



CITY OF ZANESVILLE

EMPLOYEE HANDBOOK

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1 Introduction & Provisions

1.1 Introduction/Disclaimer

Welcome to the City of Zanesville! We are pleased that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further the City of Zanesville's goals.

The City takes pride in its service to the citizens of Zanesville and the community, and believes that, first and foremost, we must be good citizens, set a good example, and fulfill our duties in a conscientious and courteous manner. In return, the City strives to provide a professional, positive, hands-on approach to managing its human resources.

This Employee Handbook addresses issues and policies of a city-wide nature. Individual departmental rules and policies remain applicable, such as Police, Fire and Services Departments for the functions and responsibilities of those departments.

The policies of this Employee Handbook are meant to be read in conjunction with any relevant department policies and rules. Administration will decide, should a conflict arise, which rule or policy should prevail. Employees are encouraged to bring to the attention of their Department Head and the Human Resources Manager any perceived conflicts between the employee handbook and department rules or policies.

Should any information in the handbook conflict with a collective bargaining agreement, the applicable bargaining agreement will take precedence.

This Employee Handbook was designed to help employees acquaint themselves with the City's policies and procedures. The City of Zanesville also reserves the right to interpret the information in this guide and to make determination of appropriate actions in all circumstances. If you have any questions regarding the interpretation or application of the contents of this handbook, you should direct them to your supervisor or to the Human Resources Department.

The information in this guide is not intended to create contractual obligation with respect to any matters it covers, nor is the guide intended to create a contract guaranteeing that you will be employed for any specific period of time.

The City of Zanesville reserves the right to revise and/or change, delete, suspend or discontinue parts or policy in its entirety, at any time without prior notice. Any such action shall apply to existing as well as future employees.

1.2 Human Resources Objective

The mission of the human resource department is to support the goals and challenges of the City of Zanesville by providing services that promote a work environment that is characterized by fair treatment of staff, open communications, personal accountability, trust and mutual respect. We will seek and provide solutions to workplace issues that support and optimize the operating principles of the organization.

The City believes that a personnel system which recruits and retains competent, dependable employees is important to effective government.

It is the mission of the human resources department to provide the following quality services to the employees of the City of Zanesville:

- Recruitment of qualified individuals
- Retention of valuable employees. Maintain recruitment and internal promotional practices which enhance the attractiveness of a career with the City and encourage each employee to give his/her best effort to the City and the public
- Training, development and education to promote individual success and increase overall value to the organization
- A safe and healthful working environment
- Inspiration and encouragement for a high level of employee morale through recognition, effective communication and constant feedback
- Promote high morale and foster good working relationships by providing uniform personnel policies and procedures, equal opportunity for advancement, and consideration for employee needs
- Encourage courteous and dependable service to the public
- Resources for administering benefits, policies and procedures
- Ensure all City operations are conducted in an ethical and legal manner

These services are achieved through a team-work philosophy that is inspired through effective organizational skills, proactive efforts and maintaining a balance between professionalism and the ability to have fun!

1.3 Employment Eligibility

All City employees are subject to applicable federal laws pertaining to citizenship and employment verification. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present acceptable documentation.

1.4 Civil Service Commission

The Pendelton Act, sponsored by Ohio Senator George H. Pendelton and signed January 16, 1883 by President Chester A. Arthur established the federal civil service system. The Civil Service Commission (CSC) of the City is composed of three (3) persons who are appointed and serve in the manner provided for in Section 124.40 of the Ohio Revised Code. Rules and Regulations are adopted in accordance with the authority conferred upon the Civil Service Commission by Section 10 of Article XV of the Constitution of the State of Ohio and by Chapter 124 of the Ohio Revised Code.

The CSC rules apply to all Civil Service matters within the jurisdiction of the CSC except to the extent these rules have been modified or superseded by the terms of a valid Collective Bargaining Agreement. Whenever the terms of a valid Collective Bargaining Agreement conflict with these rules, the terms of the Collective Bargaining Agreement will prevail. (See Ohio Revised Code 4117.10.)

The City follows the civil service laws of the Ohio Revised Code Chapter 124. The application, testing and original appointments to positions in the City are governed by the civil service laws and the rules of the City Civil Service Commission, CSC. The CSC has adopted its own rules which should be consulted.

Employees of the City are either “classified” or unclassified” under the civil service laws. Classified employees have civil service protection and continue to serve the City unless disciplined or laid off following civil service law provisions or the process under the applicable collective bargaining agreement. Unclassified employees are considered exempt from civil service law procedures and serve at the pleasure of the City and are considered “at will.” Unclassified employees may be dismissed at any time.

Classified employees are prohibited from engaging in partisan political activity where unclassified employees may engage in partisan political activity. The rules of the CSC outline the prohibited political activity of employees of the City. A classification plan for the positions in the City is maintained by the CSC which lists the titles, and includes the job description, for all positions in the City.

1.5.1. APPLICATIONS FOR EMPLOYMENT AND TESTING

The CSC is responsible to make available applications for original employment testing.

