

Mount Gilead Village Personnel Policies and Regulations

Section 1: Purpose

1. The purpose of this document is to set forth policies, rules and regulations which shall constitute the personnel system for the work force of the Village of Mt. Gilead, Ohio.
2. It is the intent of the Village Council that this document supplement, but not alter, any provision of the Ohio Revised Code.

Section 2: Equal Employment Opportunity

1. It is the policy of the Village of Mount Gilead that qualified persons be recruited and employed, and that employees with similar job duties be treated equally during their employment without regard to race, color, national origin, religion, physical disability, sex, or age.
2. Bona fide occupational qualifications may contain restrictions on, among other things, physical disability, sex, or age. However, when established, occupational qualifications shall apply equally to all candidates for or employees of the affected positions.

Section 3: Sole Creator of Titles and Positions

1. No title or position shall be created and no appointment made to any created title or position among the employees of this Village without the express consent of Council (O.R.C. 731.10)
2. The Village council also possesses exclusive authority to provide for the compensation of Village work force employees.

Section 4: Smoke & Drug Free Environment

The purpose of this section is to advise all employees that the Village of Mt Gilead is concerned for your health and establishes that all Village buildings, property owned by the Village and all Village vehicles are smoke and drug free. Smoking and the use of illegal drugs **is not permitted**. This also includes the use of smokeless tobacco. Any employee found in violation of this section will be subject to Group 1 discipline.

Section 5: Employees Defined

1. Regular:

An employee who is hired for an indeterminate period, whose employment is at will and reports pursuant to a designated schedule. Ord. 1476

2. Temporary:

Those persons hired to work for a period not to exceed five (5) months. It is recognized that Temporary Employees may sometimes be hired for special projects, such as cleaning storm sewers or performing extra clerical and typing work. In such instances, these Temporary Employees are not intended as permanent additions to the work force.

3. Probationary:

Probationary Employees are those persons hired to work permanently, but have been employed

less than six months.

4. Salaried:

Salaried Employees are those persons whose salaries have been established on an annual basis.

5. Hourly:

Hourly Employees are those persons whose wages have been established on an hourly basis.

6. Elected:

Elected Employees are those persons elected to their office.

7. Part Time:

An employee, either regular or temporary, who is normally scheduled to work less than thirty two (32) hours per week and whose employment is at will.

Defination added 3-13-06

Section 6: Residency

Appointees to the following positions of the Village work force shall become residents of the Village within six (6) months after appointment unless this requirement is waived by ordinances:

- A. Village Administrator (must live in Gilead Township)
- B. Service Coordinator (none required)
- C. Chief of Police (O.R.C. 737.15 (must live in Gilead Township)
- D. Fire Chief (must live in Gilead Township)
- E. Water and Sewage Technician (none required)

Effective with appointments that occur after October 1, 2001.

Section 7: Appointment and Management of the Work Force

1. The Service Coordinator shall be under the direction of the Village Administrator. For other positions, the appointing authority shall be ultimately responsible for the management and productivity of those members of the work force appointed by said authority. Responsibility, as here designated, may be shared for operational purposes with properly designated supervisory personnel.
2. Except as otherwise provided below, the Village Administrator of the Village of Mount Gilead shall serve as the appointing authority for the members of the Village work force. All appointments by the Village Administrator to the Village work force shall be subject to review and confirmation by the Village Council. Positions appointed by the Village Administrator to the Village work force include: Service Coordinator, Water Wastewater Technician, Street and Water / Sewer Department, Recreation Department and Office Personnel.
3. Positions appointed by the Mayor, to the Village workforce include: Police Chief, Police Officers, Fire Chief, Firemen.
4. The Village Administrator shall act on the recommendation of the Services Coordinator for appointment of field employees. The Clerk-Treasurer will make recommendations for appointment of office staff.
5. The Service Coordinator shall serve as appointing authority for employees to maintain Village streets, roads, drainage systems, public places, buildings, and related facilities, under the direction of the Village Administrator.

Section 8: Physical Examination

1. It is the policy of the Village that no person shall receive a full-time appointment to the Village work force unless the person, not more than sixty (60) days prior to receiving such appointment, passes a physical examination. The examination is to be given by a licensed physician, showing that the person meets the physical requirements necessary to perform the duties of the position to be appointed. The professional fee for such physical examination shall be paid for by the Village.

Section 9: Training

1. No person shall be finally appointed as a regular police officer prior to receiving a certificate of satisfactory completion of the basic peace officer training course from the Executive Director of the Ohio Peace Officer Training Council. (O.R.C. 109.77)
2. No person shall be finally appointed as a regular firefighter prior to receiving a certificate of satisfactory completion of the basic fire fighter training course from the State Superintendent of Public Instruction. (O.R.C. 737.22)
3. Any employee or person who participates in a training or educational program paid for by the Village shall remain in the employ of the Village for two full years after the completion of the training. Or immediately reimburse the Village for the full cost of the training upon leaving the work force. Final pay to the employee will be held if this requirement is not met.

Section 10: Promotions and Career Development

1. When a vacancy occurs within the Village workforce, qualified Village employees shall be given first consideration. However, the appointing authority may recruit applicants from outside the work force when there is reason to believe that better qualified applicants can be obtained.
2. The appointing authority, to the greatest extent possible, shall encourage and facilitate the training of employees responsible to him. Improved job performance and potential for promotion may be enhanced through employee attendance and participation in conference, workshops, and other job related functions.

Section 11: Probationary Period

1. Appointments to the police service shall be for a probationary period of six (6) months continuous service, and no such appointment shall be finally made until the appointee has satisfactorily served a probationary period. At the end of the probationary period, the appointing authority shall transmit to the Mayor or Village Administrator a record of such employee's service with a recommendation thereon, and the appointing authority may, with the concurrence of Council, remove or finally appoint the employee. (O.R.C. 373.17)
2. Appointments of the Fire Chief and full time fire officers or firefighters shall be for a probationary period of six (6) months continuous service, and no such appointment shall be finally made until the appointee has satisfactorily served the probationary period. At the end of

the probationary period, the appointing authority shall transmit to the Village Administrator a record of such employee's service with a recommendation thereon, and the appointing authority may, with the concurrence of Council, remove or finally appoint the employee.

