

CARROLL COUNTY BOARD OF DD

Matt Campbell, Superintendent

PERSONNEL POLICIES AND PROCEDURES MANUAL POLICY MANUAL

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

PERSONNEL POLICIES AND PROCEDURES MANUAL

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PREAMBLE

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

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

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

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

This personnel policy manual is a guide to be utilized by the management of the Carroll County Board of Developmental Disabilities to ensure uniformity and nondiscriminatory application of the conditions of employment. In the event there is a conflict between the matter expressed in this manual and any other applicable laws or documents, the applicable law or full extent of the written documents prevails.

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

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

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SECTION 1.01: OBJECTIVES

[ORC 5126.05]

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

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

SECTION 1.02: SCOPE OF COVERAGE

[ORC 5126.05]

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

SECTION 1.03: DISSEMINATION

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

SECTION 1.04: POLICY AMENDMENTS

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

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

SECTION 1.05: COST CONSCIOUSNESS [Ohio Revised Code 102]

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

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

SECTION 1.06: BOARD RIGHTS AND RESPONSIBILITIES [ORC 5126.05]

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

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

SECTION 1.07: VISITORS TO THE PROGRAM [ORC 5126.024]

- A. Parents and other interested citizens are encouraged to visit the programs and the facilities of the Board to observe the progress and the work of enrollees.
- B. A parent/guardian or interested citizen shall first report to the Building Administrative Offices to obtain a visitors badge and permission to visit a class or workshop department. This policy is intended to prevent interruption of classroom and work procedures by a parent/guardian or citizen at the expense of the enrollees in the program, however, it is not intended to the enrollees in the program, however, it is not intended to prevent a parent/guardian or interested citizen from visiting a classroom or other work area of the program for observation purposes. A telephone call in advance would be appreciated and should be encouraged by staff of the parent/guardian.

SECTION 1.08: DEFINITIONS

[OAC 124-1-02; ORC 4117.01; OACBDD Bench Mark Policies]

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

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

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

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

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

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

Administration-The Superintendent and the Management Staff.

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

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

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

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

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

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

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

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

County- Carroll County, State of Ohio.

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

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

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

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

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

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

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

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

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

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

Enrollee - See definition of consumer.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Nonfeasance - The omission of an act that ought to be done; total neglect of duty.

Participant - Any person who is receiving the services of the programs of the Board; also referred to as enrollee or consumer.

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

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

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

Public Employment Risk Reduction Act - Also known as House Bill 308 provides for occupational safety and health standards, rules and regulations. All public employers must provide employees with employment and a place of employment free from recognized hazards.

Employees must follow the employer's safety rules and regulations as provided under this Act. The effective date is July 1, 1994 with enforcement beginning January 1, 1995.

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

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

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

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

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

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

School Year - The program year for nine (9) month employees is one hundred eighty-four (184) workdays, as set by the Board adopted calendar for the program year.

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

Examples include:

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

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

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

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

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

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

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

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

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

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

Undue Hardship - Significant difficulty or expense in, or resulting from, the provision of an accommodation for employment or continued employment. The cost of the accommodation and financial resources of the entity are factors considered in determining whether an undue hardship exists.

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

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

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

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SECTION 2.01: EQUAL EMPLOYMENT OPPORTUNITY [ORC – Chapter 4112]

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

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

SECTION 2.02: APPOINTMENTS

A. Appointments (ORC 5126, 124).

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

1. The following are requirements for appointment:
 - a. Application Form – Form #GEN-4268 (Revised 01/98) from the Ohio Department of Administrative Services is required of all new applicants.
 - b. References – At least three (3) references must be obtained for each new applicant. References may be in letter form or by telephone contact. Telephone references require a written summary by the Board staff making the inquiry.
 - c. Conviction Record – Prior to hiring, each applicant must have an acceptable local report from the Carroll County Sheriff's Department of any conviction record. He/she must also have an acceptable report from the Bureau of Criminal Identification and Investigation of any conviction record (forms available) as well as any other state mandated background or FBI checks. The employee will be responsible for paying for the BCII record check.
 - d. Transcript - If the position for which an applicant is being interviewed requires proof of education requirements, the Board must be supplied with an official transcript of college credits listed by years and the degree(s) obtained. Certain positions may require a certified copy of college transcript(s) as provided by the college registrar.
 - e. Licenses, Certificates or Registrations – If a position requires special licenses, certificates or registrations, either a copy or an original (if required for position/certification) must be included with the application form).
 - f. Driver's License/Commercial Driver's License – A staff member whose position requires (or may require) transporting developmentally disabled citizens enrolled in the Board's programs, must obtain and maintain a valid, current driver's license, a copy of which will be kept in the staff member's personnel file. A school bus driver's endorsement is required for the position of Vehicle Operator (Bus Driver).
 - g. Driver's Abstract – A Driver's Abstract from the Bureau of Motor Vehicles must be obtained for specific positions of the Board, particularly the position of Vehicle Operator (form available). The prospective staff member must request this document at his/her own expense and have it sent to the person responsible for the interview who then will forward it to the Personnel Office.
 - h. Health Examinations – An acceptable physical examination report including a drug and alcohol screening, a negative tuberculin test and any other medical test report required for each new permanent staff member are to be submitted to the Administrative Office of the Board within thirty (30) days of employment (forms available). The physical qualifications for

all positions are contained in each position description. There will be no charge for the physical examination and the drug and alcohol screening.

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

B. Types of Appointments:

1. Classified Civil Service.

a. Certified.

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

b. Unclassified.

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

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

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

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

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

SECTION 2.03: RESIDENCY

[ORC 124.23]

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

SECTION 2.04: FILLING VACANT POSITIONS

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

SECTION 2.05: VERIFICATION OF EMPLOYMENT ELIGIBILITY

[8 CFR Parts 109 and 274a, Alien Employment Controls, Immigration and Naturalization Service]

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

SECTION 2.06: NEPOTISM [ORC 102, 3319.21]

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

SECTION 2.07: PROBATIONARY PERIODS [ORC 123-19-01, 03; ORC 124.27]

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

Twelve Month Staff Members one hundred eighty (180) Calendar Days
Nine Month Staff Members one hundred eighty (180) Working Days
- B. Supervisors shall use the probationary period to closely observe and evaluate the staff member’s performance and aptitude for the job. Each staff member is encouraged to bring problems to his supervisor for resolution in order to enhance his performance. Supervisors have a responsibility to recommend retention of only those staff members who meet acceptable work standards during their probationary periods.
- C. Probationary staff members may be removed any time of the probationary period. However, a probationary staff member may be removed during any time with reasons. The removal cannot be effective after the final day of the probationary period.
- D. No probationary period is required following a demotion.
- E. A classified staff member who is promoted to a new position within the program will have a probationary period of ninety (90) calendar days in that position. Failure during this probationary period will cause the employee to be returned to another position of similar responsibility and pay.
- F. Time spent on leave of absence or in non-paid status is not counted as part of the probationary period.

SECTION 2.08: PHYSICAL EXAMINATIONS [ORC 123-1-9-03 (D)]

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

Pre-hire Medical Examination:

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

SECTION 2.09: OUTSIDE EMPLOYMENT [ORC 5126.05, 5126.06]

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

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

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

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

SECTION 2.11: FREEDOM FROM SUBSTANCE USE/ABUSE

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

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

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

SECTION 2.12: NOTIFICATION OF CHANGES TO STAFF MEMBER PERSONAL INFORMATION

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

SECTION 2.13: CALAMITY/DELAY PROCEDURES

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

WTOV TV 9 Steubenville, MJW Fox 8 Cleveland, I Alert WKYC Channel 3, and News Net 5.

The following radio stations will be used WQXK FM 105 Salem and WHBC AM 600, WHBC FM 94.1 Canton and WHBC AM 1480, WJER FM 102 Dover and WJER AM 1480, and WKZL FM 92.5 Alliance and WFAH AM 1300.

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

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

The Superintendent may issue that all facilities will be open for adult individuals, but there will be no transportation provided to individuals outside of Carrollton Village limits. Adult individuals may be transported to all facilities by private individuals. Transportation may be provided to individuals living at AR 2 Rescare, so staff will call the facility. All adult program staff members are to report to work as usual. School staff will not report to work. Adult facilities open with only in town transportation may be issued with a one (1) or two (2) hour delay if necessary.

All facilities will be closed for individuals served by the workshops, school, and staff if temperature at actual 15 degrees below zero or a wind chill of 15 degrees below zero during normal operating hours, no electricity, no heat, a level 3 issued by the Sheriff, or at the discretion of the Superintendent or designee.

SECTION 2.14: VOLUNTEERS

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

3. BCII report (the Board will pay the cost of a background check);
 4. signed parental permission slip, if applicable;
 5. records of physical, negative tuberculin test, and conviction check;
 6. records of assignments;
 7. attendance records;
 8. records of training received;
 9. evaluations;
 10. resignation or termination data; and
 11. emergency notification data (same as for paid staff).
 12. drug and alcohol screening
- I. The applicant volunteer may be required to have a physical exam requirement completed for processing as referred to in Section C.
 - J. Volunteers will be given written notification of client's Bill of Rights, MUI's, UI's, and confidentiality requirements and training. They will acknowledge receipt of same before volunteering.

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

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

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

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

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

PERSONNEL RECORDS

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

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

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

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

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

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

—

Signature of Staff Member Date of Review

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

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

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

ACCESS

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

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

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

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

All business and personnel matters relating to employees of Carroll County Board of Developmental Disabilities are considered privileged and confidential and are treated as such by the administration of the County Developmental Disabilities Program and are subject to ORC 149.43. All Public Records requests per O.R.C. 149.43 will be reviewed for legality. All medical

information is not a public record and as such will be kept confidential. Additionally, home addresses and phone numbers are not public records and will be kept confidential.

DUPLICATION AND DISSEMINATION

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

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

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

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

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

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

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

SECTION 2.18: EMPLOYMENT PROCEDURES

- A. It is the policy of the Carroll County Board of Developmental Disabilities to employ persons who are qualified or trainable for employment by the fair standards of physical fitness, education, experience, aptitude and character for the position of employment available. Every effort will be made to place new employees in positions which will best utilize their abilities and in which they will be able to achieve both personal satisfaction and opportunity for growth.
- B. All decisions are made solely on the basis of job-related criteria. Interviews and certification screening will be done by the Superintendent or his/her designee, as appropriate. Qualified applicants will then be interviewed. All hiring will be done by the Superintendent.
- C. Licenses, Registrations and Certificates.
All staff shall comply with certification and license requirements of the State of Ohio, the Ohio Department of Developmental Disabilities and/or Department of Education. In accordance with O.R.C. 5126.25, only properly certified/registered employees shall be assigned to perform the duties which are required by the State of Ohio to be performed by certified/registered personnel. Each employee is responsible for maintaining his/her certification /registration. The Superintendent will verify all certifications /registrations. Any employee not certified/registered under the conditions of O.R.C. 5126.25 will be dismissed. Employees must have their information on certification/registration to the Superintendent or must have obtained a waiver in writing to submit said proof at a later date.
- D. Physical Examination.
After a job offer but prior to final job placement all prospective employees of the Board may be required to pass a physical by a physician designated by the Superintendent.
- E. Residency.
1. It is the goal of the Board to employ residents of Carroll County whenever possible.
2. Each employee, as a condition of employment, is required to maintain residency in the State of Ohio and report immediately in writing to the Superintendent any change of such.
- F. Pre-Employment Verifications.
Reference checks, background checks, educational transcript checks for all professional positions and job-related testing procedures will be conducted. Any job-related testing procedures will be administered in an objective manner. If an individual has a disability, the test will be administered in a manner that ensures the results reflect the skills, aptitude or other factors to be measured rather than the impaired skills. Only job-related skills will be evaluated. A minimum of three (3) documented reference checks will be attempted before a candidate can be recommended for employment.
- G. Bus Drivers.
In order to be considered for employment, applicants for the position of bus driver shall meet the minimum requirements as outlined in Section 2.04 of this policy manual.

- H. The most qualified applicants will be recommended to the Superintendent. The Superintendent will make the final decision with respect to hiring.
- I. The Carroll County Board of Developmental Disabilities will attempt to train and develop employees for promotion to higher-level positions. When vacancies occur above the entry level, Board staff will be given the opportunity to apply for such vacancies before outside recruitment is utilized.
- J. When a position becomes vacant, and the Superintendent decides to fill the position the position will be posted for five (5) working days. If a qualified current employee wishes to transfer to the vacant position, he/she shall notify the Superintendent.
- K. The Carroll County Board of Developmental Disabilities subscribes to a policy of promotion from within. However, the Superintendent reserves the right to employ from outside to fill vacancies.
- L. The Board maintains the discretion to hire to attempt to control placement and employment of relatives and members of same household, as defined in Section 2.06 of this Policy Manual.
- N. All employees will be required to sign a confidentiality statement. A copy of the statement will be given to the employee. The original will be placed in the individual's personnel file.

SECTION 2.19: CHANGES IN ASSIGNMENTS

The Superintendent will make assignments and promotions.