Applicants and employees are responsible to accurately and completely provide information in the applications as well as submitting all required documentation, such as records or proof of licenses. Applicants may be disqualified from employment for inaccurate or incomplete applications and information. Employees will be held accountable and may be disciplined for inaccurate or incomplete information provided in an employment application. For example, if an employee inaccurately or falsely indicated on an employment application that he/she had a college degree the employee may be disciplined, up to discharge, for submitting the false information.

1.5.2. TESTING

When a vacant position is to be filled by a civil service examination the CSC will conduct the examination, rate and then rank the candidates who pass the examination on an eligible list. The CSC has rules and procedures for the examination process and the procedures to be followed to fill a vacancy. The CSC procedures apply to entry level positions.

1.5.3. APPEALS AND HEARINGS

The civil service laws provide for appeals of certain actions including layoffs and certain discipline matters for those employees who are classified and not included in a collective bargaining unit. For those employees who are included in a collective bargaining unit their appeal rights are set forth in the collective bargaining agreement.

The CSC provides for hearings of appeals. The CSC jurisdiction, and what appeals it may consider are set forth in the civil service laws. The CSC may not consider appeals or conduct hearings of issues or matters not included in the civil service laws.

1.5 Pay and Benefits Ordinance

The pay and benefits for Employees not included in a collective bargaining unit, i.e. unaffiliated employees, are established by the Administration and approved by the City Council in an ordinance. Pay and benefit questions are to be directed to the employee's Department Head.

The benefits included in the Ordinance which may be modified or eliminated by City Council, include:

- Compensation/Pay Plan
- Overtime Compensation
- Holidays
- Vacations
- Sick Leave
- Leaves of Absence
- Longevity Pay
- Insurance
- Mileage Reimbursement

This handbook does not modify benefits provided by City Ordinance or provided in a union contract and does not grant additional benefits or compensation. This handbook simply provides guidelines and rules for use of these benefits by employees.

1.6 Collective Bargaining

The pay and benefits for employees in positions included in a collective bargaining unit are provided for in the applicable collective bargaining agreement. Where an issue, benefit, or economic matter is addressed and included in a collective bargaining agreement the provision in the agreement will prevail over the provisions of this Employee Handbook. If questions arise, please contact the Human Resources Manager.

1.7 Civil Service Law and City Management Rights

As noted in the initial provisions of this Employee Handbook, many issues are addressed by the rules of the Civil Service Commission, or are included in civil service laws. Management of a City is responsible to administer many programs to serve the public. As such City Management has authority within the parameters of civil service law, union contracts and employment laws to administer the human resources of the City and its personnel.

Many topics and issues are not specifically addressed in this Employee Handbook nor should every topic be addressed. Those issues and situations will be addressed on an as-needed basis. Questions or comments regarding this Handbook or any other related issue should be directed to the employee's department or to the Human Resource Manager.

MANAGEMENT RIGHTS & RESPONSIBILITIES

The policies in this Handbook do not and should not be construed to limit the rights, responsibilities or privileges of the City. The City has the authority to compensate, manage, evaluate and discipline employees of the City in accordance with the Ohio Revised Code, the Rules of the Civil Service Commission of the City, ordinances of the City, and/or collective bargaining agreements negotiated by the City.

The City retains the right to:

- Determine the City's goals, objectives, programs and services and to utilize employees in a manner designed to effectively and efficiently meet these purposes.
- Exercise complete control and discretion over the budget, organizational structure, and method of performing the work required.
- Manage and determine the location, type and number of physical facilities, equipment and programs and work to be performed.
- Determine the adequacy, size, composition and qualifications of the work force, including when a job vacancy exists.
- Take necessary action to abolish and create classifications.
- Manage and direct employees, including the right to establish methods to select, hire, promote, transfer, assign, evaluate, supervise, layoff, recall, reprimand, suspend, discharge and discipline for just cause and to maintain order among employees.
- Determine the hours of work and work schedules including the necessity of overtime.
- Determine the work rules, standards of quality, productivity and performance to be maintained and the policies and procedures for all employees.
- Implement and enforce rules on workplace safety.
- Maintain the security of records and other pertinent information.
- Inspect and search employees and/or their personal property when there is a reasonable suspicion of illegal or impermissible activity.
- Inspect and search files, electronic media, lockers, desks, cubicles, etc. as these items are provided for employee convenience and remain the property of the City, and are subject to control and search.
- Determine and implement necessary actions in emergency situations.

This list is intended to provide a general understanding of the City's responsibilities, and therefore the responsibilities of the employees to carry out the mission and functions of the City for its citizens. The City has those other rights needed and appropriate to manage and administer the mission and functions of the City for rights not listed above.

2 Workplace Standards & Ethics

2.1 Equal Opportunity

The City of Zanesville provides equal employment opportunities to all employees and applicants for employment without regard to race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, or service in the military. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

The City of Zanesville expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is absolutely not tolerated.

2.2 Americans with Disabilities (ADA) & Reasonable Accommodation

The Americans with Disabilities Act (ADA) of 1990, as amended by the Americans with Disabilities Amendments Act (ADAAA) of 2008, effective January 1, 2009, prohibits discrimination against a qualified individual with a disability in regard to job application procedures; the hiring, advancement, or discharge of employees; employee compensation; job training; and other terms, conditions, and privileges of employment. To ensure equal employment opportunities to qualified individuals with a disability, the City of Zanesville will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the business would result.

