICE MEMBER TO YOU: _____

BEGINNING DATE/TIME OF LEAVE: _____

ENDING DATE/TIME OF LEAVE: _____

TOTAL HOURS OF LEAVE REQUESTED: _____

IF LEAVE IS UNPAID AND DUE TO SERIOUS HEALTH CONDITION OF EMPLOYEE OR
MEMBER OF IMMEDIATE FAMILY, A CERTIFICATION OF HEALTH CARE PROVIDER

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

REQUEST FOR FAMILY AND MEDICAL LEAVE

PAGE 2 OF 3

FORM MUST BE COMPLETED AND ATTACHED HERETO. IF EMPLOYEE IS FIRST EXHAUSTING PAID LEAVE, THIS FORM MUST BE PROVIDED WITHIN 15 DAYS OF EXHAUSTION OF SUCH PAID LEAVE.

I certify all statements herein to be complete and true. Falsification is cause for discipline up to and including termination of employment.

Signature of Employee

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

REQUEST FOR FAMILY AND MEDICAL LEAVE

PAGE 3 OF 3

ADMINISTRATIVE ACTION:

ORDER SECOND OPINION TO CERTIFICATION OR

RECOMMENDED NOT RECOMMENDED BECAUSE: _____

Signature of Department Head

APPROVED NOT APPROVED BECAUSE _____

Signature of Appointing Authority

Date

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

REQUEST FOR THE INSPECTION/RELEASE OF PUBLIC RECORDS PAGE 1 OF 1

_____ representing _____
(Print Name) (Print Name of Organization)

hereby requests to ____ inspect and/or ____ obtain copies of the following records maintained by the City of Celina:

In exchange for the inspection and/or release of such records, the undersigned individual/organization agrees to indemnify and hold harmless the City of Celina and its officials of any and all liability directly or indirectly arising from the inspection and/or release of said information.

Signature

Date

OFFICE USE ONLY

_____ Number of copies @ _____ per photocopy = \$ _____

Payment received by: _____ Date: _____

Copies Sent by: _____ Date: _____

Inspection scheduled for (date) _____

Approved by: _____ Date: _____
Safety Service Director

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

SEASONAL EMPLOYMENT

PAGE 1 OF 1

PARKS & RECREATION DEPARTMENT

Employee Name _____ Date _____

In accordance with the City of Celina Parks and Recreation Personnel Salary Schedule adopted herein, your position with the City of Celina is allocated as follows:

Class Title _____

Salary: Step _____ @ _____

Parks/Recreation Director

Approved By:

Safety Service Director

Pursuant to provisions of Section 4109 O.R.C., the following must be completed by the employee and returned to the Parks & Recreation Department.

Date of Birth: _____ Social Security No. _____

Employee's Signature _____

Parent's Signature _____
(If employee is under 18 years of age)

Address _____

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

TEMPORARY APPOINTMENT LETTER

PAGE 1 OF 1

LETTERHEAD

Name
Address
Date

Welcome to employment with the City of Celina. You are being appointed to the position of _____, effective _____.
(name of position) (date)

This is a temporary appointment for one specified period of time not to exceed 120 days. A temporary appointment longer than 120 days may be made if necessary by reason of sickness, disability, or other approved leave of absence of regular officers or employees, in which case it may continue during the period of sickness, disability, or other approved leave of absence. During this period, you shall be scheduled (day) _____ through (day) _____ from (time) _____ .m. to (time) _____ .m.

Any change in your work schedule will be communicated to you by your Department Head or myself.

As a temporary appointment, this position is in the unclassified service. You shall serve in this position at the pleasure of the Appointing Authority, and may be terminated from employment with or without cause, with or without notice, with no right of appeal.

Please contact me if you have any questions concerning your appointment.

Appointing Authority

Date

I hereby acknowledge and accept appointment to the unclassified service as provided herein.