A. Assignments.

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

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

B. Promotions. (O.A.C. 123:1-23)

1. Completing the probationary period satisfactory may be a consideration in promotion.
2. A current employee will be considered for promotion to a vacancy only when he/she is determined by the Superintendent to be fully qualified for the position.
3. Each staff member who is promoted to a new position within the program will have a probationary period in that position for a period of time to be set at the time of the promotion. Such probationary period will be set for a period of time not less than ninety (90) calendar days.
4. During the second half of the probationary period, an employee serving a probationary period after a promotion or transfer may be returned to his/her former classification and rate of pay if work performance, behavior and/or work attitude is not satisfactory.

C. Transfers.

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

D. Temporary Job Assignments.

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

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

E. Voluntary Demotion.

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

F. Reinstatement.

Within one (1) year of resignation, a classified employee who resigns in good standing may request a reinstatement to his/her former position or a vacancy in a similar position. To be considered for reinstatement, the employee must remain qualified to perform the duties of the position and reinstatement must be in the best interest of the Board. Reinstatement is at the discretion of the Superintendent. (O.A.C. 123:1-25-02).

SECTION 2.20: EMPLOYMENT STATUS

- A. Classified and Unclassified. (O.A.C. 123:1-5)
1. All employees of the Board are classified civil servants with the exception of the Superintendent and designated managerial and professional staff.
 2. After completion of the established probationary period, a classified employee may be discharged only for cause or removed according to the procedures stated in Section 124 of the Ohio Revised Code.
- B. Classification Placement. (O.A.C. 123:1-3)
1. Jobs are grouped into classifications on the basis of similar duties and qualifications. Compensation is determined, in part, by the job classification.
 2. The duties and responsibilities of each job will be periodically reviewed and adjusted. When job duties have changed the employee or his/her supervisor may request that the position be audited for placement in a different classification.
 3. Classified positions may be audited by the Superintendent or an employee may request an audit by the Department of Administrative Services. A job audit may not be requested for a period of one (1) year from the date of the results of the last audit. (O.R.C. 124.14(D); O.A.C. 123:1-3-01)
- C. Employees are classified as full-time, part-time, temporary, seasonal or intermittent.
1. Full-time permanent (40 hours per week), a staff member who is regularly scheduled to work 40 hours per week will be considered full-time and will be eligible for the Board approved package of benefits, which include:
 - a. Health Insurance benefits
 - b. sick leave
 - c. vacation
 - d. personal days
 - e. holidays(ORC 325.19, ORC 124.38)
 2. Full-time permanent (30-39 hours per week), a staff member who is regularly scheduled to work 30 to 39 hours per week will be considered full-time and eligible for full medical benefits and other prorated benefits by the Board as listed in A. above, (ORC 325.19,ORC 124.38)
 3. Part-time bus driver (less than 29 hours per week), who is regularly scheduled to work 20 hours per week, is **not** eligible for medical benefits, but receives prorated sick leave, personal days, holidays, and vacation (if they are 12 month employees) as part of their compensation package. (ORC 325.19, ORC 124.39). Bus drivers who work only nine months of the year are not entitled to vacation leave pursuant to ORC 325.19(I), regardless of the number of installments in which the salary of such employees is paid.

4. Part-time permanent (fewer than 29 hours per week), a staff member who is regularly scheduled to work fewer than 29 hours per week will be eligible for prorated sick leave. (ORC 124.38)
5. Full-time permanent (seasonal) employees, also referred to in this manual as "nine month employee", of a county board of developmental disabilities who work only nine months of the year are not entitled to vacation leave pursuant to ORC 325.19(I), regardless of the number of installments in which the salary of such employees is paid."
6. Intermittent or substitute (on call as needed), employees are not entitled to any benefits listed in Section 2.20 of this manual. Usually working on an irregular schedule, which is determined by the fluctuation demands of the work which is not predictable and whose hours are generally less than 1,000 per year.
7. Temporary and intermittent employees are full-time or part-time employees who work in positions that are not considered permanent. Temporary employment is for a limited period fixed by the Superintendent. Intermittent employees are employees working on irregular schedules as determined by the needs of the Board. Both temporary and intermittent employees are used to fill a short-term need without incurring a permanent employment obligation. (O.A.C. 123:1-17- 08)
8. Probationary Employees.
Probationary employees are full-time or part-time employees who have not completed the established probationary period. Full-time or part-time employees who have successfully completed a probationary period are considered in regular employment status. Regular classified employees who have completed their probationary period are subject to discharge only for just cause. (See also Section 2.09)
9. Exempt and Non-Exempt Employees.
Exempt employees are those employees who hold positions that are administrative, professional or executive as defined by the Fair Labor Standards Act, and are exempt from overtime compensation. Non-exempt employees are those employees who do not hold one of the defined positions under the Fair Labor Standards Act, and are eligible for overtime compensation in the form of either pay or compensatory time as outlined in Section 6.01: Overtime Compensation.
10. Contract Employees.
 - a. Designated management employees of the Board will hold limited contracts of not less than one (1) year and not more than five years. The Board must approve all contracts for employment of more than one year.
 - b. During the term of a contract, a management employee's salary may be increased, but will not be reduced unless the reduction is a part of a uniform plan affecting all employees.

- c. All management employees will receive benefits including sick leave, holidays, and vacation leave as established as per their individual contracts.

11. Seniority.

Seniority with the Carroll County Board of Developmental Disabilities is defined as an employee's uninterrupted length of continuous service with the Board. Board seniority may be used internally when making decisions such as those regarding assignment of overtime or determining vacation schedules. Board seniority may also be considered as a factor when determining the order of promotions, but only when all other qualifications are equal. Agency seniority for purposes of layoff is explained in SECTION 7.15 LAYOFF.

SECTION 2.21: BULLETIN BOARDS

A. Official Bulletin Boards.

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

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

B. Information posted shall not contain:

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

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

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

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

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

SECTION 2.22: HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) OF 1996 PUBLIC LAW 104-191

Healthcare providers and health care plans must do the following requirements for privacy and confidentiality set forth in HIPAA and other applicable laws:

- Notify patients about their privacy rights and how their information can be used. (See attached form)
- Adopt and implement privacy procedure for its practice, hospital or plan.
- Train employees so that they understand the privacy procedures. This may require training for new hires and updated information.
- Designate an individual and committee to be responsible for seeing that the privacy procedures are adopted and followed.
- Secure patient records containing individually identifiable health information so that they are not readily available to those who do not need them.

The HIPAA law was enacted to increase access to and the efficiency of the health care system in the United States. The HIPAA law does not replace any federal, state, or other laws that grant an individual even greater privacy protection.

The Carroll County Board of Developmental Disabilities will abide by all requirements for privacy and confidentiality set forth in HIPAA, and other applicable law(s). The DD Board will not use or disclose Private Health Information (PHI) except in accordance with applicable requirements.

This policy shall apply whether the DD Board is acting as a covered health care provider or a health plan under HIPAA. If the DD Board is acting in more than one capacity, the DD Board shall be subject to the requirements applicable to that function and shall use or disclose PHI only for the purpose related to the function being performed.

The Carroll County Board of DD will comply with the Privacy rule as a health care provider or health care plan by:

1. Notifying patients or parents or guardians about the privacy rights and how their information can be used. (See attached form).
2. Adopt and implement privacy procedures for its practice, hospital, or plan.
3. Train employees so that they understand the privacy procedures.
4. Designate an individual or committee to be responsible for seeing that the privacy procedures are adopted and followed. The Board and or committee will define what type of PHI will be accessible to each employee or job position.
5. Secure patient records containing individually identifiable health information so that they are not readily available to those who do not need them.
6. No office, program, facility or employee of the DD Board shall intimidate, threaten, or do any type of retaliatory action against an individual who exercises their rights related to HIPAA compliance, against any person filing a complaint with the Board or Secretary of the U.S. Department of Health and Human Services, participating in an investigation, compliance review hearing, or in reasonable opposition that the person believes to be unlawful under HIPAA as long as the action does not involve a disclosure of PHI violation.

7. No employee or program of the DD Board can require an individual to waive his/her rights under HIPAA as a condition of treatment, payment or enrollment in a health plan or for benefits.
8. If a member of the work force or Business Associate violates any applicable law or DD Board procedures the Board shall impose sanctions. Sanctions will be defined by the DD Board and/or Committee. A Sanction will depend on factors such as severity of the violation, intent of violation, or violation indicating improper use or disclosure of PHI. Sanctions could range from warning to termination. Training will provide expectation.

SECTION 2.23: IDENTIFICATION BADGE PROCEDURE

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

Definitions:

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

Procedure:

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

by the Supervisor of the facility. A log will be maintained of all Temporary Identification Badges issued.

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

SECTION 2.24: EMPLOYEE BACKGROUND RECORD CHECKS

The Carroll County Board of DD shall conduct a records check of each individual under final consideration for employment. A record check may include, but is not limited to, employment history, criminal background, and bureau of motor vehicles, nurse aide registry, and the abuser registry.

The Board shall pay the cost of a record check for volunteers and provide a copy of a criminal background check and/or driving abstract to the individual. The Board will pay for prospective employees background checks.

1. CRIMINAL BACKGROUND CHECKS

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

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

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

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

2. FAIR CREDIT REPORTING ACT

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

ALL EMPLOYEES shall sign the following:

I have not been convicted of a felony, and as an employee of Carroll County Board of DD, I agree to inform the Board, within fourteen (14) calendar days, if during my employment I am ever formally charged with, convicted of, or plead guilty to, any of the offenses listed in Exhibit 1. I understand that failure to report formal charges, a conviction or a guilty plea, to the Superintendent may result in my being dismissed from Board employment.

Employee's Signature

Date

Job Title

An applicant, unless the applicant is legally rehabilitated may not be hired by a County Board of Developmental Disabilities if the applicant has been convicted of or plead guilty to any of the following:

HOMICIDE

1. R.C. 2903.01 Aggravated murder
2. R.C. 2903.02 Murder
3. R.C. 2903.03 Voluntary manslaughter
4. R.C. 2903.04 Involuntary manslaughter

5. R.C. 2903.11 Felonious assault
6. R.C. 2903.12 Aggravated assault
7. R.C. 2903.13 Assault
8. R.C. 2903.16 Failing to provide for a functionally impaired person

MENACING

9. R.C. 2903.21 Aggravated menacing

PATIENT ABUSE AND NEGLECT

10. R.C. 2903.34 Patient abuse; neglect

KIDNAPPING AND RELATED OFFENSES

11. R.C. 2905.01 Kidnapping
12. R.C. 2905.02 Abduction
13. R.C. 2905.04 Child stealing (as the offense existed prior to 7-1-96)
14. R.C. 2905.05 Criminal child enticement

SEX OFFENSES

15. R.C. 2907.02 Rape
16. R.C. 2907.03 Sexual battery
17. R.C. 2907.04 Unlawful sexual conduct with a minor, formerly corruption of a minor
18. R.C. 2907.05 Gross sexual imposition
19. R.C. 2907.06 Sexual imposition
20. R.C. 2907.07 Importuning
21. R.C. 2907.08 Voyeurism
22. R.C. 2907.09 Public indecency
23. R.C. 2907.12 Felonious sexual penetration (as the offense formerly existed)
24. R.C. 2907.21 Compelling prostitution
25. R.C. 2907.22 Promoting prostitution
26. R.C. 2907.23 Procuring
27. R.C. 2907.25 Prostitution
28. R.C. 2907.31 Disseminating matter harmful to juveniles
29. R.C. 2907.32 Pandering obscenity
30. R.C. 2907.321 - Pandering obscenity involving a minor
31. R.C. 2907.322 - Pandering sexually oriented matter involving a minor
32. R.C. 2907.323 Illegal use of minor in nudity-oriented material or performance

ROBBERY & BURGLARY

33. R.C. 2911.01 Aggravated robbery
34. R.C. 2911.02 Robbery

- 35. R.C. 2911.11 Aggravated burglary
- 36. R.C. 2911.12 Burglary

OFFENSES AGAINST FAMILY

- 37. R.C. 2919.12 Unlawful abortion
- 38. R.C. 2919.22 Endangering children
- 39. R.C. 2919.23 Interference with custody that would have been a violation of ORC 2905.04 as it existed prior to 7-1-76

- 40. R.C. 2919.24 Contributing to unruliness or delinquency of a child
- 41. R.C. 2919.25 Domestic violence

WEAPONS CONTROL

- 42. R.C. 2923.12 Carrying concealed weapon
- 43. R.C. 2923.13 Having weapons while under disability
- 44. R.C. 2923.161 Improperly discharging firearm at or into a habitation or school

DRUG OFFENSES

- 45. R.C. 2925.02 Corrupting another with drugs
- 46. R.C. 2925.03 Trafficking in drugs
- 47. R.C. 2925.04 Illegal manufacture of drugs or cultivation of marijuana
- 48. R.C. 2925.05 Funding of drugs or marijuana trafficking
- 49. R.C. 2925.06 Illegal administration or distribution of anabolic steroids
- 50. R.C. 2925.11 Drug abuse (so long as it is not a minor drug possession offense)

OTHERS

- 51. R.C. 3716.11 Placing harmful objects in food or confection
- 52. A violation of R.C. 2919.23 that formerly would have violated R.C. 2905.04

ADDITIONAL DISQUALIFYING OFFENSES

- 1. Any offense, in this state, any other state, or the United States which is substantially equivalent to any of the above offenses.