Employees who may require a reasonable accommodation should contact the Human Resources Department.

2.3 Genetic Information Non Discrimination Act (GINA)

The City of Zanesville strictly prohibits discrimination based on genetic information. GINA prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not request or provide any genetic information in the workplace or to representatives of the company at any time. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

2.4 Commitment to Diversity

The City of Zanesville is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the business and are valued for their skills, experience, and unique perspectives. This commitment is embodied in the City's policy and the way we do business at the City of Zanesville and is an important principle of sound management.

2.5 Harassment in the Workplace

The City of Zanesville strives to maintain a workplace that fosters mutual employee respect and promotes harmonious, productive working relationships. Our organization believes that discrimination and/or harassment in any form constitutes misconduct that undermines the integrity of the employment relationship. The City prohibits discrimination and/or harassment that is sexual, racial or religious in nature or is related to anyone's gender, national origin, age, sexual orientation, gender identity, pregnancy, disability, genetic information or veteran's status. This policy applies to all employees throughout the organization and all individuals who may have contact with any associate of this organization for business reasons, such as, a vendor or customer. Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, as well as many state laws.

It is the **City of Zanesville's** policy to provide a work environment free of sexual and other harassment. To that end, harassment of **City** employees by management, supervisors, coworkers, or nonemployees who are in the workplace is absolutely prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. **City of Zanesville** will take all steps necessary to prevent and eliminate unlawful harassment.

Definition of Unlawful Harassment. "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or other characteristic protected by state or federal law.

Definition of Sexual Harassment. "Sexual harassment" is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions; *or*
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Inquiries into one's sexual experiences; *and*
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of sexual harassment complaint is unlawful and will not be tolerated at the **City of Zanesville**.

Complaint Procedure

Any employee who believes he or she has been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, is requested and encouraged to make a complaint. You may, but are not required to, complain first to the person you feel is discriminating against or harassing you. You may complain directly to your immediate supervisor or department manager, the HR Manager, or any other member of management with whom you feel comfortable bringing such a complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

All complaints will be investigated promptly and, to the extent possible, with regard for confidentiality.

If the investigation confirms conduct contrary to this policy has occurred, the **City of Zanesville** will take immediate, appropriate, corrective action, including discipline, up to and including termination.

2.6 Ethics of Public Employment

The proper operation of government requires that actions of public officials and employees be impartial; that government decision and policies be made within the proper channels of government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. State law establishes, through the Ethics Commission, standards for public officials and employees. The City recognizes the State standards and the goals of responsible government. Recognition of these goals has led to the establishment of a Code of Ethics as follows for all officials and employees of the City.

No employee shall use their official position for personal gain, or shall engage in any business or transaction or shall have financial or other interests, direct or indirect, which is in conflict with the proper performance of their official duties.

No employee shall, without proper legal authorization, release confidential information concerning the property or government affairs of the City; nor shall employees use such information to advance the financial or other private interest of him or others. No employee shall accept any valuable gift, whether in the form of service, loan, item, or promise from any person, firm or corporation which is interested directly or indirectly in any manner whatsoever in business dealings with the City; nor shall employees accept any gift, favor or item of value that may tend to influence any decisions of the employee or his supervisor. Any employee offered a gift or favor who is not sure whether its acceptance would be a violation of the Code of Ethics should inform his supervisor. The supervisor will make a decision or refer the individual to the City's Law Director.

No employee shall accept from any contractor or supplier doing business with the City any gifts, material or service for the private use of the employee.

No employee shall represent private interests in any action or proceedings against the interest of the City in any matter in which the City is a party.

State law prohibits employees and officials from having financial interests in companies which do business with public agencies, with minor exceptions. Employees who have any doubt concerning possible violations of these statutes are advised to consult their own attorney.

No employee shall engage in or accept private employment or render services for private interests when such employment or service is in conflict with the proper performance of his official duties or would tend to impair his independent judgment or action in the performance of his official duties. Any employee having doubt as to the applicability of a provision of this Code to a particular situation should consult the Human Resource Manager, the Law Director, or the Ohio Ethics Commission.

2.7 Fraud Reporting

The Ohio Auditor of State's office maintains a system for the reporting of fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or through the United States mail.

Auditor of State's fraud contact information

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's office
Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, OH 43215

Web: www.ohioauditor.gov

2.8 Personnel Files

Personnel files on all employees shall be maintained in the administrative offices of the City. Department heads may maintain files but shall forward copies of all appropriate documents therein to the administrative office. A personnel file may include, but not be limited to, the following:

- Employment application, resumes, evaluations and related documentation.
- Letters of reference.
- Commendations.
- Records of discipline/corrective action.
- Performance evaluations.
- Instructional memos.
- Records of college coursework, attendance at training seminars, etc.
- Records of licensure or certifications.
- Changes in personal status.
- Changes in employment status.

Payroll records shall be maintained separately and in addition to personnel files. The City Treasurer's Office shall maintain City payroll records on all City employees. Such files shall include, but may not be limited to, individual employment data, payroll information, records of deductions, number of exemptions claimed, employee status, and related information.