3. All other appointments by the Village Administrator in the Village work force, except those positions set forth in subsections 1 and 2, shall be for a probationary period of six (6) months continuous service. No such appointment shall be finally made until the appointee has satisfactorily served a probationary period. At the end of the probationary period, the appointing authority shall transmit to the Village Council a record of such employee's service with a recommendation for his final appointment or a recommendation for his removal. Any person may be removed by a majority vote of the members elected to the Council. Any person who is not removed by the Village Council shall be deemed to finally appointed.
4. Except for members of the police and fire service, all employees of the Village work force appointed by the Village Administrator, who have more than six (6) months of full time continuous service with the Village shall be deemed to have successfully completed their probationary period. This is based on the effective date of the ordinance.
5. It is the policy of the Village that all appointments in the Village work force be for a probationary period of six (6) months continuous service, and no such appointment shall be finally made until the appointee has satisfactorily served a probationary period.

Section 12: Performance Evaluation

1. Each supervisor, will evaluate the performance of their employees. A three month evaluation of a beginning worker will be done. A second evaluation will be done at the end of 6 months of employment prior to permanent employment. Thereafter, annual evaluations shall be done. Job descriptions and job performance shall be the major criteria in conducting such evaluations. Written evaluations are filed with the employee's records, and a copy shall be given to the employee.

Section 13: Hiring Members of Immediate Family

1. No department head shall hire or employ any member of his or her immediate family. For the purpose of this section, immediate family means a husband, wife, child, parent, brother or sister. Nothing in this section shall prohibit the employment of such immediate family members by any other department of the Village.

Section 14: Workmen's Compensation

1. Every member of the Village work force shall participate in the Workmen's compensation program as established by Chapter 4123 of the Ohio Revised Code and administered by the Industrial Commission of Ohio, the Bureau of Workmen's Compensation. The appointing authority shall be ultimately responsible for the timely reporting of any work related injury, disease or death to said bureau.

2. Any employee injured while on duty should report the same to his/her immediate supervisor as soon as practical after the injury so that proper reports may be filled with the Bureau of Workmen's Compensation. This should be done within three (3) calendar days unless extenuating circumstances prevent doing so.

Section 15: Employee Records

1. The Village Administrator shall be ultimately responsible for the establishment and maintenance of personnel records for those employees responsible to him. Said records shall include, but not limited to: application for employment, medical records, including claims under Workmen's compensation, attendance, leave, and changes in employment status.

Section 16: Discipline

1. When the Mayor has reason to believe that a member of the police service has been guilty of incompetence, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty or any other act of misfeasance, malfeasance, or nonfeasance in the performance of duty. The (Mayor) shall take such action as is required, and the hearing and disposition of such charges shall be made as provided in section 737.171, Ohio Revised Code.
2. When the Mayor has reason to believe that a member of the fire service has been guilty, in the performance of his official duty, of bribery, misfeasance, malfeasance, nonfeasance, misconduct in office, gross neglect of duty, gross immorality, or habitual drunkenness, he shall take such action as is required. The hearing and disposition of such charges shall be made as provided in Sections 733.35 through 733.39 of the Ohio Revised Code.
3. Employees, other than those covered by Subsections 1 and 2 of this section, may be removed at any time, after proper disciplinary procedures have been followed (outlined below) by the Village Administrator. Removal of employees under this Subsection shall be without cause and at the discretion of the Village Administrator.

Comment

Sec. 52.16 State Statute specifies disciplinary procedures, including the right to be represented and heard, for members of the Village police and fire service. The expanded text, above, establishes the right of other employees to be represented and heard during proceedings that might result in their dismissal for disciplinary reasons.

CODE OF CONDUCT AND DISCIPLINARY PROVISIONS

Introduction

All employees of the Village of Mount Gilead are members of a team working together for the purpose of serving our community. Employees who fail to follow the necessary rules and regulations governing their conduct are not only penalizing themselves, but are doing a disservice to other employees and the citizens of the Village of Mount Gilead.

The Code of Conduct and Disciplinary Provisions is designed to ensure that the rights and safety of all employees are protected and to provide working guidelines to encourage acceptable businesslike behavior and conduct.

It is the policy of the Village that discipline should be characterized as corrective rather than punitive and that employees should be made aware of the conduct expected of them. The following Code of Conduct is designed to meet both of these objectives.

The following Code of Conduct shall be applicable to all employees of the Village of Mount Gilead. The Ohio Revised Code provides for disciplinary action by Council for appointed positions.

Para. 1.1: Disciplinary Principles

- A. Should departmental rules and regulations conflict with these General Rules, the General Rules shall prevail.
- B. The Village of Mount Gilead believes that a clearly written discipline policy will serve to promote fairness and equality in the workplace, and will minimize potential misunderstandings among employees in disciplinary matter. Furthermore, the Village believes that certain basic principles, set forth below, must consistently be applied, in order to effectively and fairly correct unsatisfactory job behavior.
 - 1. Employees shall be advised of expected job behavior, the types of conduct that the Village has determined to be unacceptable, and the penalties for such unacceptable behavior.
 - 2. Immediate attention shall be given to policy infractions by those responsible for administering discipline.
 - 3. Discipline shall be applied uniformly and consistently, within the group or groups of employees to whom such rules are directed, and any deviations from standard procedure must be well justified and documented.
 - 4. Each offense shall be dealt with as objectively as possible.
 - 5. Discipline shall usually be progressive, but depending on the severity of the offense, may proceed immediately to suspension or termination of employment.
 - 6. An employee's Department Head and the Village Administrator shall be responsible for administering discipline.