- 2. Any felony or any 1st degree misdemeanor that is a felony on a subsequent offense, contained in the Ohio Revised Code which bears a direct and substantial relationship to the duties and responsibilities of the position the applicant is being considered for.

APPLICANT MUST INITIAL IN THE FOLLOWING SPACE: _____

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SECTION 3.01: PERSONNEL RECORDS

A. General.

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

B. Content of Personnel Records.

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

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

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

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

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

SECTION 3.02: PERFORMANCE EVALUATION PROGRAM

[Ohio Administrative Code 123:1-29]

A. General.

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

B. Types of Ratings.

1. Probationary Period Ratings.
 - a. Probationary staff should be rated twice during the probationary period. The first rating should be made before the end of the first half of the probationary period. The final rating is to be made during the last half of the probationary period.
 - b. If the probationary period has been satisfactorily completed, the entry "staff member to be retained" shall be made on the last evaluation form and signed by the Superintendent. If the probationary period has not been satisfactorily completed, the entry "probationary removal" should be made at that point.
2. Annual Ratings.

All staff members who are not on probationary status are to be rated once a year. The rating should cover the staff member's performance during the entire year preceding the date of rating, or during the time since completion of his/her probationary period.
3. Special Ratings.

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

SECTION 3.03: STAFF DEVELOPMENT

- A. All personnel employed or under contract with the Board are encouraged to participate in staff development activities such as formal course work, workshops, clinics, local area meetings, and observations of other programs.
- B. Records of in-service participation shall be maintained in the personnel file of each staff member. It is the staff member's responsibility to submit such records to the Administrative Office in a timely manner.
- C. Individuals participating in in-service activities may be given Professional Leave in accordance with the Board's policy on Professional Leave. Such individuals may be asked to submit a report or give a presentation concerning their observations and learning experiences.
- D. Although a staff member may be fully certified and/or licensed for his/her position, the Superintendent may request and/or require additional training or course work to be obtained in order to remain abreast of current information, improve upon weaknesses which appear in a staff member's performance evaluation, and/or assist the staff member in keeping up with the changes within his profession.
- E. Regular staff meetings will be scheduled within each department. Attendance is required for all staff members within the department. Such staff meetings will allow time for discussion of topics of current concern within the program such as new policies and procedures, methods of training, instruction, curriculum and other matters as needed. A copy of the minutes of each staff meeting will be filed in the Administrative office.

SECTION 3.04: EMPLOYEE CERTIFICATION/LICENSURE AND REGISTRATION STANDARDS [O.R.C. 5126.25, 5126.26, 5126.27]

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

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SECTION 4.01: HOURS OF OPERATION

A. Program Calendar.

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

B. Regular Hours.

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

C. Lunch Breaks.

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

D. On-Call Duties.

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

E. Procedures for Inclement Weather. (O.A.C. 123:1-46-01)

1. When a calamity day is declared, full-time employees will be compensated for the time they were scheduled to work during the calamity day period.
2. An employee may be required to work even though the Board is closed due to an emergency. Janitor/maintenance staff will report for at least four (4) hours of work during a calamity day. The employee is entitled to straight-time pay for regular hours worked, unless he/she is on overtime status. Employees will not be paid double for calamity day and straight time pay for hours worked.
3. The Superintendent has the authority to close Programs due to weather or building emergency. In such cases, all employees will be required to leave the office and cancel appointments. When a program is closed for an emergency, the on-call person will be responsible for any emergency services.

4. An employee not scheduled to work because of a scheduled vacation or continuing sick leave will not be charged for the leave on the day of the declared emergency.
5. An employee who is absent, tardy or leaves work early on a day when weather conditions interfere with travel, but when no emergency has been declared, will not be paid for the missed time. The employee may, with approval of the Superintendent, account for the time by charging it to vacation, personal leave, or to leave without pay. Inclement weather is not a valid use of sick leave. On any day the facilities are open, any staff member who is unable to report for work due to weather conditions is required to contact his/her immediate supervisor's office no later than thirty (30) minutes after his/her scheduled starting time. Any staff member who fails to contact his/her immediate supervisor will automatically be docked one day's pay.
6. Employees will be required to make-up emergency days subject to the terms of the Board-approved calendar.
7. Staff members whose hours of work would not be affected by a program delay shall work their regular number of hours.
8. **Workshop staff may be required to work on calamity days in order to maintain production contracts. Staff will be notified by One Call Now to report to work on calamity days and normally will be given a one (1) to two (2) hour delay. Staff needs to contact the Director of Adult Services or Superintendent for approval to call off work on calamity days. Calls offs that are approved on calamity days may be excused at the Director or Superintendent discretion. Staff will only receive calamity pay for the one or two hour delay. Staff will only receive pay on said calamity day where they are required to work by working or using sick, vacation, or personal time approved by their supervisor.**

SECTION 4.02: CODE OF ETHICS [ORC 102.09]

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

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

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

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

SECTION 4.03: CONFIDENTIALITY

A. General.

Most of the information (verbal, written and printed) and many of the events encountered by staff of the Board are considered to be of a confidential nature. All staff whose job assignments and/or job environments give them access to consumers' confidential matters are required to maintain the confidentiality of this information by revealing it only to authorized personnel. If uncertain as to whether a matter or information is confidential, the staff member is required to contact his/her immediate supervisor, department head or the Superintendent for determination prior to revealing the information/situation to anyone. Expressing personal opinions about consumers' condition or treatment is considered to be in violation of this policy except when such is done within the facility with other staff. Having knowledge of and practicing specific procedures for maintaining confidentiality are the responsibility of each staff member and his/her immediate supervisor. Staff members working regularly with matters of a confidential nature may be required to sign a statement pledging, under penalty of law, to maintain the security of the confidential data to which they have access. The release of information concerning the program to the news media and general public must be approved by the Superintendent prior to such release.

B. Definition of Confidential Information.

1. All files, records and information (including but not limited to the following forms: audio, video, tapes, photographs, printed and written material and any waiting lists for services) bearing any personal information regarding a recipient of services provided by the Board (Service and Support Administration (Case Management)/Family Support Services, Residential Development, Early Childhood, School Age, Adult Services or other service) are considered confidential and are the program property under the jurisdiction of the Board.
2. Any material bearing a consumer's personal information, considered either new data or completed product, and regardless of origin shall be considered confidential.
3. Any other materials designated confidential by the Superintendent.
4. Ohio law established child abuse and neglect reports as confidential and provides that a person who permits or encourages the unauthorized dissemination of a report's content is guilty of a misdemeanor of the fourth degree.
5. Employees are cautioned not to disclose Protected Health Information (PHI).

C. Protection of Confidential Materials.

1. It is the responsibility of each staff member to keep all materials safely and securely stored under lock and key, whenever possible.
2. Permanent records or copies of enrollee's file materials shall not be removed from the grounds by staff without the written permission of the Superintendent or his/her designee. Confidential materials used in planning and implementing IEP's, IFP, or ISP which need to be taken off the grounds will require a waiver approved by the Superintendent or his/her designee.

3. Compliance with employment/division procedures to maintain confidentiality shall be required by all staff, visitors, volunteers, consultants and families. D. Access to Confidential Materials.
- D. Access to Confidential Materials.
1. Staff members employed for education, training, or other assigned purposes will have free access to an assigned individual's master files when such are needed to evaluate, develop and implement IEP's, IFP's, or ISP's and to obtain evaluation data. Any other person wanting access to files must follow the specific procedures required by law and defined in the component/division holding the desired information.
 2. With the written permission of the Superintendent or his/her designee, access to enrollee's files/materials will be approved for non-Board staff member who are associated with planning or implementing IEP or IFP and ISP goals or other legally acceptable assignments.
 3. Service Support staff, in the course of their duties, may have need of consumer information from many sources. They may have free access to any information needed, but will comply with the established procedures for removal or release of the material/information.
 4. During a Service Support Administration investigation, certain privileged information may be revealed between the consumer, family, staff and the Service Support Administrator. In such instances, and for specific periods of time, privileged information may not be discussed or released outside the Service Support Division until the enrollee's protection is assured and he has signed consent for a release of this information.
 5. Any individual or agency legally authorized to request confidential information, in the course of his/its duties, may have access to such information by meeting the following conditions:
 - a. complying with the procedures of the holding component division;
 - b. producing the appropriate releases completed by the consumer or guardian;
 - c. duplicating only the materials specified in the release; and
 - d. having other legal authority to access the Board.
- E. Only employees may make home visits, training visits or collateral calls. No children, significant others, relatives or friends may accompany an employee during work hours.
- F. Confidentiality procedures and requirements are subject to change, either through legislation or administrative ruling. The Superintendent will communicate any such changes to each employee.
- G. Violation of this Section may result in disciplinary action, up to and including immediate dismissal.

SECTION 4.04: TARDINESS AND ATTENDANCE [O.R.C. 325.17, 5126;
O.A.C. 123:1-31-03]

- A. Staff attendance is a critical element in delivering quality services to individuals served by the Board. Staff absenteeism severely impairs the Board's ability to provide quality care by destroying the continuity of the programming and requires programming funds to be spent on substitutes and in payment of sick leave to absent employees. Absenteeism increases the workload of other employees and thus affects the quality of services being provided. Good attendance habits are encouraged and required.
- B. Each staff member has regularly scheduled hours to work and it shall be his/her responsibility to be present on his/her job during these regularly scheduled hours. Whenever circumstances prevail that a staff member must be absent from work, it is the sole responsibility of the staff member to notify his immediate supervisor or designee (at the Supervisor's home or at work) or the Superintendent of his absence no later than one (1) hour prior to the start of his workday. Supervisors will inform staff members as to who to contact them. Advance notification of a staff member's absence shall be given to the Supervisor or the Superintendent whenever possible. Provision governing absences due to sickness, vacation and approved unpaid leaves of absence are covered under the appropriate headings in these personnel policies.
- C. Any staff member who is absent without approved leave, who fails to contact his immediate supervisor or designee, or the Superintendent regarding his absence in a timely manner as outlined in paragraph B above or fails to work, as schedule shall be subject to disciplinary action. Any staff member who is absent from work without prior authorization for more than three (3) consecutive days may be required to have a signed physician's statement attesting to his fitness before being permitted to return to regularly scheduled work. However, the Superintendent and/or the Board may waive this requirement when extenuating circumstances justify such action.
- D. Staff shall be expected to maintain good records of attendance and timely appearance for work. Each staff member is responsible for initiating the report of any incident of his tardiness or absenteeism, which shall be recorded and made part of the staff member's personnel record. Excessive tardiness and absenteeism may be grounds for disciplinary action.
- E. In order to receive holiday pay, a civil service employee must work their scheduled work day before and the day after the holiday unless approved by supervisor.
- F. In the event an employee calls off prior to or after a scheduled leave, i.e. vacation, spring break, winter break, etc., the Superintendent or designee may require a doctor's statement excuse for justification for that employee to receive sick leave pay.

SECTION 4.05: SAFETY AND HEALTH [ORC 4167 Public Employment Risk Reduction Act]

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

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

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

SECTION 4.07: TOOLS, SUPPLIES, EQUIPMENT, TELEPHONE, E-MAIL, INTERNET, AND COMPUTERS

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

2. No employee may misuse his/her authority over any such computer resources.
 3. No employee may reproduce or make personal use of propriety software purchased by and licensed to the Board.
 4. No employee may use the Board's computer resources for private purposes, including family and friends, or for playing games.
 5. No software, data or information may be removed from the Board premises in the form of tape, diskette, print or other media, unless the removal is related to Board business.
 6. All computer software, data and information relating to the conduct and operation of the Board are considered proprietary information belonging to the Board and cannot be appropriated, altered, sublicensed, copied or used for other than Board business.
- J. The electronic mail (E-Mail), voice mail and other information systems of the Carroll County Board of DD shall only be used as required in the performance of an employee's duties. Both E-Mail and Voice Mail are the property of the Carroll County Board of DD. The availability of the Internet, email, and online services is limited to uses, which further Board business.
1. The use of E-Mail/Voice Mail shall not be used in a way that may be disruptive, offensive to others, harmful to morale, or for private or personal reasons. When appropriate material from the Internet, email, or other online services is downloaded, it should be scanned using anti-virus software.
 2. There is to be no display or transmission of sexually explicit images, messages, or cartoons or any transmission or use of E-Mail for communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, age, disability, religious or political beliefs. The following uses of the internet, online services, or email are strictly prohibited:
 - playing games or other uses that interfere with Board business;
 - solicitations of any kind;
 - any non-Board business activity for profit or non-profit businesses or agencies;
 - sending chain letter;
 - distribution of printed copyrighted materials;
 - uses that could violate state or federal laws;
 - any use that could bring embarrassment to Carroll County Board of DD.
 - Visiting pornographic web sites or other inappropriate web sites, chat rooms, etc.
 3. Employees should use E-Mail/Voice Mail for Board business only. The E-Mail/Voice Mail systems should not be used to solicit or proselytize others for commercial ventures, religious or political causes, outside organizations, union correspondence and activities, or other non-job-related solicitations.
 4. All E-Mail messages are Board records. The Carroll County Board of DD reserves the right to access and disclose all messages sent over its electronic mail system

whenever there is a business need to do so. Employees are hereby put on notice that all Internet browsers furnish a trail that traces all sites visited by the user of that computer terminal. The Board may access this trail and monitor employee use as it considers appropriate.