Medical records shall be handled in accordance with the all recent HIPPA Laws.

An employee shall have a right of reasonable inspection of his or her official personnel file. A supervisor or management employee will be present at the time of inspection.

Employees shall advise their department heads of any change in: name, address, marital status, telephone number, number of exemptions claimed for tax purposes, citizenship, selective service classification, or association with any government military service organization.

The department head shall then forward this information to the Treasurer's Office for purposes of updating the payroll files.

2.9 Public Records

All public records requests are subject to the City's public records policy. Any questions regarding the policy are to be directed to the Law Director or Department Head.

From time-to-time employees are asked by members of the public or other employees to copy and provide documents which may constitute public records. All public records requests, whether from members of the public or other employees, must first be communicated to the department director before records are released. The director is responsible for releasing the records or referring the request for clarification on the applicability of the law.

Any requests that are made concerning personnel information about any City employee are to be forwarded to the Human Resource Manager for review. The information released will be in accordance with the applicable law.

Employees are never permitted to copy and disseminate documents for themselves, to each other or to the public, even if they have access to the information as part of their position. Violations of this policy may result in corrective action up to and including dismissal of employment.

Records requests received by the Police Department will be subject to the procedure established by the Police Department.

2.10 Solicitation

Employees are never permitted to solicit the general public while on City property during the regular work day, including lunch hours and breaks.

Employees, who feel harassed, pressured, or otherwise disturbed by the solicitations of other employees may notify the Department Director or the Human Resource Manager who will investigate the complaint and determine if the soliciting employee will be instructed to cease any and all solicitations.

With the exception of local charitable organizations, solicitation, distribution or selling among employees is restricted to mutual lunch periods and work breaks in non-work areas.

Violations of this policy resulting in a disruption to the City's operations may be cause for disciplinary action.

2.11 Employment of Relatives

Members of an employee's family will be considered for employment on the basis of their qualifications. Immediate family members may not be hired, however, if it would:

- Create a direct supervisor-subordinate relationship with a family member;
- Have the potential for creating an adverse effect on work performance; or
- Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must be considered when hiring, assigning or promoting an employee.

If a circumstance arises that result in a direct supervisory relationship between immediate family or close personal relatives, including marriage, reduction in force, reorganization, priority placement, etc., one of the relatives may be reassigned. During the period that a direct supervisory relationship exists between immediate family members or close personal relatives, the supervisory relative will not be involved in any personnel action involving his or her relative. Typical first-level supervisory responsibilities will be referred to the next higher level in the supervisory chain.

For purposes of this policy, immediate family includes employees mother, father, husband, wife, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepchild, stepparent, grandchild or grandparent. This policy also applies to close personal relatives such as uncles, aunts, first cousins, nephews, nieces or half-siblings.

If two employees become related while employed, or marry, the employees must immediately report the relationship or marriage to their supervisor and the Human Resource Manager.

Questions should be directed to the Human Resource Manager.

2.12 Outside Employment

Under no circumstances shall an employee have other employment which conflicts with the policies, objectives, and operations of the City. In addition, an employee shall not become indebted to a second employer whose interests might be in conflict with those of the City.

An "employment conflict," as set forth in this policy, is when a second job impairs the employee's ability to perform the duties of his or her position with the City.

Full-time employment with the City shall be considered the employee's primary occupation, taking precedence over all other occupations.

Prior to accepting "outside" employment (or becoming self-employed), an employee shall notify his or her supervisor, in writing, of his or her intention to be employed in a secondary job. The supervisor shall confer with the employee to determine whether the "secondary job" presents a conflict with City policies, objectives, interests, and/or operations.

"Outside" employment or "moonlighting" shall be a concern to the Employer only if it adversely affects job performance, or could negatively impact the City's reputation or interests.

If, in the opinion of the Employer, outside employment is adversely affecting an employee's job performance, he or she may be asked to refrain from such activities as a condition of continued employment. Refusal to conform to such a request shall be cause for disciplinary action.

2.13 Employee Fraternization

The City wants to preserve a working environment that has clear boundaries between personal and professional relationships. This is believed to be the best practice for conducting business in a professional manner. This policy establishes clear boundaries with regard to how relationships develop at work and within the confines of the work area.

- During working hours and in work areas, employees of the City are expected to keep all personal interactions limited and at a professional level to avoid distracting or offending others.
- Employees are prohibited from engaging in any physical interactions that would be seen as inappropriate in the work area. What constitutes inappropriate conduct is in the discretion of the City.
- Employees who engage in personal relationships with others and allow these relationships to negatively affect the working environment will be subject to disciplinary action.

Romantic relationships between supervising, managing or executive employees and subordinates are strictly prohibited. If a relationship does develop between a supervising employee and his or her subordinate, management should be notified immediately so that a department transfer may be considered.

3 Workplace Safety

3.1 Drug Free Workplace

In compliance with the Drug-Free Workplace Act of 1988, the City of Zanesville has a commitment to provide a safe, quality-oriented and productive work environment consistent with the standards of the community in which the City operates. Alcohol and drug abuse poses a threat to the health and safety of the City of Zanesville's employees and to the security of the City's equipment and facilities. For these reasons, The City of Zanesville is committed to a workplace free of drug and alcohol use and abuse. Compliance with this Drug Free Workplace Policy is made a condition of employment.