Para. 1.2: Progressive Discipline Policy

- 1. The Village Administrator of the Village of Mount Gilead shall follow an established system of progressive discipline when correcting job behavior problems.
- 2. The Village has adopted this discipline policy as a guide for the uniform administration of discipline. It is not, however, to be construed as a delegation of, or a limitation upon, the rights of the Village as set forth in the Revised Code of Ohio.
- 3. This discipline policy provides standard penalties for specific offenses, however, the examples

of specific offenses given in any grouping are not inclusive, and merely serve as a guide.

4. 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 warrant such penalties. In those cases where the penalty deviates from the recommended standard penalty, the reasons for such deviation must be noted in writing by the Department Head or the Mayor or Council.
5. Each disciplinary action shall remain effective and in the employee's personnel file for twenty-four (24) months after the effective date of the disciplinary action, provided there are no intervening disciplinary actions during this twenty-four (24) month period.
6. All multiple policy infractions shall be dealt with by following the system of progressive discipline set forth below:
 1. Multiple offenses which are unrelated are progressively disciplined in the groups in which the offenses are classified; and
 2. Multiple offenses which are related are progressively disciplined regardless of the groups in which the offense is classified and regardless of the order in which the offenses occurred.

Para. 1.3: Grounds for Disciplinary Action and Penalties

1. The examples of Group I, II and III Offenses, set forth below are characteristic of those offenses which constitute incompetency, discourteous treatment to the public, neglect of duty, or any other failure of good behavior, or any other acts of misfeasance, malfeasance, or nonfeasance in office.
2. 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 organization productivity, efficiency, and/or morale. Group I Offenses, if left undisciplined by proper authority, will usually cause a temporary minor adverse impact against the Village unless such acts are compounded over time.
3. 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 Village in terms of financial loss, decreased organizational productivity, efficiency and/or morale. Group II Offenses, if left undisciplined by proper authority, can cause serious and longer lasting adverse impact against the Village than the Group I Offenses.
4. Group III Offenses may be defined as those infractions which are of a very serious nature or possibly illegal, and which constitute a fraudulent act by an employee or cause a critical disruption to the Village in terms of decreased productivity, efficiency and/or morale. Group III Offenses, if left undisciplined by proper authority, may cause a long lasting and/or serious adverse impact upon the Village.

5. The following list of Group I, II, and III Offenses is provided as a guide for employees in order to avoid violations and is not intended to be all inclusive. Employees are required to comply with all rules, policies, procedures, regulations, and orders of their Department and their Supervisors.

The penalties listed for each Group are intended as a guide for Mayor, Village Administrator, Department Heads, and Council to assist them in administering discipline in a consistent and uniform manner. Some variance from the standard penalties may be warranted under certain circumstances. “Working Days” for purposes of disciplinary suspension will be your normally scheduled work period. i.e., 7 hour day, 7 ½ hour day, 8 hour day.

Group I Offenses

First Offense..... Oral Warning (Documented)

Second Offense..... Written Reprimand

Third Offense Up to fifteen (15) working day suspension without pay

Fourth Offense..... Termination

1. Failure to “report off” work for any absence.
2. Neglect of duty
3. Loitering or unauthorized activity while on duty.
4. Carelessness with tools, keys, or equipment or failure to keep equipment, assigned work area clean.
5. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping (i.e., throwing trash on the floor or out a vehicle window.)
6. Failure to use reasonable care when using Village property or equipment.
7. Improper or misuse of telephone or two-way radios (i.e., use of foul language or using radio for other than legitimate Village business.)
8. Unauthorized use of or misuse of Village equipment or vehicle (s), (i.e., using equipment for purposes other than for which it was designed, abuse of equipment or vehicles, operating tools or equipment not assigned.)
9. Failure to observe department rules and regulations.
10. Obliging the Village for any expense, service, or performance without authorization.
11. Use or possession of another employee’s working equipment without authorization.
12. Distracting the attention of others, unnecessary shouting, demonstration or otherwise causing disruption on the job.
13. Malicious mischief, horseplay, wrestling, throwing things, or other disorderly conduct including use of profane or abusive language.
14. Intimidating, coercing, or interfering with other employees.
15. Failure to cooperate with other employees as required by job duties.
16. Neglect or carelessness in signing in or out.
17. Unexcused absence. (Failure to report for work as scheduled.)
18. Unauthorized activities during working hours.
19. Disregarding job duties by neglect of work or reading for pleasure during working hours.
20. Abuse of sick leave.
21. Failure to report equipment damage.

22. Failure to fill out or turn in forms or reports as required.
23. Inefficiency (i.e., lack of application or effort on the job, unsatisfactory work, failure to maintain required standards of performance, carelessness.)
24. Unauthorized use of telephone for other than Village business purposes. Authorized personal long distance calls to be noted and paid to Village Clerk monthly.
25. Discourtesy to other employees or other persons with whom the employee comes in contact while performing duties.
26. Excessive wage garnishments. (2 or more in a 12 month period.
27. Failure of a supervisor to administer discipline as provided for in these General Rules.
28. Failure of a supervisor to see that the rules and/or regulations of the Village or department are followed by all employees.
29. Failure to properly wear uniforms or display proper Village identification as required by departmental regulations.
30. Tardiness
31. Excessive absenteeism.
32. Unauthorized posting or removal of material or signs on Village bulletin boards or Village property.
33. Failure to report the loss or suspension of a driver's license when a employee is required to drive while on duty.
34. Solicitation during work time or distribution of written or printed matter during work time, without authorization.
35. Carrying unauthorized passengers in police or other Village vehicles.
36. Employees will remain in the Village of Mount Gilead after signing in for work and until signing out or dispatched out of the Village by a supervisor, or if the employee is a supervisor, only in the course of business for the Village.
37. Violation of Section 4, Smoke and Drug free enviroment.