5. For privacy reasons, employees should not attempt to gain access to another employee's personal file of E-Mail messages. E-Mail information is considered confidential information and should only be shared with authorized individuals.
 6. Whenever an employee changes his/her E-Mail/Computer password, the employee shall immediately inform the Department Head or Supervisor of the password change. **For HIPAA purposes all employees are to change their computer password on a quarterly basis. The HR manager will maintain a record of all employees' email/computer passwords.**
 7. Violation of any part of this policy shall subject the employee to appropriate disciplinary action.
- K. Use of the Internet, electronic mail and online services has great potential to enhance the productivity of Board employees in all agencies. At the same time, as is the case with all Board resources made available to employees, abuse is possible. Employees must be held accountable for their use and misuse of Board resources, of which access to the Internet, electronic mail and online services are but three examples.
1. The Internet, electronic mail and online services are intended to be used primarily for business purposes. Uses that interfere with normal business activities, involve solicitation, are associated with any for-profit business activity or could potentially embarrass the Board are strictly forbidden.
 2. Board employees shall not use the Internet, electronic mail or online services for operating business for personal gain, sending chain letters or soliciting money for religious and political causes.
 3. Board employees shall not use the Internet, electronic mail and online services to transmit or download material that is offensive, obscene, pornographic, threatening, or racially or sexually harassing.
 4. Board employees shall not use the Internet, electronic mail and online services to disseminate or print copyrighted materials (including articles and software) in violation of copyright laws.
 5. Board employees shall not use the Internet, electronic mail and online services to provide access to confidential information. Board employees shall not use these services to provide access to public information without following the existing rules and procedure of the custodial agency for dissemination. Strict adherence to the Board's HIPAA Security Policy in regard to Electronic Protected Health Information (EPHI) will be observed.
 6. Board employees shall not use an Internet, electronic mail and online service account or signature line other than their own.

7. Board employees shall take all reasonable precautions to prevent the inadvertent dissemination of anyone else's information via the Internet, electronic mail and online services.
 8. Internet usage is subject to other limitations as imposed by supervisors to prevent excessive or improper use.
 9. Board employees are also reminded that access to and use of the Internet, including communication by e-mail, is not confidential. Internet access can and will be monitored. Web browsers leave traceable "footprints" to all sites visited.
- L. The Board may approve the use of selected Board-owned facilities and equipment by groups within the community when requested and scheduled in advance through the administrative office. The authorized representative of any such group should have the completed and approved permission form with them during the utilization of the facilities and/or equipment.
- M. Violation of any part of this policy will subject the employee to appropriate disciplinary action.
- N. ELECTRONIC-MAIL (E-MAIL).

Increasingly, an essential part of the Board's business involves the use of E-mail. As we communicate with each other and the public through the E-mail system, it has become increasingly important that the Board established standards governing E-mail usage. This policy is designed to address such usage at the Board.

1. Except for the dissemination of personal information of general interest (such as the announcement of the birth of an employee's child) and the use of the Board's "bulletin board," E-mail messages on the Board system should only be used for Board business.
2. At no time may employees use the Board E-mail system to:
 - a. Verbally abuse or otherwise use inappropriate, defamatory, vulgar or threatening language towards customers, vendors, other employees, or any other person or entity;
 - b. Make discriminatory statements, including, for example, disparagement of others based on race, national origin, gender, age, disability or handicap, pregnancy, religion, sexual orientation or other characteristics protected by federal, state or local law;
 - c. Make statements that might constitute sexual harassment under the Board's sexual harassment policy; and
 - d. Make statements regarding or otherwise improperly disclose trade secrets, confidential information or other proprietary information.
3. Employee E-mail messages may be accessed, monitored or reviewed. This monitoring will help the Board provide training and feedback on E-mail techniques and quality control, and assure compliance with this policy. In addition, the monitoring may be conducted where an employee is suspected of violating the terms of this policy. By using the Board's E-mail system, employees consent to the possibility that their messages might be reviewed by the Board. E-mail communications on the Board E-mail system remain the property of the Board.

4. Only management employees may monitor employee E-mail messages and E-mail monitoring may only be done at the direction of the Superintendent or designees.
5. Violators of this policy will be subject to discipline, up to and including discharge, based on the severity of the offense.

O. DATA PROCESSING POLICY.

COMPUTER AND INTERNET USAGE.

The following policies apply to all users, staff or otherwise, operating Board-owned computer equipment or accessing data stored on the Board's file servers or the internet. This equipment shall include, but is not limited to, all computers whether they are networked or stand-alone units. These policies have been established to maintain confidentiality, protect assets, prevent lawsuits, and avoid any public embarrassment.

1. Use of Personal Computers, Internet, and Electronic Mail for Personal Purposes - Board owned or leased computer equipment is intended to be used for work purposes only. Users may be permitted to use computers for personal purposes only with the express, prior approval of their immediate supervisor. When approved, the use of this computer equipment shall be limited to non-working hours, such as lunch breaks or before/after duty hours. In addition, users shall only use personal supplies, such as floppy disks and printing paper. Any personal data stored on the computer is subject to search and retrieval, without notice to the user. This provision does not permit or authorize any employee or official to access data except for an authorized, business purpose and as permitted by law.
2. Users shall not place passwords or other access limitations on any computer unless approved.
3. The use of electronic mail (email) shall be in accordance with Board Policy #4.06.02. E-mail is intended for business purposes and is neither private nor confidential. While overuse of email is discouraged, it is important to note that email can be a powerful communication tool for the Board. Therefore, since all network users will have accounts established on the Board's email system, they are expected to check their email regularly.

NOTE:

The Board, in accordance with Policy # 4.07 (H) (I), reserves the right to search and retrieve the contents of any email sent or received by the Board's email system. The content of email sent through the Board's email system should be appropriate for a business environment and devoid of material that could bring discredit upon the Board.

4. Circulation in the work place of indecent material or material that ridicules or offends a reasonable person on the basis of sexual content or race, color, religion, ethnic or national origin, disability, or any other personal characteristics protected by applicable law, is strictly prohibited, and employees who originate, forward, or circulate such material in the work place are subject to severe disciplinary action, up to and including discharge for the first offense. It is specifically prohibited to use Board facilities, equipment (including computers

and photocopiers), communication channels, including email and inter-office mail, or work time to disseminate such material.

5. Users who use the Board's computers to access on-line information services or the Internet may do so for business purposes only during business hours. At no time and under no circumstance may an employee use a Board-owned computer to access on-line information or services deemed obscene, indecent, or otherwise offensive to a reasonable person.

UNACCEPTABLE USE:

- a. Users shall not erase, rename, or make unusable anyone else's computer files, programs or disks.
- b. Accessing another person's materials, information, or files without the implied or direct permission of that person is prohibited.
- c. Users shall not use or try to discover another user's password.
- d. Users shall not use Board computers or networks for purposes of personal profit.
- e. Users shall not use a computer for unlawful purposes, such as the illegal copying or installation of software, or violation of copyright laws.
- f. Users shall not copy; change or transfer any software or documentation without permission from the Superintendent or designee.
- g. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan Horse, or similar name.
- h. Users shall not deliberately use the computer to annoy or harass others with language, images, or threats. Users shall not deliberately access, create, or transmit any obscene or objectionable information, language or images.
- i. Users shall not intentionally damage the system, damage information belonging to others, misuse system resources, or allow others to misuse system resources.
- j. Users shall not tamper with computers, networks, printers or other associated equipment except as directed by the Superintendent or designee.
- k. Users shall not take home technology equipment (hardware or software).
- l. Users shall not gain unauthorized access to resources or entities.
- m. Except as otherwise provided in this policy, Users shall not invade the privacy of individuals.
- n. Users shall not post material authorized or created by another without his/her consent.
- o. Users shall not post anonymous messages.

- p. Users shall not use the network for commercial or private advertising. The Internet, web pages, and other technology shall not be used for private or commercial offerings of products or services for sale, or to solicit products or services or to raise funds for non-Board related activities or organizations.
- q. Users shall not forge electronic mail messages or web pages.
- r. Users shall not use the network while access privileges are suspended or revoked.
- s. Users shall not use the network in a fashion inconsistent with directions from the Superintendent or designee, and generally accepted network etiquette.
- t. Users shall not subscribe or use fee based on-line services without the prior written approval of the Superintendent or designee.
- u. Users shall not use the network to disseminate material or information on the behalf of or with regard to professional unions, private businesses or associations, or political campaigns or organizations without the express written consent of the Superintendent or designee.
- v. Users shall report illegal or unauthorized use of the network to the Superintendent or designee.

NOTE:

As with email, the Board reserves the right to arbitrarily and at random check the information or services accessed by any and all Board-owned computers through an on-line service, including the Internet. The Carroll County Board of DD will ensure that Board computers are configured in such a way that this information is logged and available for review, as deemed appropriate.

Personal Hardware and Software.

No personal hardware may be attached to or personal software installed on Board-owned computers. All hardware attached to and software installed on Board-owned computers, including in-house developed programs, are the sole property of the Board. This policy is enforced to reduce problems with equipment, software failure, damage to data files, the introduction of viruses, and the violation of software licenses/copyright laws.

Microcomputer Security.

Desktop or any transportable microcomputers (laptops or notebooks) should be located in a safe environment. Any user assigned a transportable microcomputer assumes full responsibility for the safekeeping of both the hardware and the software. Preventing unauthorized access of any microcomputer system should be of utmost concern to all employees. The following items address the microcomputer security issue:

1. Physical Location:

To the extent possible, any room in which computers are kept should be locked when not in use. Any transportable computer should be kept in a safe place at all times; this includes the time the hardware is in transit. All portable computers must be handled as "carry-on luggage" while in public transit. When microcomputers are being transported for a special event that does not permit them to be carried individually, permission must be requested in writing. Approval will be granted, in writing, along with the special one-time procedures to be followed for the event.

2. Access Security:

Microcomputers will be configured to provide as much security to software and data stored on the local hard disk, as possible. This will include the use of user profiles and passwords and file access restrictions. Users should not share their passwords with others and should always store their data disks in a locked place.

3. Work Area Accessibility:

In order to maintain security and to operate efficiently, the superintendent, or designee, reserve the right to access any user's microcomputer, as needed. Therefore, users are prohibited from using any type of locking device or altering passwords that may hamper access to their system when needed.

No employee or other unauthorized personnel may intrude or tamper with another user's microcomputer, data disks, or other peripheral devices. Staff that bring guests, including family members, into Board-owned facilities are responsible for their activity while in the building.

NOTE:

This does not preclude supervisors or managers from monitoring the use of or directly accessing information on a user's personal computer should the appropriate situation arise.

P. Operation Rules and Procedures:

The following rules and procedures apply to the operation of all computers and microcomputers:

1. No food or beverage is to be placed on or near the hardware or software.
2. No smoking is permitted near the hardware or software. Since the Board has a no smoking policy in all of its facilities this is not really an issue for desktop computers. However, staff who has been assigned laptops should be aware that smoking near their laptops, when away from Board-owned facilities, may cause damage to internal components of the laptop computer.
3. A clean, cool, and dry working environment is recommended for the computer.
4. Magnetic devices should be kept away from the computer, disks, and tapes (i.e., radios, cassette players, etc.). In addition, you should never lay a floppy disk on top of your monitor (doing so could destroy all of the data on the floppy disk).

5. All computers and peripheral equipment must be plugged into a surge protection unit. Whenever possible, non-computer electric devices should not be plugged into the surge protection outlet or into the same wall plug with the surge protection device. Only grounded electrical outlets are to be used.
6. No illegal copying of software is permitted.
7. No hardware or software may be removed from the Board's premises without the written permission, for each occasion, of the Facility Manager. Portable computer systems that are used away from the workplace will be the sole responsibility of the user to whom the computer was assigned. Under no circumstance is a portable computer to be carried off of facility premises by an unauthorized user.
8. No hardware or software (including portable equipment) will be loaned to non-Board personnel.
9. Floppy disk labels will be written on with a permanent marker before they are applied to the disks.
10. Floppy disks will be kept in their disk containers or storage unit when not in use.
11. Users are not permitted to change or modify in any way those configurations items critical to the proper functioning of the unit on the Board's network.
12. Users are not permitted to install hardware or software on Board-owned computers without written permission from the Superintendent or designee. Board-owned computers will be periodically audited to determine what hardware and software is installed. Any unauthorized software found on the computers will be removed and the user subject to disciplinary action.

Q. Personal phone calls, personal cell phones, and personal pagers in the workplace.

Telephones are provided for Board Business. They shall be answered promptly and in a courteous manner. Use of the telephones for personal reasons should be kept to a minimum and used in designated areas only at designated time. Incoming personal calls shall be directed to the appropriate extension. If no extension is available, a message will be taken and either forwarded to the appropriate supervisor for delivery to the employee or placed in the employee's mailbox. Employees who are expecting an emergency call should notify their supervisor and facility secretary so that they can be more easily contacted when the emergency call is taken. Every effort will be made to contact the employee immediately so that he/she can take the call.