Employees are prohibited from the following when reporting for work, while on the job, on City or customer premises or surrounding areas, or in any vehicle used for City business:

- The unlawful use, possession, transportation, manufacture, sale, dispensation or other distribution of an illegal or controlled substance or drug paraphernalia.
- The unauthorized use, possession, transportation, manufacture, sale, dispensation or other distribution of alcohol.
- Being under the influence of alcohol or having a detectable amount of an illegal or controlled substance in the blood or urine ("controlled substance" means a drug or other substance as defined in applicable federal laws on drug abuse prevention).
- Other similar conduct deemed a violation of criminal laws.

Controlled Substances

As used in this policy, controlled substances include any drug that is illegal under federal or state law, or that is legally obtainable but has not been legally obtained. The term includes prescribed drugs which are not being used for the prescribed purpose or in the prescribed manner. Examples include but are not limited to:

- Marijuana*
- Cocaine
- Stimulants, depressants
- Opiates
- Crack, phencyclidine (PCP)
- Amphetamines
- Narcotics, barbiturates

** Despite Ohio House Bill 523, marijuana for medical use is a Drug Enforcement Administration listed Schedule I controlled substance and therefore is prohibited.*

Medical Marijuana

With respect to medical marijuana, the possession, distribution, and/or use of marijuana, including medical marijuana, is prohibited under federal law. The City of Zanesville prohibits employees from using, possessing, or being under the influence of marijuana in any form, including medical marijuana, while at work or during work time. Any employee who tests positive for marijuana, regardless of whether the marijuana consumed was for medicinal purpose and/or with a prescription, will be considered to have violated this policy, and may be subject to disciplinary action. As such, the City encourages employees to discuss with their providers alternative treatments to the use of medical marijuana.

Any employee violating these prohibitions will be subject to disciplinary action up to and including termination.

Employees who are taking medication prescribed to them and work in positions where these medications/drugs may affect or impair their ability to perform their job duties must notify their supervisor and Department Director. The City will consider options for employees taking prescription drugs.

The City of Zanesville does not desire to intrude into the private lives of its employees, however, recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the City reserves the right to take appropriate disciplinary action for drug use, sale or distribution while off City premises. An employee who is convicted of, plead guilty to or are sentenced for a crime involving an illegal drug is required to report the conviction, plea or sentence to HR within five days. Failure to comply may result in automatic discharge. Cooperation in complying may result in suspension to allow management to review the nature of the charges and the employee's past record with the City.

Drug and alcohol testing will be carried out in compliance with any applicable state and federal laws and regulations.

Disciplinary action will be taken for drug-related crimes, regardless of whether they happened during working hours or on an employee's own time.

It is also understood that employees suffering from alcohol or drug dependence can be treated. We encourage any employee to seek professional care and counseling prior to any violation of this policy.

Required Testing

Employees subject to this policy shall be subject to drug and alcohol testing including, but not limited to the following: pre-employment testing; reasonable suspicion testing; and post-accident testing.

Pre-employment

All applicants must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

Reasonable suspicion

Reasonable suspicion testing shall be used when there are objective observable reasons to believe that a controlled substance or alcohol use is adversely affecting an employee's job performance or that the employee has violated this policy. Reasonable suspicion referral for testing shall be made on the basis of documented objective facts and circumstances which are consistent with the effects of substance use. Any employee who witnesses an employee who they feel might be under the influence, should report it to management personnel who are trained to detect the signs and symptoms of controlled substance and alcohol use and who may reasonably conclude that an employee may be adversely affected or impaired in the employee's work performance due to the use of a controlled substance or alcohol. The observing supervisor or manager, whether or not the person is the employee's immediate supervisor, is required to complete the appropriate required documentation concurrently with the observation and consideration to impose reasonable suspicion testing.

Reasonable suspicion testing shall be completed whenever possible within two (2) hours of the observation, but in any case no later than eight (8) hours after the observation for breath alcohol testing and thirty-two (32) hours for controlled substance testing.

Post-accident

Employees are subject to testing when they cause or contribute to accidents that damages a vehicle, machinery, equipment or property or result in an injury requiring medical attention.

Follow-up

Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including discharge. Depending on the circumstances and the employee's work history/record, the City may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by the City. If the employee either does not complete the rehabilitation program or tests positive after completing the rehabilitation program, the employee will be subject to immediate discharge from employment.

Consequences

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be disciplined in accordance with their bargaining unit contract or applicable policy. If the employee refuses to be tested, yet the City believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.

Employees who test positive for alcohol or illegal drugs under this policy will be disciplined within existing contractual or administrative procedures.

Department of Public Service and Public Safety Drug & Alcohol Abuse Policy and Testing Program

In addition to the above policy, employees of the Departments of Public Service and Public Safety have additional policies with testing standards to comply with federal and state laws applicable to certain positions and persons with licenses subject to these laws.

Employees of the Department of Public Service and Public Safety should consult with the policy for that Department and direct questions to the Department Director. Employees of the Service and Safety Departments are subject to both the Department Policy and the City Handbook.