Group II Offenses

First Offense.....Up to a fifteen (15) working day suspension without pay

Second Offense.....Termination

1. Acts of discrimination or insult on the basis of race, color, sex, (see attached policy on sexual harassment) age, religion, national origin, or handicap.
2. Using obscene, threatening or insulting language or gestures toward another person (see attached policy on sexual harassment).
3. The making or publishing of false, vicious or malicious statements concerning employees, supervisors, the Village or its operations.
4. Discourteous treatment of the public.
5. Use of abusive or threatening language toward supervisors, other employees or the public.
6. Neglect of duty as a result of disobedience of any reasonable order by the Village Administrator, Department Head or Clerk, failure to carry out work assignments, including verbal or written instructions or written policies.
7. Failure to report for overtime work without an excuse acceptable to the Supervisor after being assigned to work.
8. Unauthorized use of Village tools, equipment, or property for private work during working

hours, and no employee shall permit anyone other than another employee of the Village of Mount Gilead to operate or use the equipment owed by the Village. No employee shall lend or borrow without prior approval of the Village Administrator.

9. Reporting to work or working while unfit for duty.
 10. Being in possession of or drinking alcoholic beverages on Village property or while on duty. No employee shall consume any alcoholic beverage within 12 hours prior to reporting to work. No employee shall report for work while under the influence of alcohol or narcotic, and the use of alcoholic beverages or drugs while working is prohibited and the Employee is subject to immediate discharge without cause.
 11. Unauthorized presence on Village property or in Village departments
 12. Failure to report to supervisor any work related accident or personal injury in which the employee was involved on the job.
 13. Refusing to give testimony when accidents are being investigated.
 14. Willful disregard of departmental rules and regulations.
 15. Traffic violations or accidents while driving Village vehicles or equipment which evidence negligence by the employee.
 16. Sleeping while on duty.
 17. Failure to report to the Village a request for information, or receipt of a subpoena or court order from an attorney, law firm or court of law in connection with Village related business.
- Police:** Failure to appear when subpoenaed.
18. Driving a motor vehicle while on duty without a valid driver's license.
 19. Charging personal long distance or toll calls to the Village without prior authorization from the Mayor, Clerk or Village Administrator.
 20. Neglect or carelessness in observance of safety rules, or disregard of safety practices.
 21. Leaving a post of continuous operations, prior to being relieved by employee.

Group III Offenses

First Offense.....Termination

1. Willful or serious neglect of duty which endangers life, property, or public safety.
2. Willful disregard of assigned duties or in the care, use or custody of any Village property or equipment. Abuse, or deliberate destruction in any manner of Village property, tools, equipment, or the property of employees.
3. Signing or altering other employee's time sheets, unauthorized altering of own time sheet; or having one's time sheet signed or altered by another employee.
4. Falsifying or assisting in falsifying or destroying any Village records, including work performance reports; or giving false information called for in making application for employment.
5. Accepting bribes, fees or items of value in the course of carrying out assigned duties.
6. Intentional misuse of Federal, State, or Village funds.
7. Making false claims or misrepresentation in an attempt to obtain any Village benefit.
8. Stealing or similar misconduct, including destroying, damaging or concealment of any property of the Village or of other employees.
9. The unlawful manufacture, distribution, dispensation, possession or use of controlled substances

- (drugs) on or off Village property.
10. Gaining access to Village property by unauthorized means beyond the scope of one's employment or authority.
 11. The unauthorized possession of weapons, firearms, or explosives while on Village premises.
 12. Fighting or attempting to injure other employees, supervisors, or persons.
 13. Illegal or criminal conduct or offenses.
 14. Knowingly concealing any communicable disease which may endanger other employees.
 15. Misuse or removal of Village records or information without prior authorization.
 16. Instigating, leading or participating in any illegal walkout, strike, sit down, refusal to return to work at the scheduled time for the scheduled shift, or other concerted curtailment, restriction or interference with work in or about the Village's work locations.
 17. Dishonesty or any dishonest action. **Some examples of what is meant by "dishonesty" or "dishonest action" include but are not limited to:** theft, pilfering, 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."
 18. Giving false testimony during an investigation or hearing.
 19. Refusal without legitimate reason to work during emergency conditions.
 20. Insubordination by refusal to perform assigned work or to comply with written or verbal order from a supervisor, Department Head or Village Administrator.
 21. Application for sick leave with intent to defraud.
 22. Absence from duty without approved leave.
 23. Participation in prohibited political activity in violation of Ohio statutes.
 24. Failure to obtain and maintain licenses, certifications, or other qualifications required for the employee's job.
 25. Any combination of four or more Group I or II violations within an eighteen (18) month period.
 26. Misconduct which is considered within the Group III level due to the overall seriousness, nature and significance of the misconduct.
 27. Reporting for duty and/or operating Village vehicles or equipment while under the influence of alcohol or drugs which affect the employee's ability to think clearly or react.
 28. Any conduct by an employee which brings discredit to the Village, any Village Department or the employee as a public employee of the Village.
 29. Violation of any laws which the employee is responsible to enforce in his capacity as an employee of the Village.
 30. Conviction of any violation of law which may adversely affect the public's trust of the employee in his performance of his duties with the Village.
 31. The employer shall not suspend or discharge any Employee without just cause, and such notice of suspension, discharge or reprimand shall be given to the Employee by Employer in writing as soon as possible. This charge must be by proper written notice to the Employee and said Employee may request an investigation as to his discharge or suspension. Should such an investigation prove that an injustice has been done to the Employee, the Employee shall be reinstated and shall receive full, partial or no compensation for the period he was off work. A request by an Employee for an investigation, as to his discharge, must be made by written request within five (5) working days from the date of discharge or suspension. Such an appeal

from discharge or suspension must be heard by the full Council of the Village, and a decision reached within twenty (20) days from the date of discharge. If no decision has been reached within twenty (20) days, the decision previously made shall be final and binding on the parties. Reprimands and/or disciplinary action notice will be issued in writing within fourteen (14) days after the occurrence or after the hearing is noted above.

Section 17: Vacations

1. Paid vacations for hourly wage employees, salaried employees (contract employees are not entitled to paid vacation), are hereby established as follows:
 - a. Employees employed by the Village for the following periods of time shall be entitled to the below scheduled vacations per calendar year in accordance with their hourly wages, computed on the basis of their work week and hourly wages as follows:
 - b. After completing one year of service, vacation earned the previous year can be taken on January 1 not the anniversary date of the employee. However the example below will apply.