Toll calls for personal reasons charged to the Board without proper approval by supervisor or the Superintendent will result in disciplinary actions. Staff is encouraged to place toll calls on their own personal calling cards.

Personal Cellular Phones

a. While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of County phones. Excessive personal calls during the workday, regardless of phone used, can interfere with employee productivity and be distracting to others. Use of personal cell phones

and/or beepers during working hours while at a Board operated facility is prohibited unless the facility supervisor of the facility where the employee is working, grants specific permission to the employee, for good cause shown, to have and use a cell phone. Employees are asked to make personal calls on non-work time and to ensure that friends and family members are aware of the County's policy.

b. The County will not be liable for the loss of or damage to personal cellular phones brought into the workplace.

Personal use of County-Provided Cellular Phones.

a. Where job or business needs demand and immediate access to an employee, the county may issue a business cellular phone to an employee for work-related communications. In order to protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used for business reasons only. Phone logs will be audited regularly to ensure no unauthorized use has occurred.

b. If an employee experiences a severe personal emergency that results in the need to use County's cellular phone, he or she is required to report this use to the department director or designee within 48 hours. The employee will be asked to sign a form specifying the number called and the reason for the call and will directly reimburse the County when the bill is received. If there is no charge for the call billed, i.e., the set number of minutes for the calling plan used in not exceeded, then no reimbursement is needed. Failure to report such use may result in disciplinary action.

Staff is not allowed to text during work hours except on breaks unless permission is granted by their supervisor. Cell phones should be off except during breaks. Staff that is outside of their assigned buildings should have their cell phones on if their job (supervisor) requires them to be reached for business reasons.

Safety Issues for Cellular Phone Use

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

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

SECTION 4.08: USE OF MOTOR VEHICLES [O.R.C. 124.71 and 4509.51]

- A. Staff who are required to use their privately owned vehicles for Board business are required to carry, as a minimum, vehicle liability insurance in accordance with Section 4509.51 of the Revised Code as follows:
 - 1. Twelve thousand, five hundred dollars (\$12,500.00) because of bodily injury to or death of one person in any one (1) accident;
 - 2. Twenty-five thousand dollars (\$25,000.00) because of bodily injury to or death of two or more persons in any one (1) accident;
 - 3. Seven thousand, five hundred dollars (\$7,500.00) because of injury to property of others in any one (1) accident.
- B. A staff member's signature on a travel expense report will be considered as affirmation of possession of the insurance called for in Section 4509.51 of the Revised Code.
- C. All staff will adhere to safe and courteous driving practices while operating Board vehicles or private vehicles on official Board business. Any staff member operating a motor vehicle must obey all traffic laws at all times, including wearing seatbelts, except in emergency situations in which specified driving regulations promulgated by the Superintendent in accordance with the Ohio Revised Code shall prevail.
- D. A staff member operating a Board-owned motor vehicle is required to have a proper and valid motor vehicle operator's license. No staff member shall use or permit the use of a Board-owned vehicle for any purpose other than Board business, unless the Superintendent grants express permission.
- E. No Board-owned motor vehicle may be used for any purpose outside its public functions during working hours or any other time unless the Superintendent has authorized such.
- F. Traffic fines, citations or arrests for illegal or improper use of vehicles are the sole responsibility of the employee. Reckless or destructive operation of vehicles is grounds for disciplinary action as outlined in Section 5.02 of this Manual. Further, if an employee who is required to utilize his/her own personal vehicles for Board business or who operates a Board owned or leased vehicle accumulates six (6) or more points under Ohio point law, s/he will be subject to discipline as outlined in Section 5.02 of this manual.
- G. Any staff member on official Board business involved in any traffic accident, either moving or stationary, shall make an immediate report, in complete detail to the Superintendent, Transportation Director or designee. Any staff member that was driving a Board owned vehicle or personal vehicle on official Board business who is involved in a traffic accident in Carroll County must go for an immediate drug test. Any staff member that uses a Board owned or personal vehicle to conduct official Board business and is involved in an accident outside of Carroll County must get a police report to turn into their supervisor.
- H. Any staff member who discovers any problems with the operating condition of a Board owned vehicle is required to report such condition to the Transportation Director within one (1) day of the discovery.
- I. All Bus Drivers shall have physical examinations annually in accordance with Section 2.08(C) of this Manual.

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

SECTION 4.09: DRESS CODE

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

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

The following guidelines are intended to insure that:

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

The following guidelines are not meant to be all-inclusive. A good rule of thumb for all Staff to follow is, "If in doubt-ask before wearing the clothing to work!"

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

CLOTHING

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

Staff is expected to wear comfortable and functional clothing.

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

Jeans, clean with no holes, or other long pants (no spandex) are encouraged.

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

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

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

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

Failure to wear undergarments is considered inappropriate attire.

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

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

Maintenance staff should dress appropriately for specific job assignments.

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

Any article of clothing that is sleeveless is prohibited.

SHOES

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

The workshop is classified as light industrial. Tennis shoes or shoes constructed of a strong material are recommended. When working on the pallet floor, staff members are required to wear appropriate work shoes. Use of outdoor power equipment requires a protective boot of a minimum of steel toe construction. Production area and rehab area to have same shoe requirements

The wearing of sandals and open-toed shoes is not permitted.

Flip-flops and platform shoes are not appropriate.

Heels higher than two (2) inches are not appropriate.

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

HAIR

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

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

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

JEWELRY

Jewelry should be appropriate to the Staff's role, not functionally restrictive, not pose a danger to Staff or Individuals served, nor excessive.

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

Earrings must be minimal.

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

MISCELLANEOUS GUIDELINES

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

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

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

SECTION 4.10: POLITICAL ACTIVITY

[ORC 124.57; OAC 123:1-46-02]

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

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

SECTION 4.11: STAFF MEMBER ORGANIZATION

[ORC 4117.03]

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

SECTION 4.12: PROHIBITION AGAINST ACCEPTANCE OF GIFTS AND GRATUITIES

Staff members of the Carroll County Board of Developmental Disabilities are prohibited from accepting gifts, money or any gratuity from any person in exchange for services or benefits provided by the Board. Staff members shall not accept from enrollees, gifts, or gift certificates that have a value greater than twenty-five dollars (\$25.00) or more frequently than two (2) times per year. No cash can be accepted from anyone.

SECTION 4.13: SOLICITATION POLICY

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

SECTION 4.14: TOBACCO POLICY

[ORC 3313.20, 3313.47, 3313.751, 3791.031, 3794.01 and Pro-Children Act of 1994. See Section 7.04 for Smoke Free Campus]

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

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

SECTION 4.15: ANTI-HARASSMENT POLICY

The purpose of this policy is to maintain a healthy work environment and to provide procedures for reporting, investigation and resolution of complaints of harassment, sexual or otherwise.

The Board does not condone and will not tolerate any harassment. Therefore, the Superintendent shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment, sexual or otherwise.

Prohibited Activity.

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

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

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

Such conduct includes but is not limited to:

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

Employee's Responsibilities.

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

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

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

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

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

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

Complaint Procedures.

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

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

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

The Superintendent shall be responsible for initiating the investigation of any complaint alleging harassment.

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

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

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

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

SECTION 4.16: INFECTIOUS DISEASE POLICY

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

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

SECTION 4.17: ENROLLEE MEDICATION DISTRIBUTION

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

SECTION 4.18: STAFF-ENROLLEE RELATIONSHIPS

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

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

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

SECTION 4.20: PROTECTION OF "WHISTLEBLOWERS" [ORC Section 102.01, et seq., 124.341, 2901.22, 2921.42, 2921.43]

- A. Any staff member who learns in the course of his/her employment of a violation of state or federal statutes, rules or regulations or the misuse of public resources, which his/her supervisor or the Superintendent could correct, may report that violation or misuse without reprisal. Such reporting is known as "whistle blowing" and reports are made as follows:
 - 1. The report must be written.
 - 2. The report must be filed with the Superintendent or the employee's supervisor, unless the employee reasonably believes the violation or misuse constitutes a criminal offense or a violation of O.R.C. Chapter 102 (ethics) O.R.C. Section 2921.42 (unlawful interest in a public contract) O.R.C. 2921.43 (soliciting or receiving improper compensation). Suspected criminal offenses can be reported to the County Prosecutor. Suspected violations of O.R.C. Chapter 102, Section 2921.42 and Section 2921.43 may also be reported to the Ohio Ethics Commission.
- B. Except as provided in paragraph C below, employees may not be disciplined for making any report authorized by paragraph A.
- C. Staff members are to make reasonable efforts to determine the accuracy of any information reported under this policy. Employees may be disciplined, up to and including removal, for purposely, knowingly or recklessly reporting false information.
- D. A staff member who is disciplined as a result of reporting violations or misuse under this policy may appeal disciplinary action to the State Personnel Board of Review (SPBR). Such appeal is the exclusive remedy for an employee who is disciplined for reporting violations or misuse under this policy. An appeal must be filed no more than thirty (30) calendar days after the employee learns he/she has been disciplined.

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

The employees of Carroll County ("the Board") are our most valuable resource, and for that reason, their health and safety are of paramount concern. The Board takes considerable pride in the work performed by its employees. While the Board has the greatest respect for the privacy of its employees, it must be understood that the Board will not tolerate any alcohol and/or drug abuse. Such negligence threatens the ability of our employees to maintain a safe, healthful, and efficient environment, which enhances the welfare of our employees.

The Board believes that it is very important to provide a safe workplace for all of its employees. In certain aspects of operations the Board is required to comply with the rules of the Ohio Bureau of Workers' Compensation (BWC) Drug-Free Workplace Program (DFWP). In so doing, the Board is taking steps to address the problem of substance use that negatively affects every workplace, including ours. Our Board is concerned with the health and well being of all employees. We cannot condone and will not tolerate behaviors on the part of the employees that relate to substance use, such as:

- the use of illegal drugs;
- the misuse of alcohol;
- the sale, purchase, transfer, manufacture, use or possession of any illegal drugs;
- arrival or return to work after having used any drug or alcohol or being under the influence of any drug (legal or illegal) or alcohol to the extent that job performance is affected.

Management is fully committed to the Board's Drug Free Workplace Program, which establishes clear guidelines for acceptable and unacceptable employee behavior for everyone in the workplace. We will not tolerate substance use in violation of this policy and intent to hold everyone responsible for supporting the policy.

The consequences stated in this Drug-Free Workplace Policy will apply to anyone who violates the policy.

The Board will hold all employees accountable in terms of substance use but also supports getting help for employees in need. Employees who come forward voluntarily to identify that they have a substance problem will receive information about local professionals who offer such help. However, if an employee has a substance problem and does not come forward, and the employee then tests positive for drug or alcohol use in violation of this policy, the Board reserves the right to impose discipline for the violation of these work rules as set forth in this policy.

WARNING: ANY POSITIVE RESULT OR ANY REFUSAL TO TEST MAY AFFECT YOUR ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS' COMPENSATION LAWS OF THIS STATE.

Other consequences that apply to all employees who violate this policy are clearly spelled out within this policy. **PLEASE READ THIS POLICY CAREFULLY.**

This program will go into effect within thirty (30) days of the announcement of our Drug-Free Workplace Program and this new policy that describes the Drug-Free Workplace Program. This policy covers the five key parts of the Board's Drug-Free Workplace Program. The five parts consist of:

1. A written policy that clearly spells out the program and how everyone benefits.
2. Annual substance awareness education for all employees.
3. Training for supervisors regarding their responsibilities.
4. Drug and alcohol testing, the most effective way to change harmful substance use behaviors.
5. Employee assistance.

Employees will have the opportunity to receive information about substance use as a workplace program, signs and symptoms, dangers of use, and how and where to get help for themselves and their families. The Loss Control Coordinator will be our Drug-Free Workplace Program Administrator (herein referred to as the Program Administrator) so everyone knows who to go to for information or help. For information please call **330-627-4869**.

The Program Administrator will be responsible for coordinating drug and alcohol testing, identifying resources that employees can turn to for help for themselves and/or their families, and arranging for qualified people to help with employee awareness education and with supervisor training.

Compliance with the Alcohol and Drug-Free Workplace Policy is a condition of employment with the Board. Failure to cooperate fully, sign any required documents, submit to any inspection or test, or follow any prescribed course of substance or alcohol abuse treatment will result in termination of employment.

WARNING: ANY POSITIVE RESULT OR ANY REFUSAL TO TEST MAY AFFECT YOUR ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS' COMPENSATION LAWS OF THIS STATE.

Nothing in this policy in any oral representation by any Board representative related to any aspect of this policy is intended to alter the existing relationship between the Board and any employee and is not intended to create an express or implied contract of employment, or any promise of job security upon which an employee can rely.

Unless otherwise specified, all employment relations with the Board remain "at will."

This program is designed to protect employee's rights and to protect all who come in contact with this workplace from the behaviors of substance users. Some of the protections built into the program are:

- Employee records such as testing results and referrals for help will be kept confidential. Information will be on a need-to-know basis. Any violation of confidentiality rights is subject to disciplinary action up to and including termination of employment.