3.2 Tobacco Policy – Smoke Free Workplace

The purpose of this policy is to protect the health and safety of employees, customers, and visitors of The City of Zanesville. Smoking is a leading cause of preventable death in the United States. Smoking and secondhand smoke are known causes of lung disease, heart disease, and cancer. The City of Zanesville recognizes the hazards caused by tobacco use and exposure to secondhand tobacco smoke. This policy covers the smoking of any tobacco product, including smokeless tobacco products and electronic cigarettes (regardless of tobacco content), and it applies to both employees and non-employee visitors of The City of Zanesville.

No use of tobacco products, including cigarettes, smokeless tobacco, and electronic cigarettes, is permitted on owned or operated property of the City of Zanesville at any time. "Property" means the organization's facilities "curb to curb," including offices, grounds, adjacent sidewalks, parking lots/ramps, City owned vehicles, and employee vehicles parked on owned and leased property. Nicotine is prohibited within direct proximity to locations of ingress and egress to any municipal facility owned and operated by the City. Employees must be at least 20 feet from areas of ingress or egress when smoking.

Responsibility for Reporting Violations

Any employee who witnesses a violation of this policy is requested and encouraged to make a complaint. You may make a complaint directly to your immediate supervisor or department manager, the HR Manager, or any other member of management with whom you feel comfortable bringing such a complaint.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

Discipline

Violations of this policy are considered as a work rule violation for which employees may be disciplined.

3.3 Workplace Violence Prevention

It is the City's policy to provide a workplace that is safe and free from all threatening and intimidating conduct. Workplace violence is "any act of aggression, or threat of an act, that threatens the safety, security, or well-being of an individual who is at work on duty." The City will not tolerate violence or threats of violence of any form in the workplace, at work-related functions or outside of work if it affects the workplace. This policy applies to City employees, clients, customers, guests, vendors and persons doing business with the City.

It is a violation of this policy for any individual to engage in any conduct, verbal or physical, that intimidates, endangers or creates the perception of intent to harm persons or property. Examples include but are not limited to:

- Physical assaults or threats of physical assault, whether made in person or by other means (e.g., in writing, by phone, fax or email).
- Verbal conduct that is intimidating and has the purpose or effect of threatening the health or safety of a co-worker.
- Any other conduct or acts that management believes represent an imminent or potential danger to work place safety or security.

Anyone with questions or complaints about workplace behaviors that fall under this policy may discuss them with a Supervisor or the Human Resource Manager. The City will promptly and thoroughly investigate any reported occurrences or threats of violence. Violations of this policy will result in disciplinary action, up to and including immediate termination of employees. Where such actions involve non-employees, the City will take action appropriate for the circumstances. Where appropriate and/or necessary, the City will also take whatever legal actions are available and necessary to stop the conduct and protect City employees and property.

All employees are responsible for their conduct during work and work-related matters. Also, employees who witness conduct violating this policy, as well as all other City policies, should report the conduct, incident or violation.

3.4 Weapons in the Workplace

The City of Zanesville is committed to providing its employees a work environment that is safe and secure. This commitment includes prohibiting employees from possessing or having under their control a weapon or other dangerous weapons while conducting city business or on city time, including possession or control of a weapon other dangerous weapons in an employee's personal vehicle, unless specially authorized by the city or as provided in Section 3.4.1 below. The city's prohibition against such unauthorized weapons or other dangerous weapons applies to all contractors and all employees, including but not limited to permanent city employees, contract workers, seasonal workers, consultants, college interns, and anyone else conducting business on city property.

Prohibited Items: Any weapon or other dangerous weapons including firearms except as provided in this policy; knives (switchblades, gravity knives or any knife with a blade longer than three inches), ballistic knife, metal knuckles, explosives and explosive devices (dynamite, black powder, pellet powders, blasting caps, fuse igniters and instantaneous fuses), bows and arrows and Tasers. Legal, chemical dispensing devices such as pepper sprays that are sold commercially for personal protection are permissible under this policy.

Prohibited Conduct: Employees shall not carry or store a weapon or other dangerous weapons:

- In a facility, building, or portion of a building owned or leased by the city, including parking lots or garages, except as provided in Section 3.4.1
- In a motor vehicle owned or leased by the city; or
- While conducting city business or on city time, even when employees are off of city owned or leased property

3.4.1 Effect of Concealed Carry License

Individuals covered by this policy who have been issued a permit to carry a concealed weapon in the State of Ohio are not exempt from the above provisions. Individuals covered by this policy who carry or possess a weapon must store the weapon in accordance with the law prior to entering an area in which a weapon is prohibited. This section also applies to an active duty member of the armed forces of the United States who meets the requirements under Revised Code Section 2923.126 (E)(2) to have the same right to carry a concealed weapon as a person issued a concealed carry license.

Individuals covered by this policy who have been issued a concealed weapon permit may store or transport their weapon and/or ammunition in their privately owned motor vehicle on property owned by the city that is primarily used as a parking facility for motor vehicles (i.e. parking lots and garages), unless otherwise prohibited. The weapon and/or ammunition must remain inside the person's privately owned motor vehicle while the person is physically present inside the motor vehicle, or the weapon and/or ammunition must be locked in the trunk, glove box, or other enclosed compartment or container within or on the person's privately owned motor vehicle while on the above referenced property owned by the city.