Example: If your anniversary date is May 1 and you are entitled to 2 weeks vacation on that date you will be entitled to 2 weeks starting January 1 of your anniversary. However should you take your 2 weeks vacation and resign before your anniversary date the employee would be required to pay back to the Village the unearned vacation taken before the anniversary date of the employee. This will be adjusted in the final pay of the employee.

Employment (Years)	Vacation Entitlement
After completing one (1) year.....	2 week / 10 days
After completing eight (8) years.....	3 weeks / 15 days
After completing fifteen (15) years	4 weeks / 20 days
After completing twenty five (25) years.....	5 weeks / 25 days

2. Employees entitled to two weeks of vacation may take it one week on a daily basis. At least one week must be taken at one time.

Employees entitled to three weeks or more of vacation may only take one week on a daily basis, the balance must be taken at least one week at a time.

The vacation allowed employees who do not take their vacations a full week a time shall be computed on an hourly basis. Vacation shall not exceed fourteen (14) consecutive days, except with approval of the Village Administrator. Only two members of any department may be on vacation at any one time.

3. All members who wish to take vacation leave during a year shall submit their request to the Department Head, no later than March 1. The Village Administrator shall, by April 1, issue a vacation schedule giving preference as to dates requested on the basis of seniority. The Department Head shall consult with each employee who cannot be assigned the vacation request and obtain alternative dates.
4. After April 1, no change in the vacation schedule shall be permitted unless it can be arranged with the consent of all employees affected and the change in the schedule will not result in the need for overtime.
5. If an emergency situation exists for an employee, and he / she cannot take a previously scheduled vacation, it may, upon the approval of the Department Head and the Village Administrator, be rescheduled.
6. Once an application has been approved, no change shall be made by the employee on the beginning day of the vacation period, unless authorized by the Department Head and Village Administrator.
7. Saturdays and Sundays taken for vacation by a police officer shall not be more than the number of Saturdays and Sundays an officer would work during the term of his or her vacation period.

For example:

Weeks of Vacation

- a. No Saturday and Sunday.
 - b. One Saturday and one Sunday or any combination not exceeding two Saturdays or Sundays.
 - c. Any combination of three Saturdays or Sundays.
 - d. Two Saturdays and two Sundays or any combination not exceeding four Saturdays or Sundays.
 - e. Any combination of five Saturdays or Sundays.
8. All matters concerning vacations, not otherwise covered by ordinance and general law will be determined by the Village Administrator.
1. Other regulations
 - a. The vacation pay shall be determined by the number of hours worked in a normal work week (i.e., 32 hours for a 7 hour work day, 34 hours for a 7 ½ hour day, and 40 hours for an 8 hour work shift. The hours for those less than 8 per day assume the closing of Village offices each Thursday at noon.
 - b. The Clerk-Treasurer is authorized to pay any Permanent Employee with (12) twelve months service, who leaves the employment of the Village for any reason, or to pay to the surviving spouse, guardian of minor child or children, or to the personal representative of the estate of a deceased Permanent Employee with twelve (12) months service, the accrued

vacation pay of such Permanent Employee, if the vacation pay to which said Permanent Employee would have been entitled, had said Permanent Employee remained an employee of the Village or survived.

- c. Each employee shall earn vacation leave as stated when he is working, on a holiday, on vacation leave, or on approved sick leave from the starting date of his employment with the Village.
- d. Although a Permanent Employee earns vacation leave from the date of his present employment, he shall not be eligible to take vacation leave with pay until he/she has served (12) months as a Permanent Employee.
- e. Temporary Employees shall not be entitled to any paid annual vacation leave.
- f. The provisions herein pertaining to annual vacation leave shall not apply to Elected Employees.

Section 18: Paid Holidays

All Full Time Employees with 30 days continuous service shall be entitled to nine (9) paid holidays per year. The timing of holidays, designation of days in lieu of holidays, and the right to work on such days at the regular wage in addition to the regular holiday pay, to be approved in all instances by the Village Administrator.

All matters concerning holidays, not otherwise covered by ordinance and general law will be determined by the Village Administrator.

Regulations:

1. All Full Time Village Employees shall be paid for the following holidays: New Year's Day, Good Friday, Memorial Day, July 4th, Veterans Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day. (Ord. 1175; 3-15-90) and Christmas Day.
2. In the event that any of the holidays listed in (1) falls on a weekend, full-time Village employees, excluding police, shall celebrate the preceding Friday if the holiday falls on Saturday, or the following Monday if the holiday falls on Sunday. In the event a Village employee, including police, works on any holidays provided for in this section, he/she shall be compensated at one and one-half times his regular hourly rate for the time actually worked in addition to his scheduled holiday pay, providing he works his normal schedule in that pay period.
3. If a holiday falls during a Permanent Employee's vacation period, it shall not be counted against his annual vacation leave.
4. Temporary Employees and Part Time Employees shall not be entitled to any paid holidays
5. All employees must work the day before and following a holiday to collect pay for the holiday unless he/she is on vacation or a day of sick leave with a physician's excuse or authorized by the Village Administrator.
6. The provisions herein pertaining to paid holidays shall not apply to Elected Employees.

Section 19: Sick Leave

Each regular employee shall be entitled, for each completed eighty hours of service, to sick leave of four and six-tenths hours with pay. Employees may use sick leave, upon approval of the responsible administrative officer of the employing unit, for absence due to personal illness, pregnancy, injury, and for injury or death in the employee's immediate family. Unused sick leave shall be cumulative without limit. When sick leave is used, it shall be cumulative without limit. When sick leave is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour of absence from previously scheduled work.

Specific Regulations:

1. Pregnancy- Absences of a pregnant individual shall not exceed four (4) weeks after delivery unless additional days are granted by the Village Administrator and Department Head based upon a request by the employee's physician.

Revised April 12, 2005

2. Bereavement Leave- Three days of sick leave may be taken because of a death in the immediate family when taken immediately after death. One day of sick leave may be taken to attend the funeral of a relative other than those listed under the definition of "Immediate family."