- We are committed to employees who have a substance problem getting help. Each situation will be reviewed individually. Employee assistance information is available for employees and their families, including a list of resources available through the Program Administrator and distributed to all employees.
- All supervisors will be trained in their duties related to testing before this program begins.
- Employees will receive substance awareness education from a qualified person to help identify problems and learn where to turn to for help. This will be done annually.

Testing Procedure

Testing will be done through a qualified collection provider and through a federally certified laboratory that uses the highest level of care in ensuring that results are accurate. When properly conducted, this process is considered scientifically accurate in detecting that the substances that the Board is concerned about are present in the employee's "system" in sufficient quantity to lead to behaviors that may endanger person or other employees. The certified lab will work closely with our local collection provider to ensure fairness and accuracy, and we also have retained the services of a Medical Review Officer (MRO), who is a qualified, trained physician responsible for checking whether there is a valid medical reason for the presence of the substance in the employees system. The MRO is experienced in dealing with substance use. When the MRO receives the positive tests results, the MRO will contact the employee and, with the employee's permission, any appropriate health care provider to determine whether there is a valid reason for the presence of the drug in the person's system.

- The testing program consists of an initial screening test whenever a test is determined to be appropriate. If the initial results are positive, then a second test is used. Cut-off levels for each drug and for alcohol are established based on federal guidelines. There are many other protections for employees that are built in.
- An employee's violation of this policy will not be reported to law enforcement unless required by a regulatory body or by criminal statute, such as related to drug trafficking. However, in protection of the workforce, law enforcement may be requested to come onto Board property in conjunction with a referral for criminal prosecution.

Employee Awareness Education

Every current employee will be required to attend a session in which this program is discussed. There will be an opportunity to ask questions. This written policy will be shared, and everyone will be expected to sign an acknowledgement of receipt. We will have a qualified person explain why and how substance use is a workplace problem, the effects, signs/symptoms of use, effects of commonly used drugs in the workplace, and how to get help. We will also cover how an employee can get a referral for employee assistance, the importance of determining how much of a substance problem the employee has, and what type of help is needed. There will be a minimum of two hours of educational awareness annually for all employees. New employees will hear about the program during orientation and will receive substance education as soon as possible thereafter.

Supervisor Training

As required by the rules set by the Bureau of Workers' Compensation (BWC) Drug-Free Workplace Program, supervisors will be trained to recognize substance problems that may endanger the employee and others as well as violate this policy. This training is in addition to annual employee education. Supervisors will be trained about testing responsibilities, how to recognize behaviors that demonstrate an alcohol/drug problem and how to make referrals for help.

Drug and Alcohol Testing

Testing is intended to detect problems, deter usage and allow appropriate corrective and/or disciplinary action. In addition to alcohol, the drugs that we may test for are:

- Amphetamines (speed, uppers)
- Cocaine (including Crack)
- Marijuana
- Opiates (Codeine, Heroin, Morphine)
- Phencyclidine (PCP, "angel dust")
- Barbiturates
- Benzodiazepines
- Propoxyphene
- Methadone

An employee attempting to adulterate a specimen or otherwise manipulate the testing process will be terminated, as will an employee who refuses to produce/provide a specimen or otherwise cooperate in the test process.

Prescription medicine and over-the-counter drugs:

The Board does not prohibit employees from using prescription or over-the-counter drugs when used as prescribed, provided:

- The prescription drugs are prescribed to the employee for medical reasons by a licensed medical practitioner, with dosage and frequency of use prescribed on the label or accompanying documentation, and
- The employee's use of the prescription or over-the-counter drugs does not affect the employee's job performance or conduct; threaten the safety, productivity, public image or property of the Board or its employees; or result in criminal behavior.

No employee is to perform any function or duty on behalf of the Board if the drugs being taken under this provision adversely affect his or her ability to perform any such function or duty safely.

Employee Assistance

The Board believes in offering useful information to assist employees with a substance problem. We are supportive of employees taking action on their own behalf to address a substance problem. The Board will make information regarding local substance abuse resources available to any employee in need of assistance. Please contact your supervisor for such information.

Be forewarned, however, that any employee found to be in violation of his policy may be terminated.

The implementation of discipline or of sanctions shall be at the sole discretion of the Board and/or in accordance with the authority provided in the current collective bargaining agreement.

SECTION 4.22: TRANSPORTATION OF CONSUMERS OTHER THAN ON BUSES

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

SECTION 4.23: **OUTSIDE EMPLOYMENT/CONFLICT OF INTEREST**

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

SECTION 4.24: HAZARD COMMUNICATION POLICY [ORC 4167.04]

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

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

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

- a. Chemical Manufacturer's Labeling System.

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

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

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

3. Material Safety Data Sheets (MSDS)

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

- a. A letter requesting a MSDS will be sent to the manufacturer or distributor of the hazardous chemical. (A copy of that letter will be kept on file.)

- b. A phone call will be made to the manufacturer or distributor requesting a MSDS. (A log of this phone call will be kept.)
4. Employee Training and Information.

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

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

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

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

5. List of Hazardous Chemicals.

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

HAZARDOUS CHEMICAL WORK LOCATION

6. Hazardous Non-Routine Tasks.

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

This information will include:

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

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

TASK HAZARDOUS CHEMICAL

7. Chemicals in Unlabeled Pipes.

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

8. Informing Contractors.

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

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

CARROLL COUNTY BOARD OF DD
HAZARD COMMUNICATION
TRAINING CERTIFICATION

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

Employee's Signature

Social Security Number

Work Area

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

Instructor's Signature

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

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

FACILITY NAME: CARROLL COUNTY BOARD OF DD

DATE OF PREPARATION: _____

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

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

1. Exposure Determination.

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

- Superintendent Adult Services Director
- Job Procurement Supervisor Director of Children Programs
- Program Nurse Habilitation Specialist I and II
- Workshop Specialist I and II Hab. Paraprofessional Specialist
- Habilitation Counselor Service and Support Administration
- Instructor Instructor Aide
- Bus Driver Bus Aide
- Cook Custodian
- Job Coach Recreation Coordinator
- Registered Adult Svc. Worker I&II Transportation/Maintenance Director
- Mechanic Business Manager
- Fiscal Officer Administrative Assistant
- Superintendent's Secretary Human Resource Director
- Substitutes Early Intervention Specialist
- Compliance Methods:

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

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

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

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

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

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

O. Specimens

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

P. Personal Protective Equipment

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

Disposable protective equipment will be provided in the following manner:

EQUIPMENT TASK

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

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

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

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

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

Q. Hepatitis B Vaccine

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

R. Post Exposure Evaluation and Follow-Up:

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

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

- iii. Employee has been informed of results of contact and shall be given a written report to the evaluation.

S. Training.

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

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

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

SECTION 4.26: WORKPLACE VIOLENCE

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

A. Zero Tolerance Policy

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

B. Prohibited Acts of Violence

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

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

C. Warning Signs and Risk Factors

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

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

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

SECTION 5:00 DISCIPLINE AND GRIEVANCE PROCEDURE

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SECTION 5.01: DISCIPLINE PRINCIPLES [O.R.C. 124.34 and 5126.23;

O.A.C. 123:1-31]

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

DISCIPLINE/CORRECTIVE ACTION

Preamble.

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

Applicability.

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

Policy.

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

Progressive Discipline.

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

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

Grounds for Disciplinary Action and Penalties.

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

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

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

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

Group I Offenses.

First Offense	Instruction and cautioning (verbal reprimand);
Second Offense	Written reprimand;
Third Offense	One (1) to three (3) day suspension without pay;
Fourth Offense	Four (4) or more day suspension up to thirty (30) day suspension without pay and/or potential reduction in pay or position with the potential of a last chance agreement;
Fifth Offense	Termination.

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

18. Disregarding job duties by neglect or work or reading for pleasure during working hours.
19. Unsatisfactory work or failure to maintain required standard of performance.
20. Discussing or commenting on student or client in their presence.
21. Failure to arrive at the program at the proper time without a legitimate excuse.
22. Leaving the bus or worksite unattended at any time while enrollees are on the bus or in worksite.
23. Failure to account for all enrollees scheduled on a bus route to ensure everyone is off/on the bus.
24. Failure to notify the Superintendent of a bus problem before 7:00 A. M.

Group II Offenses.

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

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

Third Offense Termination.

1. Failing to report to work without any notification. The employee shall also not be paid for such time. An employee who fails to report to work without any notification for three (3) consecutive days shall be subject to immediate termination.
2. Reporting for work or working while unfit for duty.
3. Sleeping during working hours.
4. Being in possession of, or drinking alcoholic beverages on the job (first offense).
5. Conduct violating morality or common decency, e.g. sexual harassment.
6. Leaving the work site without proper authorization and notification before the scheduled work hours. Additionally, the employee shall not be paid for such time.
7. Unauthorized use of County property or equipment.
8. Performing private work on County time.
9. Willful failures to make required reports, in a timely fashion.
10. Solicitation on County premises without authorization.

11. The making or publishing of false, vicious or malicious statements concerning employees, supervisors, the County or its operations.
12. Refusing to provide testimony in court before the State Personnel Board of Review during an accident investigation or any type of public hearing.
13. Giving false testimony during a complaint or grievance investigation or hearing.
14. Unauthorized posting or removal of notices or signs from bulletin boards.
15. Distributing or posting written or printed matter of any description on County premises unless authorized.
16. Unauthorized presence on County property.
17. Willful disregard of department rules.
18. Use of abusive or threatening language toward supervisors or other employees, vendors or contractors.
19. Unauthorized political activity.
20. Confidentiality, breach of.
21. Neglect or carelessness on observance of official Department of DD Transportation Safety Rules or disregard of common safety practices.
22. Guilty of a substantiated MUI or UI.
23. Receiving a traffic citation other than DUI, OMVI or DWI during working hours.

Group III Offenses.

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

Second Offense Termination.

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

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

Procedure.

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

Pre-Disciplinary Conference.

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

Guidelines.

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

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

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

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

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

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

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

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

SECTION 5.02: WORK RULES

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

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

SECTION 5.03: APPEALS [O.R.C. 124.34; OAC 124.3421]

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

SECTION 5.04: GRIEVANCE PROCEDURE

A. General.

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

B. Grievance Procedure.

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

STEP I

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

STEP II

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

This grievance procedure is not to be utilized to adjudicate allegations of discrimination by reason of a staff member's race, color, religion, sex, age, national origin, political affiliation, veteran status or disability. Staff alleging such discrimination shall refer to the appeal procedures outlined in Section 5.07 of this Manual.

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

A. Filing a Discrimination Complaint.

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

B. Complainant's Right to Representation.

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

C. Informal Resolution of a Complaint.

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

D. Freedom from Reprisal.

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

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SECTION 6.01: COMPENSATION [O.R.C. 4111.03, 3317.13, 5126.05 and 5126.26]

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

1. Staff members must turn in an itemized travel expense report to claim reimbursement for travel at the beginning of each month.
 2. Parking tolls, ferry charges, bridge, highway and tunnel tolls will be reimbursed if the staff member lists them separately on his/her travel report, attaching receipts for all expenses incurred.
 3. Staff members will be reimbursed for out-of-pocket expenses while traveling in official County vehicles, provided that the appropriate section is completed on the travel report. Cell phones will be reimbursed at \$.10/minute for business related calls upon providing an itemized bill.
- F. A staff member will be paid overtime or compensatory time when the Superintendent authorizes the extra hours. Overtime provisions will comply with the Fair Labor Standards Act. This policy is in place of ORC 4111.03(B) and (C).
1. Staff members will be compensated for overtime for working more than forty (40) hours in a week. Work weeks or days during which a staff member utilizes sick, vacation, or personal leave time will not have the hours or leave usage included for overtime calculation.
 2. Hours paid for vacation leave, personal leave, jury duty, holidays not worked, funeral leave and compensatory time shall not be considered hours worked for calculating overtime. Sick leave will not be counted as hours worked for calculating overtime. (OAG 72-074) (FLSA)
 3. Staff members who are eligible for overtime are required to work on a day designated as a holiday under ORC 325.19 will receive their regular rate of pay for the holiday and one and one-half (1 ½) their regular rate of pay for all hours worked on the holiday in addition to their holiday pay (OAC 123:1-43-01 [D]).
 - a. Staff members who work on a day the program or agency has scheduled to be closed will receive their normal hourly rate, unless they are working over forty (40) hours; then they will receive the rate of time and one-half (1 ½) for each hour worked over forty (40) hours in the week. Compensatory time in place of overtime pay must be used within five (5) working days. There will be no accumulation of compensatory time.
 4. Staff members required to work on holidays (as defined in Section 6.02) will be given two and one-half (2-1/2) times their usual rate of pay. (OAC 123:1-43-01D) and (B))

SECTION 6.02: HOLIDAYS [O.R.C. 325.19]

- A. Staff members working on a per diem, hourly or salary basis shall be entitled to holiday pay for the following holidays:
1. New Year's Day, January 1
 2. Martin Luther King Day, third Monday in January
 3. President's Day, third Monday in February
 4. Memorial Day,
 5. Independence Day, July 4
 6. Labor Day, first Monday in September
 7. Columbus Day, second Monday in October
 8. Veterans Day, November 11
 9. Thanksgiving Day, fourth Thursday in November
 10. Christmas Day, December 25

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

- B. Holidays which fall on Saturday will be observed on the preceding Friday. Holidays which fall on Sunday will be observed on the following Monday. A part-time employee will be paid holiday pay for that portion of any holiday for which he/she normally would have been scheduled to work. (O.R.C. 124.18)
- C. If a holiday occurs during a period of paid sick leave or vacation, the staff member will be entitled to the holiday pay and will not be charged for any sick leave or vacation leave for that day. A staff member absent without paid leave on a workday immediately preceding or following a holiday will normally be denied pay for the holiday.
- D. Staff members assigned to work on the holidays listed above who forfeit the day off will receive one and one-half (1 ½) days off at full pay in compensatory time for each holiday worked in addition to their normal eight (8) hours pay. These hours will be scheduled by mutual agreement of the staff member and supervisor provided a one-week notice is provided to the Superintendent for approval.
- E. Special religious holidays may be observed by staff members and charged to accrued vacation leave, compensatory time, and personal leave or taken without pay. This must be done with notification to the staff member's supervisor or the Superintendent. Staff members may not use sick leave for such holiday observances.