3.4.2 Violations

Violations will be subject to legal action as appropriate. Violation of this policy by a city employee may lead to disciplinary action up to and including termination in accordance with the applicable law, rule, or collective bargaining agreement.

3.4.3 Exceptions

In accordance with ORC 2923.12, the following City Personnel are exempt from this policy; An officer or authorized agent (law director, mayor, safety director), or employee of this or any other state or the United States, or to a law enforcement officer, who is authorized to carry concealed weapons or dangerous ordnance or is authorized to carry handguns and is acting within the scope of the officer's, agent's, or employees' duties.

3.5 Severe Weather

Severe weather emergencies have the potential to impact and/or disrupt City operations. During such weather-related emergencies, it is important to identify which employees are critical to the continuity of the City's operations. As such, employees may be classified as one of the following: Essential or Non-essential.

Essential Employees

Those employees who perform a service-critical activity and must be onsite to perform the work; this includes employees who work in departments/divisions that respond to emergency safety and care of the public.

- Administrative Personnel
- Emergency/Public Safety Personnel
- Public Services Personnel
 - All scheduled Public Utilities employees (inclusive of all divisions), unless notified as non-essential by their respective Department Director or designee.
 - All scheduled Public Services employees (inclusive of all divisions), unless notified as non-essential by their respective Department Director or designee.
 - All scheduled Parks & Recreation employees, unless notified as non-essential by their respective Department Director or designee.

Non-Essential Employees

Those employees who are not critical to maintain basic or emergency services to the public during a weather related or emergency event.

Notification

In the event that a severe weather emergency is declared by the County Sheriff's Office, the County EMA or the Mayor chooses to close City offices for non-essential employees, each Department Director, or their designee, shall be responsible for determining and notifying which employees should report to work or be sent home, dependent upon an employee's status of being considered essential or non-essential to City/Department operations during such a severe weather emergency event. It is the sole discretion of the City to determine which staff is considered essential in responding in a severe weather emergency situation. The City may maintain a list of essential and nonessential positions and employees.

In the event that a severe weather emergency is declared after normal business hours, or on the eve of a regular work week, the City will notify area print and media outlets, or other available means as the City determines regarding closure of City offices.

Compensation

With respect to compensation for such severe weather emergencies in which City offices are closed, all non-essential employees, including full-time and permanent part-time personnel, will be compensated for the number of hours they were scheduled to work during the emergency period. Employees not scheduled to work because of scheduled vacation, personal or sick leave will be charged for leave regardless of the declared emergency. If vacation, personal or sick leave ends prior to the end of the declared emergency, no leave time will be charged for the remainder of the emergency.

In the event that the decision is made to not close City facilities during inclement weather, employees who are not able to report to work at their regularly scheduled start time due to inclement weather should contact their respective supervisor and request the use of available vacation, compensatory time or personal leave (in accordance with their collective bargaining agreement) to cover the period not worked. The supervisor will determine whether the leave is justified and will approve of such leave accordingly. If the leave is determined to be unjustified and the employee does not report to work at the scheduled time, the employee will be considered absent without excused leave and may be subject to disciplinary action. Inclement weather is not a valid excuse for the use of sick leave.

During weather emergencies, those departments/divisions required to maintain twenty-four hour or emergency service operations may continue to use available personnel beyond regularly scheduled hours to ensure appropriate service coverage and to cover for non-available staff. Eligible employees required to work beyond their regular shift shall be paid overtime, as appropriate.

4 Hours of Work

4.1 Hours of Work

Each department and officer holder are responsible for establishing the hours of work and schedules for employees, and for enforcement of the schedules and hours of work. Employees in collective bargaining units may have their hours and schedules addressed in their agreements. If not, the hours of work and schedules will be established by their department.

4.2 Overtime Compensation

It is the policy of the City to keep work in excess of established schedules at minimum and to permit such work only when it is necessary to meet urgent City operating requirements.

- Overtime work will include only that work performed by an employee at the direction of a department head or any other authorized representative which exceeds the number of hours comprising the established work week for the position and department.
- Except as herein provided, hours worked in excess of forty (40) hours per week will be compensated at the rate of time-and-one-half. Overtime hours worked which are not in excess of forty (40) hours per week actually worked shall be compensated at straight time.
- Appointed salary employees are declared exempt from the overtime requirements of the Fair Labor Standards Act and shall not receive compensation for hours worked in excess of forty (40) hours per week.
- For purposes of computing weekly overtime, holidays, vacation, compensatory time, and jury duty during normal work hours shall be counted as hours worked. Sick leave shall not be counted as hours worked.
- The proper city official shall designate those administrative and professional classes which shall be entitled to compensatory time off for hours work in excess of the normal week with approval of the proper city official. Employees may accumulate a maximum of 180 hours of accrued compensatory time. Employees who, for whatever reason, have accumulated more than 180 hours of accrued compensatory time may not accrue additional time unless their accumulated hours fall below 180. Upon separation, each employee shall be paid for any net accumulation of compensatory time.
- Call-in pay shall be provided when an employee is required to report for work at times other than his regular shift or hours of work. Except as herein provided, employees called in under these circumstances shall receive four hours pay at his/her base rate or pay for time actually worked at the applicable rate, whichever is greater.
- The call-in minimum for the Police Chief and Fire Chief shall be three hours. Call-in time for which payment is rendered shall not be used for computing the applicable 40-hour. Hours actually worked under the call-in provisions shall count in determining premium pay.
- Certain employees may be assigned by their appointing authority to an on-call status if it is necessary for such employees to remain at or near home and to refrain from certain activities so that they are available to respond to a call-in. Employees in this on-call status who are called in outside their regular hours of work shall receive the minimum call-in pay or pay at double their regular rate of pay, whichever is greater.