Definition of "Immediate Family." (Parents, Grandparents, Spouse, Brother, Sister, Children, Grandchildren, Mother-in-Law, Father-in-Law, Brother-in-Law, Sister-in-Law, Step Mother, Step Father, Step Children or any other relative residing in your home.)

3. Exceptions may be made by the Village Administrator in the number of days taken for funerals if there are unusual circumstances.
4. Procedure for taking sick leave: The employee, who will be unable to work for any of above reasons shall notify his/her Department Head. When notification is given, the exact reason for the absence shall be given. If the reason is such that action of the Village Administrator and Department Head is required, the Administrator and Department Head will make the final decision on use of sick leave.

All regular employees shall sign a statement on a form provided by the Village stating the basis for the use of sick leave. Such form shall be completed by the employee, before the end of the pay period in which sick leave is used. In the event of the use of sick leave for three or more consecutive work days, a statement from a licensed physician shall be required before sick leave will be paid. Falsification of a physician's statement of the employee required by this section shall be grounds for disciplinary action, including discharge from employment.

Revised 3-11-02
Revised 4-12-05

5. Other

- A. Each Regular Employee shall earn sick leave when he / she is working, on vacation leave, or on approved sick leave from the starting date of his / her employment with the Village.
- B. Temporary and Part-time Employees shall not be entitled to any sick leave.
- C. Probationary Employees shall not be entitled to use any sick leave, but, if they become Permanent Employees, they shall be entitled to the sick leave they earned while they were Probationary Employees.
- D. The provisions herein pertaining to sick leave shall not apply to Elected Employees.

Long Term and Short Term Sick Leave from Work due to Sickness or Injury

- One day from work due to sickness or injury, contact supervisor. At least ½ hour before start time. If no one is in the office leave a detailed message and a phone number where you can be contacted if necessary.

Service Department – Bill Swain – Service Coordinator 419-946-9101
 Office Staff – Sue Mermann – Clerk / Treasurer 419-946-4861
 Police Department – Chief Brian Zerman 419-946-2677

- Three days or more due to sickness or injury, contact the Village Administrator (419-946-1931) as soon as possible and provide a doctors slip outlining the reason you are off work for an extended period.
- In the case of an accident the employee will advise the Administrator as soon as possible, in writing, by way of a doctors slip stating the nature of the injury and when the employee would be able to return to work for light duty or full duty.
- In the case your direct supervisor is not available, the employee, will contact the Administrator's or the Mayor's Office (419-946-3926).

As an employee of the Village, one of your benefits is you have sick leave which you can use in an emergency for illness or injury. However you are expected to be at work as scheduled unless you are scheduled to be off work.

Revised April 12, 2005

Section 20: Military Leave

Any Regular Village Employee who is a member of the Ohio National Guard or any military reserve unit of the United States shall be entitled, if his salary as a Village Employee is greater, to be paid the difference between his regular straight time Village salary and the compensation he receives while on active duty with the military unit for a period not to exceed thirty-one (31) days in any calendar year. The Clerk-Treasurer shall require reasonable proof of both the dates of active duty and the compensation received before making payment under this section. This does not apply if on actual duty during his vacation period. (ORC 5923.05)

Section 21: Leave of Absence

Leave of absence may be granted to Village Employees for good cause shown, for such lengths of time and without compensation or other employment benefits as may be in the best interest of the Village, as the Administrator should determine.

Section 22: Retirement Pay

At the time of retirement from active service and with ten or more years of service with the State or any of its political subdivisions, an employee shall be paid in cash for one-fourth of the value of his accrued but unused sick leave credit. Such payment shall be based on the employee's rate of pay at retirement. Payment for sick leave will eliminate all sick leave credit accrued by the employees at that time. Such payment shall be made only once to any employee. The maximum payment which may be made under this division shall be 60 days. Systems covered are PERS and Ohio Police and Fireman's Disability and Pension Fund. Funds to be paid within 90 days of leaving Village employment.

Section 23: Personal Days

Each Regular Employee shall be entitled to two (2) personal days per calendar year at the regular hourly wage. Personal days shall be taken with the approval of the employee's Department head. (Ord. 1984, adopted 1-19-87) A personal day may not be taken in conjunction with or added to vacation time. Recommended: No more than one personal day granted per department on any given day.

Section 24: Longevity Pay

The following longevity pay is hereby fixed for all Regular Employees, according to the schedule set forth below:

- More than 5 years but less than 10 years - \$200.00 per year
- More than 10 years but less than 15 years - \$400.00 per year
- More than 15 years but less than 20 years - \$600.00 per year
- More than 20 years - \$900.00 per year

Section 25: Eligibility for Sick Leave, Vacation Leave, and Paid Holidays

Temporary employees, Part Time and Summer Employees shall not be eligible for sick leave, vacation, paid holidays, or personal days. New employees will be eligible for holiday pay after 30 days of continuous employment.

Section 26: Retroactive Salary Increases

Retroactive salary increases are allowed for appointed employees and also for elected officials

under certain conditions. (OAG 83-036) Village Officer's Handbook, Ohio Municipal League, 1981 Revised P.14 Q7.

Section 27: Salary Increases for Elected Officials

Salary increases for elected officials may be enacted during the official's term of office. (AG 83-036)

Section 28: Pay Days

The compensation of the regular work force, Mayor, Administrator, Clerk-Treasurer and shall be paid every other Friday. Council is paid once a month. Compensation for Volunteer Firemen will be paid semi-annually on or about June 1, and December 1 of each year.

Revised April 12, 2005

Section 29: Overtime

1. Employees, shall be granted overtime when they actually work more than 40 hours during any week. Overtime pay shall be one and one-half times such employee's hourly rate. The 40 hour work week will consist of hours worked, and can include pre-approved vacation days or a holiday, in accordance with vacation policies defined elsewhere in this document.

Sick leave hours or personal leave hours can not be used toward the 40 hours "worked". Unless approved by the Village Administrator.