SECTION 6.03: SICK LEAVE [O.R.C. 124.38; O.A.C. 123:1-32;
OAC 123:1-47-01 (A) (42)]

- A. All permanent Carroll County Board of DD staff will earn four point six (4.6) hours of sick leave per eighty (80) hours in pay status.
- B. Unused sick leave may be accumulated without limit; however, upon resignation, retirement or the death of a staff member who has ten (10) or more years of service, said staff member or his/her beneficiary will be paid for earned but unused sick leave according to the sick leave conversion plan located in Section 6.14(B) of these Policies.
- C. To justify the use of sick leave, a staff member is required to complete and sign a leave request form. Staff members absent on sick leave for a period of three (3) consecutive working days may be requested to provide a physician's statement verifying the nature of the illness. Falsification of either the written or signed statement or a physician's certification will be grounds for disciplinary action up to and including dismissal.
- D. A staff member may utilize paid sick leave to care for ailing members of his/her immediate family. Immediate family is defined by OAC 123:1-47-01 (A) (42) "Immediate family" - Means an employee's spouse, parents, children, grandparents, siblings, grandchildren, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, step-parents, step-children, step-siblings, or a legal guardian or other person who stands in the place of a parent (in loco parentis).
- E. For a staff member to utilize paid sick leave for the care of family members other than those listed above, approval must be received from the staff member's supervisor or the Superintendent.
- F. When sick leave is requested for the care of a member of the immediate family, the Superintendent may require a physician's certificate stating that the presence of the staff member is necessary for the care of the ill person.
- G. A staff member who is unable to report to work and who is not on a previously approved day of vacation, personal leave, leave of absence or sick leave, shall be responsible for notifying his/her immediate supervisor's office within one (1) hour before his/her scheduled work starting time. Staff members who do not call one (1) hour prior to the start of their shift may have their sick leave denied.
- H. A staff member who transfers from one County office to another, or who transfers from other public employment in Ohio to Carroll County employment without interruption in service, shall be credited with the unused balance of his/her sick leave accumulated in his/her prior service. The staff member is responsible for obtaining certification of his/her previously accumulated sick leave for Carroll County records.
- I. A staff member who has been separated from Carroll County employment (not retired from Carroll County) but who is re-employed by the County shall be credited with his/her previously accumulated sick leave, provided the reemployment occurs within ten (10) years of the date of the staff member's last separation from Carroll County employment.
- J. Staff members who are off work and utilizing paid sick leave are expected to be at home or traveling to or from a physician's office, pharmacy, hospital or such facility.
- K. Sick leave is to be taken in increments of no less than one-quarter (1/4) hour.

- L. Upon the beginning of duties a staff member shall be advanced a maximum of five (5) days for sick leave.
- M. Each staff member shall receive a record of the number of days accrued at least semi-annually.
- N. Funeral leave is granted to staff members, two days will not be charged to any leave balance and any days approved for funeral leave over two working days will be charged to the staff member's accumulated sick leave balance. One of the two days of paid funeral leave must be the day the employee attends the funeral.

SECTION 6.04: CREDIT CARD POLICY

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

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

SECTION 6.05: JURY DUTY/WITNESS AND COURT LEAVE

[O.A.C. 123:1-34-03]

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

SECTION 6.06: PERSONAL LEAVE

A. Personal Leave

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

SECTION 6.07: VACATION LEAVE [O.R.C 325.19; O.R.C. 9.44]

- A. All vacation time must be approved by the staff member's supervisor and reported to the Superintendent in advance of the staff member taking paid vacation leave.
- B. Vacation time is applicable only to full-time employees of the Board and is earned in accordance with Ohio Revised Code Section 325.19.
- C. All permanent, excluded staff will receive the following amounts of paid leave based upon the length of continuous service.
 - 1. Less than one (1) full year of service - No vacation. Member is credited with eighty (80) hours of vacation after completion of one (1) full year of service.)
 - 2. After one (1) full year of service - (26 bi-weekly pay periods) two (2) weeks vacation (ten (10) working days or eighty (80) hours). Accumulated at the rate of 3.1 hours per pay period (or .0384 hours of vacation earned for each hour worked).
 - 3. After eight (8) full years of service - three (3) weeks vacation (fifteen [15] working days or one hundred and twenty [120] hours). Accumulated at the rate of 4.6 hours per pay period (or .0575 hours of vacation earned for each hour worked).
 - 4. After fifteen (15) full years of service - four (4) weeks vacation (twenty [20] working days or one hundred sixty [160] hours). Accumulated at the rate of 6.2 hours per pay period (or .0769 hours of vacation earned for each hour worked).
 - 5. After twenty-five (25) full years of service - five (5) weeks vacation (twenty-five [25] working days or two hundred [200] hours). Accumulated at the rate of 7.7 hours per pay period (or .0961 hours of vacation earned for each hour worked).
- D. Any time a staff member does not receive a full paycheck (eighty [80] hours) his/her vacation earned for that period will be adjusted based on the number of hours worked in that pay period. Vacation may be used as it is earned after the first year of continuous service if the staff member obtains the appropriate permission of his/her supervisor. Part-time staff does not earn vacation while employed on part-time status.
- E. Vacation leave shall be taken by the employee during the year in which it accrued and prior to the next occurrence of the anniversary of the employee's employment, provided that the Superintendent may, in special and meritorious cases, permit such employee to accumulate and carry over the employee's vacation leave to the following year. No vacation shall be carried over for more than three (3) years. When terminating employment, any accrued vacation will be paid to the employee. When terminating employment, any accrued vacation will be paid in a separate check.
- F. A staff member who transfers from one agency to another under the Division of State Personnel will be paid for any unused vacation by the releasing agency. An individual transferring to the Carroll County Board of Developmental Disabilities who has less than one (1) year of service at the time of the transfer will be eligible for the first vacation after completing one (1) year of service.

- G. A staff member whose scheduled vacation falls within a week containing a paid holiday will not have the holiday charged against vacation time. A staff member so affected shall be granted an additional vacation day to be scheduled at the discretion of the Superintendent.
- H. Any staff member, who has previously retired under any of the provisions of the State of Ohio retirement plans, shall not have any prior service with the State or any political subdivision of the State count as service for future vacation accrual with the Carroll County Board of DD.
- I. In accordance with ORC 325.19, paragraph I, vacation does not apply to an employee of a County Board of Developmental Disabilities who works at or provides transportation services to pupils of, a special education program, provided by the County Board under ORC 5126.05 (A) (4), if the employee's employment is based on a school year.

SECTION 6.08: MILITARY LEAVE [O.R.C. 124.29 and 5903.05;
O.A.C. 123:1-34-04 et seq.]

A. Military Leave.

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

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

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

B. National Guard and Reserve Service.

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

SECTION 6.09: MISCELLANEOUS LEAVES [OAC 123:1-34-01]

A. Assault Leave.

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

B. Maternity Leave/Unpaid Leave.

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

C. Leave of Absence Without Pay.

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

SECTION 6.10: DAMAGE REIMBURSEMENT

- A. Staff members are to be aware of possible damage to personal apparel or effects in the course of employment and, accordingly, are expected not to attire themselves with items of unusually high value for the work required.

- B. A staff member's personal property authorized for use in the course of employment which is damaged by an enrollee in the program while the staff member is performing normal job duties shall be replaced or repaired by the Board without cost to the staff member. Staff members are advised the full reimbursement will not be made for unusually expensive clothing or jewelry. The incident involving damage must be properly reported and documented.

- C. If the damage to a staff member's property is the result of an action which is considered deliberate the staff member or the parent/guardian of the enrollee will be billed for damages. The functioning level of the staff member/enrollee shall be considered before deliberate intent is attributed to the action.

SECTION 6.11: REIMBURSEMENT FOR APPROVED COURSE WORK

A. Eligibility

1. All full-time staff members who are not paid by grants are eligible for reimbursement for a course taken through an accredited facility. All registered Adult Services, Ohio Department of Education Licensure, Early Childhood, and Early Intervention registration and any other courses needed for DD or Department of Education certification renewal or upgrading shall be subject to the provisions of this Article. In any case, the maximum allowable reimbursement for course work per staff member completed during a program year is fifteen hundred dollars (\$1,500.00).

Within the twelve thousand dollars (\$12,000) available per program year, staff members may apply and may be granted approval for their coursework, except staff members who must take courses to maintain certification will have first preference. For the purpose of this the "program year" starts on July 1 of a particular year to June 30 of the following year. Reimbursement will be made upon proof of satisfactory completion of such course work with a grade of "B" or better or a grade of "pass" in a Pass/Fail course. A staff member shall remain in the employ of the Board for two (2) years subsequent to completion of said course work. Failure to comply with the requirement will necessitate a pro-rata reimbursement to the Board.

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

B. Procedure

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

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

SECTION 6.12: HOSPITALIZATION INSURANCE [ORC 305.171, 5126.05 (A) (7); OAG 78-029]

- A. The Carroll County Commissioners, through the County Board of Developmental Disabilities, shall be the sole arbiter of the hospitalization package for the staff of the Board and the sole determiner of the carrier of such hospitalization package, shall set the rates, terms and conditions of how said hospitalization package shall be administered in relation to staff members.
- B. Staff members who have completed ninety (90) calendar days, and who work at least forty (40) hours a week are eligible for enrollment in the Carroll County Board of DD Health Benefit Plan.
- C. Any staff member who does not work or receive any pay in a month shall be responsible for payment of the total premium due for continued hospitalization coverage.
- D. A staff member who has been off the payroll for an extended period of time and who has dropped hospitalization coverage must comply with the enrollment requirements of the carrier(s) and/or health Maintenance Organization, which are presently providing those services to Carroll County. A staff member who drops hospitalization coverage may find it necessary to wait until the next enrollment period before being able to once again participate in the hospitalization plan. Each staff member should be cognizant of this fact and admonish not to place himself in circumstance, which would leave him without hospitalization coverage.
- E. The Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 allows an individual who loses his health care coverage as a result of the death of the covered staff member, termination of employment, reduction of hours, divorce or legal separation, a dependent child ceasing to be a dependent under the terms of the Board's hospitalization plan, or the covered staff member becoming eligible for Medicare, to continue health care coverage for a period of up to thirty-six (36) months, depending on the particular situation. The individual affected is required to pay the premium. An affected individual should contact the Personnel Office for additional information.

SECTION 6.13: RETIREMENT BENEFITS [O.R.C. 145, 3309]

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

SECTION 6.14: SICK LEAVE CONVERSION [ORC 124.39; ORC 2113.04]

- A. A staff member may elect, at the time of disability or service retirement under the Ohio Public Employees Retirement System and State Teachers Retirement System (STRS), to be paid in cash for one-fourth (1/4) the value of his/her accrued but unused sick leave. The payment shall be based on the staff member's rate of pay at the time of retirement. The total value of sick leave paid as severance pay shall not exceed the value of thirty (30) days paid leave.
- B. To qualify for this severance benefit, the staff member must have at least ten (10) years of service with the state, any political subdivision of the state, or any combination of such service.
- C. Payment for sick leave under this policy will eliminate all sick leave credit accrued by the staff member at that time.
- D. A staff member is entitled to payment for any earned but unused vacation to his credit at the time he/she resigns from County service up to three (3) times his or her yearly accrual rate.
- E. Upon death of a staff member, unused accumulated sick leave shall be paid to the staff member's spouse, children or parents, in that order, or to his estate. Payment for accumulated sick leave at the time of death shall be based on the staff member's straight-time hourly rate at the time of death, with one such hour for every four (4) hours of accumulated sick leave to the limited as stated in paragraph A above.
- F. Management staff members on limited contract, as defined in 5126.20 will have their sick leave conversion if any defined in their employment contracts.