Signature of Employee

Date

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

TEMPORARY ASSIGNMENT

PAGE 1 OF 1

Per "Temporary Assignments" of the Wage Classification, Ordinance 24-85-0, _____ is temporarily assigned to the _____ Department, and is entitled to the minimum step of that class/or to the step immediately above the employee's current salary, whichever is greater.

Class _____ Step _____ Hourly Rate _____

The assignment period will be for _____ to _____.

Recommended: _____, Department Head

Approved: _____, Appointing Authority

Date: _____

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

VACANT POSITION BID FORM

PAGE 1 OF 2

AN EQUAL OPPORTUNITY EMPLOYER

PLEASE TYPE OR PRINT RESPONSES TO ALL OF THE QUESTIONS
CONTAINED ON THE ENTIRE BID FORM

POSITION SOUGHT: _____

LAST NAME: _____ FIRST NAME: _____

MIDDLE INITIAL: _____

HOME ADDRESS: _____ COUNTY: _____

CITY/STATE/ZIP: _____

HOME PHONE: _____

Describe your current duties, responsibilities, equipment operated, promotions, etc., as they relate to the position for which you are applying: (attach additional sheets if necessary)

Why do you want to transfer? _____

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

VACANT POSITION BID FORM

PAGE 2 OF 2

Describe any past experience, training, education, skills, abilities, hobbies, volunteer work, etc. that relate to the position for which you are applying: (attach additional sheets if necessary)

Employee's Signature

Date

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

VACATION TRANSFER REQUEST

PAGE 1 OF 1

CITY OF CELINA _____ CELINA MUNICIPAL UTILITIES _____

Name of Employee

Department

Date

I hereby request that _ days vacation earned in 20__ be transferred to the calendar year of 20__.

Employee

Date

Department Head

Date

APPROVED _____
Director of Public Service and Safety

Date

I, _____, on this _____ of _____, _____,
(day) (month) (year)

freely and voluntarily waive my right to a "Predisciplinary Conference" scheduled for:

_____, _____ of _____, _____.
(time) (day) (month) (year)

Signed: _____

Witnessed: _____

Time: _____ Date: _____

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

**WORKPLACE SAFETY & ILLEGAL ACTIVITY
ACKNOWLEDGMENT**

PAGE 1 OF 1

The employee understands and accepts that all of the employer's employees share responsibility for maintaining a safe workplace and a workplace free from illegal activity. Therefore, the employee has an obligation to obey and enforce workplace safety rules and to immediately contact a superior if he or she becomes aware of potential or evident safety problems in the workplace. Furthermore, all employees are required to inform the employer of any evidence of wrongdoing or waste in the workplace by a fellow employee or superior, and to do so before reporting the issue to other authorities, pursuant to the requirements of Ohio law.

Employee's Signature

Date

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

WORKPLACE SAFETY REPORT FORM

PAGE 1 OF 1

Dept./Office: _____ Date: _____

LOCATION AND NATURE OF RULES OR WORKPLACE SAFETY VIOLATION:

MY SUGGESTED REMEDIES: _____

Employee's Signature: _____ Date: _____

SUPERVISOR'S REPLY TO EMPLOYEE

Date: _____

Supervisor's Signature: _____ Date: _____

**THE CITY OF CELINA, OHIO
PERSONNEL POLICY AND PROCEDURE MANUAL**

WORKPLACE VIOLENCE INCIDENT REPORT

PAGE 1 OF 1

Date of incident: _____

Facts of Incident: _____

Statement(s) of Witnesses:

1). _____

Signature of Witnesses: _____

2). _____

Signature of Witnesses: _____

3). _____

Signature of Witnesses: _____

4). _____

Signature of Witnesses: _____

Was Law Enforcement Notified? Yes No

If Yes, Agency Notified: _____ Date: _____ Time: _____

Proposed Action To Prevent Situation From Occurring Again: _____

Signature of Supervisor or Department Head: _____

Date: _____