In the case of an "emergency call in" by the Police or the Village Administrator, overtime will be approved, should an employee have a pre scheduled doctor's appointment or illness during the work week the emergency occurred.

In the case of scheduled overtime, and the employee uses sick leave or personal time, overtime will not be approved for that week.

Added 4-12-05

2. Police officers may only use overtime for court appearances, investigation, and special call out as directed by the Chief of Police. Other purposes that must have approval by the Mayor are covering officers on vacation leave or sick leave, (not personal) authorized special meetings called by the Chief or Mayor, in service training, and quarterly qualifying for firearms as required by the state.
3. No police officer shall be paid overtime unless prior approval has been granted by the Mayor.
4. The Police Chief, Service Coordinator, and Water and Wastewater Technician shall be eligible for approved overtime as per this section.
5. The work schedule for individual members of the Police Department of the Village shall be established by the Chief of Police not less than thirty (30) days prior to the same said service is to be performed, except where exceptional circumstances arise. Variations in the established work schedule shall be made in writing by the Mayor. In the event such exceptional

circumstances are determined by the Mayor to exist. Said work schedule shall consist of the date, time of day and the name and initial of the member of the Police Department assigned to each particular time period.

Section 30: Approval and Reimbursement for Expenses on Official Business

1. Authorization to attend meetings, conventions and conferences is subject to the approval of the Village Administrator and contingent upon funds being available. A request in writing must be submitted that includes the date (s), place, purpose and estimated costs. (ORC 733.79)
2. An employee or official authorized to travel on official business may be reimbursed for the actual, reasonable, and necessary expenses incurred for lodging.
3. An employee or official authorized to travel on official business not requiring overnight lodging, may claim reasonable reimbursement for breakfast if he departs from his residence before 7:00 a.m., and for his dinner if he returns after 7:00 p.m.
4. The maximum allowable reimbursement of meals shall not exceed \$8.00 for breakfast, \$10.00 for lunch, and \$20.00 for dinner unless a meal is included as part of a function, in which case the actual cost of the meal will be reimbursable. Must be accompanied by receipts.
5. An employee or official authorized to travel on official business may be reimbursed for the actual, reasonable, and necessary miscellaneous expenses, such as registration and travel expense. Use of a personal vehicle shall be reimbursed at the rate of \$.30 per mile.

Section 31: Grievance Procedures

1. Any regular employee of the Village of Mount Gilead may invoke the procedure, as established by this Section, to seek redress for alleged wrongs relating to conditions of work, administration of this document, or other job related concerns.
2. Step one. The employee shall, within five (5) working days, verbally inform his immediate supervisor of the nature and details of the grievance. The supervisor shall, within three (3) working days, Counsel the employee in a private manner, which will not embarrass the employee. Every effort will be made to settle the grievance in a manner satisfactory to both parties.
3. Step two. If the grievance is not settled during Step One, or if the employee has no immediate supervisor other than the appointing authority, the employee shall, within five (5) working days, verbally inform the appointing authority of the nature and details of the grievance. The appointing authority shall, within three (3) working days counsel the employee in a private manner which will not embarrass the employee. Every effort will be made to settle the grievance in a manner satisfactory to both parties.
4. Step Three. If the grievance remains unsettled, the employee shall file, within three working days after the expiration of the three (3) day period outlined in Step 2, a written description of the nature and details of the grievance with the appointing authority and with the Village clerk. The appointing authority shall, within five (5) working days after receiving the written grievance, provide a written reply to the employee, and a copy shall be filed with the Village Clerk. Said written reply shall specify the findings and conclusions of the appointing authority.

5. Step Four. If the grievance remains unsettled, the employee may, before thirty (30) days have expired from the date of the alleged grievance, refer the grievance to the Village Council for determination. Upon notification by the employee, the Village Clerk shall submit copies of all written materials filed with the Village Clerk during Step Three to the members of the Village Council. The Village Council, or a committee of Council shall hear and consider the grievance within thirty (30) days after receiving the written material. The decision of the Village Council shall be final.
6. The use of the grievance procedure shall not jeopardize the employment status of any person in any manner whatsoever.

Section 32: Outside Employment

Any Full-Time Employee who engages in outside employment shall not permit such employment to adversely affect his/her job performance with the Village. Therefore, if employed outside, the employee should schedule it immediately after the workday at the Village or on days not working for the Village. At no time will an employee work a part-time job within an eight (8) hour time frame before his / her regular reporting time to work for the Village of Mount Gilead. This stipulation is for daytime shifts, and any police outside employment shall be given prior approval by the Chief. The Village Administrator may allow outside employment that will not adversely affect services with or within the Village. **(No extra work associated with the Village)**

Section 33: Jury Duty

When required to serve jury duty, the employee shall be paid only the difference between his/her regular salary and the amount paid by the court for services rendered as a juror.

Section 34: Minimum Wages

Except for students employed on a Part-Time or Temporary basis, no employee of the Village work force shall be paid a wage lower than the minimum wage rates as established in Chapter 4111, "Minimum Fair Wage Standards" of the Ohio Revised Code.

Section 35: Severability

If any part of this document shall be declared to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this document, the Council hereby declaring that it would have passed such remaining portions of the document notwithstanding such invalidity.

Section 36: Retirement

1. The Fire Chief, Chief of Police and patrolmen must participate in the Police and Firemen's Disability and Pension Fund. Police auxiliary are not eligible because of their volunteer status.

(Chapter 742 ORC)

2. Other members of the Village work force, including volunteer firemen, if qualified by law, shall participate in the Public Employee's Retirement System as established by Chapter 145, Ohio Revised Code, and administered by the Public Employee's Retirement Board. 145-5-07 effective 5-1-91
3. A member of the Public Employee's Retirement System who has passed his / her sixtieth (60) birthday, and has five or more years of total service credit, or has twenty-five (25) or more years of total service and has attained his/her fifty-fifth (55) birthday, or has thirty (30) or more years of Ohio service credit, regardless of age, may file for retirement. (ORC 145.32)
4. An employer may, as of the thirtieth day of June of any year terminate the employment of any PERS member who has attained the age of seventy (70) years. (ORC 145.32)

Section 37: Volunteer Firemen's Dependents Fund

Each political subdivision having a fire department employing volunteer firemen is a member of the Volunteer Firemen's Dependents Fund and shall establish a Volunteer Firemen's Dependents Fund Board. (ORC 146.02)

Section 38: Personal Use Of Village Vehicles

Employees shall not use Village vehicles for personal use except to go to lunch, within the Village unless authorized by the Village Administrator.