SECTION 6.15: WORKERS' COMPENSATION INSURANCE [O.R.C. 4123]

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

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

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

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

SECTION 6.16: UNEMPLOYMENT COMPENSATION INSURANCE [ORC 4141]

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

SECTION 6.17: LIABILITY INSURANCE [ORC 2744; 5123.422]

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

SECTION 6.18: OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION

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

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

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

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

SECTION 6.19: FAMILY AND MEDICAL LEAVE

- A. In accordance with the Family and Medical Leave Act of 1993, staff members who have worked at least 1,250 hours in the past twelve (12) months shall be provided up to twelve (12) weeks of unpaid leave each year for one or more of the following qualifying reasons:
1. to care for a newborn son or daughter;
 2. for a placement of a son or daughter with the employee for adoption or foster care;
 3. to care for a seriously ill spouse, child or parent;
 4. because of their own serious health condition.
 5. spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation to address certain qualifying exigencies.

Qualifying exigencies include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Entitlement to childcare shall end upon the child reaching age one (1) or twelve (12) months after the date of adoption or foster placement.

For the purpose of this policy, employees are not entitled to use Family and Medical Leave for the care of in-laws, grandparents and domestic partners.

For all leaves, the twelve (12) month period will be measured forward from the date of an employee's first Family and Medical Leave request. The employee's year starts with the request for FMLA leave, and the preceding twelve months shall be used to measure the 1250 hours of work.

- B. Intermittent or Reduced Leave Schedule Basis.
1. A qualified employee shall not be eligible to use Family and Medical Leave on an intermittent or reduced leave schedule basis for reasons 1 and 2 above, unless the employee and the Superintendent mutually agree otherwise.
 2. A qualified employee shall be eligible to use Family and Medical Leave on an intermittent or reduced leave schedule basis for reasons 3 and 4 above when medically necessary. Medical certification may be required to substantiate the need for intermittent leave.
 3. When an employee uses Family and Medical Leave on an intermittent or reduced leave schedule basis, the Superintendent may temporarily transfer the employee

to an alternative position with equivalent pay and benefits which would better accommodate the recurring periods of leave and not disrupt the services provided to the consumers

C. Employees Benefits and Health Insurance

1. Employees shall be restored to their former position or an equivalent position upon returning to work.
2. Health insurance benefits shall continue during the period of leave, not to exceed twelve (12) weeks each year.
3. The Board shall continue to pay the Board's share of the health insurance premium.

The Board may recover any premiums paid if the employee fails to return to work, unless the failure to return was due to the continuance, recurrence or onset of a serious health condition or due to other circumstances beyond the employee's control.

4. Employees using Family and Medical Leave shall not suffer any break in length of service.

D. Restrictions.

1. Spouses employed by the Board shall only be eligible for a combined twelve (12) weeks for the qualifying reasons in A-1 and A-2. Leave used for a serious health condition of a spouse, child, parent or the employee shall not be limited to this twelve (12) weeks combined total.
2. Employees may be required to use their paid leave prior to using unpaid leave for the purpose of Family and Medical Leave (i.e., four (4) weeks of paid sick leave and eight (8) weeks of unpaid leave for a total of twelve (12) weeks). The Superintendent may designate the use of leave as Family and Medical Leave, if said leave qualifies under this Section. Family and Medical Leave shall run concurrently with all forms of paid leave.
3. Medical certification may be required to substantiate the leave for the reasons in A-1 through A-4 with the Board having the option of requiring second and third opinions, at the Board's expense. Medical certification shall be satisfied by using the Department of Labor's Health Provider form.
4. When an employee is requesting leave to care for a family member, the employee must furnish a statement from the family member's doctor confirming the condition, the necessity of the employee's care and the expected date of return.
5. Medical re-certifications may be required every thirty (30) days or less, depending on the circumstances.
6. A physician's release will be required before an employee is permitted to return to work. If the employee plans to return to work before his/her scheduled return date, he/she must notify the Superintendent at least two (2) days in advance of the return.

7. If it is discovered that an approved leave granted for a specific purpose is not being used for that purpose, the Superintendent may cancel the leave and direct the employee to report for work.
- E. Employee Responsibility.
1. Employees are required to give the Board at least a thirty (30) days notice, or as much notice as is practicable in foreseeable situations.
 2. When applying for leave, an employee shall designate such leave as "Family and Medical Leave."
- F. Definitions.
1. "Serious Health Condition".
 - a. requiring in-patient care in a hospital, hospice or residential care facility for at least one night;
 - b. causing one's absence from work, school or regular daily activities for more than 3 calendar days and which involves continuing treatment by (or under the supervision of) a health care provider;
 - c. continuing treatment by (or under the supervision of) a health care provider or a chronic or long-term health condition (such as cancer) that is incurable or so serious that, if treated, would likely result in a period of incapacity of more than three calendar days even if the person is not necessarily being actively treated by a health care provider; or
 - d. prenatal care.
 2. "Reduced Leave Schedule" means a leave schedule that reduces the usual number of hours per work week, or hours per work day, of an employee.
- G. All leaves required by an at-work injury that result in Workers' Compensation benefits, will be designated as Family and Medical Leave.
- H. The Board shall maintain records regarding employee usage of family and medical leave in compliance with the Department of Labor's requirements.
- I. The effective date of the Family and Medical Leave Act for Board employees is August 5, 1993.

SECTION 6.20: PROFESSIONAL LEAVE

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

SECTION 7.00: REDUCTION IN FORCE/MISCELLANEOUS POLICIES

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SECTION 7.01: REPORTING ADJUSTMENTS FOR EDUCATION, TRAINING AND EXPERIENCE

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

SECTION 7.02: LAYOFF PROCEDURE [ORC 124.20, 124.321 through 124.328, 5126.21; OAC 123:1-41-01 through 123:41-14]

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

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

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

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

(ORC 3313.20, 3313.47, 3313.751, 3791.031, 3794.01 and Pro-Children Act of 1994)

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

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

SECTION 7.04: VOLUNTEERS

It is the position of the Carroll County Board of DD that volunteers provide valuable service. The time and talent offered by volunteers greatly enhance and enrich the quality of life in the County.

- A. The Board encourages the growth of volunteer programs and recognizes individuals in the following categories as current and potential volunteers.
 - 1. Professional Staff;
 - 2. Members of Specialized Volunteer Group;
 - 3. Interested Citizens; and/or
 - 4. Other
- B. Types of volunteers are defined as:
 - 1. General Volunteer A person who has been approved, processed, and qualified to render services whether direct or indirect to the County Board.
 - 2. Specialized Volunteer A person who represents a particular group or particular agency.
- C. All volunteers must comply with all Federal, State laws and regulations and Board policies.
- D. Volunteers shall provide services which are based on the needs of the Board activity served, on Board's request, and on the volunteer's skills, abilities, experiences, and interest. Persons providing volunteer services will do so under the supervision of Board professional staff. At no time will a volunteer act in lieu of staff.
- E. Volunteers shall comply with the Carroll County Board of DD Policies and Procedures.
- F. No person shall assume the position of a volunteer without the prior approval of the Carroll County Board of DD.
- G. The Carroll County Board of DD may approve pay for training of a volunteer.
- H. The Carroll County Board of DD shall maintain a file for each volunteer. The file shall include, but not be limited to:
 - 1. application;
 - 2. Superintendent approval upon notification;
 - 3. records of physical and criminal conviction check, including BCII fingerprints check when applicable;
 - 4. health examination; an acceptable physical examination report including a drug and alcohol screening; a negative tuberculin test and any other medical test report required for volunteer status
 - 5. record of board approved assignments;
 - 6. records of training;

7. evaluation; and/
 8. emergency notification data.
- I. The Superintendent may terminate a volunteer from service at any time.
 - J. Volunteer firefighters or emergency medical services providers will be permitted to be late for work or absent when involved with an emergency provided the following has occurred:
 1. Provide the Superintendent with a certificate showing they are involved with either a volunteer fire department or emergency medical services provider.
 2. Provide the Superintendent written notification from the Chief of the volunteer fire department or the emergency services medical director showing the employee status as a volunteer with their agency in compliance with ORC 4113.41.
 3. Employees may use vacation leave, or compensatory time for time missed due to an emergency. The employee who loses time may be required to provide a statement from the Fire Chief or Emergency Medical Director to stating the employee responded to an emergency.
 4. Employees will not be disciplined for missing work or arriving late under this section or ORC 4113.41.

SECTION 7.06: PUBLIC RECORDS REQUEST

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

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

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

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

B. Exception to documents

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

SECTION 7:07: CONCEALED FIREARMS OR DANGEROUS WEAPONS

[ORC 2923.122 AND 2923.1212; OAC 5123-13-07]

Purpose:

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

Policy:

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

Procedures:

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

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

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

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

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

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

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

SECTION 7:08: SAFETY AND HEALTH PROCEDURES

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

First Aid and Beyond:

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

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

For Students/Enrollees:

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

SECTION 8:00 GENERAL INFORMATION

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SECTION 8.01: VOLUNTARY SEPARATION

A. Resignation.

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

B. Abandonment/Absent without Leave

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

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

SECTION 8.02: INVOLUNTARY TERMINATION

A. Probationary Removal.

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

B. Disciplinary Discharge.

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

DISCIPLINARY ACTION AND PENALTIES.

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

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

SECTION 8.03: TERMINATION BENEFITS [ORC 124.39]

A. Termination Compensation.

As of the date of separation from employment, an employee will receive payment for any accrued and unused vacation time to his/her credit. Employees having less than one (1) year of service with the Board are not entitled to cash payment for vacation leave.

B. Sick Leave Conversion.

1. An employee who retires with ten (10) or more year's service with any political subdivision of the State of Ohio and is eligible for retirement, may request in writing to be paid in cash for one-fourth (1/4) the value of his/her earned but unused sick leave credit. The maximum payment may not exceed the amount stated in Board Policy.
2. Payment is based upon the employee's rate of pay at the time of retirement.
3. Payment will eliminate all accrued sick leave to the employee's credit at the time of payment. Such payment may be made to an employee only one (1) time.
4. An eligible employee who dies is considered to have terminated his/her employment as of the date of death. Sick leave conversion will be paid according to Ohio Revised Code Section 2113.04, or paid to the employee's estate.

C. Health Care Benefits Continuation. (COBRA)

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

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

- e. Employee becoming entitled to Medicare, or
 - f. Dependent child ceasing to be a "dependent child under the terms of the Board's health care plan.
3. Any person who is covered under the employee's plan on the day before a qualifying event, and who will lose coverage, will be considered a qualified beneficiary.
 4. If the qualified beneficiary does not choose continuation coverage, group health care coverage will end.
 5. Qualified beneficiaries need not show they are insurable in order to qualify for continuation coverage.
 6. Qualified beneficiaries must pay the Board the full premium at applicable rates plus a service fee of up to two percent (2%). Late payments may result in loss of coverage.
 7. Questions about this policy may be directed to the County.
 8. Employees are responsible for notifying the Personnel Officer of any change in status including, for example, marital status, dependent status or residence.
 9. The following procedure will be used for notifying employees of COBRA rights:
 - a. Each employee will be notified of his/her COBRA rights at the time he/she begins coverage under the Board's health care plan.
 - b. Spouses of all covered employees will be notified of this policy and its provisions at the time family or spouse coverage begins under the Board's health care plan.
 - c. Notification of an employee's spouse will be deemed to service notice on all dependent children.
 - d. The Superintendent will notify the County of any of the following qualifying events:
 - Employee's death,
 - Employee's termination,
 - Employee's reduction in hours, making him/her eligible for benefits, or
 - Employee's eligibility for Medicare.
 - e. Within sixty (60) days, the employee is responsible for notifying the Business Office of any of the following qualifying events:
 - Divorce,
 - Legal separation, or
 - Loss of dependent eligibility under the plan requirements (age or student status).
 - f. The employee/dependent must notify the Business Office of his/her decision to extend benefits within sixty (60) days of the qualifying event or the date of eligibility notice, whichever is longer.

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

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

E. Accrued Leave.

At the time of separation, an employee will be paid at his/her current hourly rate of pay for all vacation, compensatory time credit, and sick leave per Section 6.16 of this manual.

F. Unemployment Compensation.

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

SECTION 8.04: EXIT INTERVIEW

- A. Upon separation from employment, an employee must meet with his/her supervisor, the Personnel Officer, or with the Superintendent to process paperwork and return Board property.
- B. The Personnel Officer will inform the employee of all termination benefits, verify forwarding addresses for the employee and any dependents, and get necessary signatures.
- C. The employee will relinquish all identification cards, equipment and keys.
- D. If the separation is voluntary, the employee will be asked to complete an exit interview questionnaire and discuss his/her answers during the exit interview. Information gathered in exit interviews will be used to evaluate Board practices and identify areas requiring action to make the Board a more attractive employer. Exit interview questionnaires will not be placed in the employee's personnel file.

SECTION 8.05: SAVINGS CLAUSE

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

SECTION 806: NOTICE OF CARROLL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES BOARD POLICIES

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

SECTION 8.07: ACKNOWLEDGEMENT OF RECEIPT AND DISCLAIMER

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

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

I also understand that this Personnel Policies and Procedures Manual is the property of the Carroll County Board of Developmental Disabilities and that a copy of this Manual is available in each Supervisor's and Department Head's office, on the Board's website (carrollhills.com) and I can review the Manual during work time as long as it does not interfere with daily job duties. It is my responsibility to ask my supervisor for clarification of any policy that is unclear.

Signature of Staff Member Date

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