Section 39: Voluntary Job Termination - Exit Interview

When an employee leaves his job voluntarily, there shall be an exit interview with the Village Administrator. The purpose of this interview will be to use information gained to make a stronger, more viable work force in the future.

Section 40: Sexual Harassment Policy

Scope

This order shall apply to all personnel, sworn and non-sworn.

Purpose

To establish prevention in a working environment against sexual harassment and unwanted conduct.

Application

This order is for internal use only, and is not intended to enlarge the employee's civil or criminal liability in any way, and it shall not be construed as the creation of a higher legal standard of safety or care in the evidentiary sense with respect to third party claims insofar as the employee's legal duties as imposed by law. No compliance with this policy constitutes a violation of laws of the State of Ohio. Therefore, violation of this policy shall form the basis of this employer's disciplinary action within the Village. In the event that a violation of duties imposed by law, nothing herein shall be construed to relieve one from legal duty or from any action resulting from breach of that legal duty.

General Policy

It shall be the policy of the Village of Mount Gilead that as employees, you have the right to expect a working environment free of unwelcome sexual advances, requests for sexual favors, communication of a sexual nature, and other unwanted verbal or physical conduct. This Village has adopted a Sexual Harassment and Other Unwanted Conduct Policy.

This policy shall be followed at all times including, but not limited to when:

1. Submission to such conduct or communication is made as express or implied condition of obtaining employment.
2. Submission to or rejection of such conduct is used as a basis of or factor in decisions affecting the employment of any personnel.
3. Such conduct or communication has the purpose or effect of interfering with an employee's duty assignment or work performance or creating an intimidating, hostile or offensive environment.

Definitions

1. "Employee" included all Village Personnel, both sworn and civilian.
2. "Sexual Harassment" includes any unwarranted or repeated verbal or physical sexual advances, sexually explicit, provocative, or suggestive statements, innuendo or comments, or sexually oriented conduct or physical conduct, made by another employee which are reasonably offensive or objectionable to the recipient or which reasonably causes the recipient discomfort or humiliation or which reasonably interferes with the recipient's work performance.
3. "Unwanted Conduct" includes any conduct, verbal or physical, which is of an ethnic, racial or religious nature, which reasonably causes the recipient discomfort or humiliation, or which reasonably interferes with the recipient's work performance.
4. "Shall" is mandatory, not permissive.

Procedure

- 1 An employee who believes he/she has been subjected to Sexual Harassment or Unwanted Conduct shall report the incident immediately after the alleged occurrence, to either his/her immediate supervisor, or to the Mayor.
- 2 A complaint of Sexual Harassment or Unwanted Conduct shall be promptly investigated by the Mayor or his/her designate. Provided, however, such shall not be subject of/included within the immediate Sexual Harassment or Unwanted Conduct complaint. Every effort will be made to handle all such complaints in a fair, impartial and speedy manner, with concern for the principles of due process and fairness. In order to protect both the person making the complaint and the persons (s) against whom the complaint is made, every reasonable effort will be made to handle all complaints in a confidential and discreet manner.
- 3 A meeting shall be held between the person making the complaint and the Mayor or his designate, as soon as possible, but not later than ten (10) days following the report of the alleged occurrence (s). Following this meeting, the employee (s) against whom the complaint had been made shall be given a full opportunity to respond to the allegations.
4. The investigation conducted shall also include interviews, where appropriate, with other witnesses to the alleged occurrence (s) of Sexual Harassment or Unwanted Conduct.

Following completion of the investigation, if it is determined that a Sexual Harassment or Unwanted Conduct did, in fact, take place, immediate action, including discipline if necessary, will be taken to remedy the situation and prevent its recurrence.

5. All supervisory personnel shall be expressly responsible for immediately reporting any occurrences they witness or become aware of in any area of department.
6. If at all possible, immediate action shall be taken by supervisory personnel to limit and restrict, during the pendency of Sexual Harassment or Unwanted Conduct complaint, any work assignments or contact between the employee making the complaint and the employee against whom the complaint is made.
7. Retaliatory action or conduct of any kind taken by any member of the Village work force, against an employee as the result of that employee having sought redress under this policy and procedures is strictly prohibited and shall be regarded as a separate and distinct violation of the Village's policies and procedures.
8. Any question, concerns, or other inquires regarding the conduct that is prohibited by this policy or the procedures contained herein shall be directed immediately to the Mayor or his/her designate.

Non-Compliance-Failure to comply with the provisions of this order shall result in disciplinary action. Any employee who has an alleged misconduct complaint and violates Section 6 during or after the investigation may be subject to discharge.

Section 41 Cell Phone Policy

Effective 11-6-01 the policy for reimbursement of cell phones owned by Village Employees will be as follows:

Mayor
Clerk / Treasurer
Administrator
Service Coordinator
Water / Waste Water Technician
Police Chief
Police Captain
Police Sergeant

It should be understood, that cell phones for the most part are not reimbursable by the Village and we do not require employees to have cell phones.

However there are times when it may be necessary for you to use your personal phone for business purposes. Most cell phone plans have minimum minutes per month. The Village will reimburse an employee for the minutes he / she uses for business purposes up to 50% of the total bill.

Example: Minimum Bill - \$35.00 / 200 minutes = \$.18 per minute (this will vary based on your plan). Minutes used over the minimum will be reimbursed based on charges from the phone company, if proof of exceeding minimum minutes, due to business use is provided.

A copy of your cell phone bill must accompany the request for reimbursement, along with your supervisors signature, authorizing the reimbursement.
This expense will be taken from each departments communications budget.