5 Time Off/Leave of Absence Benefits

5.1 Holidays

Each full-time and permanent part-time City employee is entitled to a number of paid holidays. Permanent part-time employee's holidays are paid depending on their regular work schedule as well as the number of hours they are paid for a personal day. Depending on whether the employee is in a bargaining unit or not, the days vary in number. Certain City employees may be required to work on holidays, as a number of our departments maintain staffing levels seven days a week, twenty-four hours a day. If you are a member of a bargaining unit, refer to your collective bargaining agreement to identify those holidays for which you will be paid. Non-bargaining unit employees will receive each of the following paid holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Independence Day (4th of July)
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day
- Three personal holidays selected by the employee with prior approval of the employee's supervisor. Please refer to your bargaining agreement or ordinance for use of your personal holidays. Unaffiliated employees are eligible to take a personal holiday after completion of ninety (90) of service. Personal days are not cumulative and cannot be carried over into the next year.

When one of the holidays listed above falls on a Sunday, the next following Monday shall be observed as a holiday. When one of the holidays listed above falls on a Saturday, the preceding Friday shall be observed as a holiday. Holidays occurring during vacation shall not be counted as a day of vacation. For purposes of computing compensation for continuous personnel, the actual date of the holiday shall be used rather than the day the holiday is observed.

Employees required to work on the day observed as a holiday shall be granted premium pay at the time-and-one-half or compensatory time off at time-and-one-half for actual hours work. Appointed salary employees shall not receive premium pay for work on a holiday.

5.2 Vacation

Full-time and Permanent Part-time City employees are eligible to earn vacation leave. For employees who are members of a bargaining unit, specific provisions regarding vacation leave accumulation, use, transfer, and payment upon separation of employment, are covered in the City's various collective bargaining agreements. Permanent part-time employees earn vacation on a prorated basis according to the number of hours they are scheduled to work.

All Unaffiliated (nonunion) full-time employees of the City, shall accumulate vacation leave with pay in accordance with the following schedule for each full pay period of service. Appointed salary positions will not accrue vacation but are guaranteed a minimum of three (3) weeks' vacation per year.

Years of Service	Vacation Hours Accrued Per Pay Period Worked
First Year	3.10 hours
After 1 year	3.39 hours
After 5 years	4.60 hours
After 10 years	5.54 hours
After 15 years	6.20 hours
After 20 years	6.815 hours

In order to utilize vacation leave, an employee must obtain prior approval from his/her department head by entering their request through the Payroll Employee Self Service (ESS). Vacation leave may be subject to additional restrictions regarding the scheduling of vacation depending upon operational needs or departmental restrictions. Employees should contact their immediate supervisor to request specific information regarding departmental procedures for vacation use.

- For unaffiliated employees, vacation with pay will not be scheduled during an employee's first six (6) months of service with the City. Vacations shall be scheduled to meet the operating requirements of the City and the preference of the employees. Under no circumstances will an employee be allowed to take vacation in advance.
- Employees occupying the position classification of Police Chief shall accumulate vacation leave with pay at the rate of 6.2 hours per pay period, except that employees with more than twenty years of service shall accumulate vacation leave with pay at the rate of 6.47 hours per pay period
- Effective January 1 of each year, employees occupying the position classification of Fire Chief shall be credited with 162 hours of vacation, except that employees with more than twenty years of service shall be credited with 169 work hours of vacation.
- Vacation may be accumulated up to the maximum time which is accruable in a two-year period.
 - Employees occupying the position classification of Fire Chief may carry over 540 hours of vacation to a new year.
 - Employees moving into the unaffiliated ranks from a union position in the Sanitation Division shall retain the maximum vacation accrual allowed in their previous position until their vacation accrual falls below the maximum authorized herein but for no longer than two years; after two years, such employees will not accrue additional vacation until their vacation accrual falls below the unaffiliated maximum.
- Vacation with pay shall be charged out in no less than one-hour increments.
- Upon separation from the City, any accrued vacation owing will be paid to you as a lump sum, less applicable statutory deductions. Payment will be paid through the usual means as part of the pay cycle.
- Full-time regular employees in paid status for less than 80 hours in a pay period shall receive a prorated portion of vacation accrual based on actual hours in paid status. Vacation accrual for part-time permanent employees will be prorated according to the number of hours worked per week.

5.3 Sick/Bereavement

Full-time and Permanent Part-time employees, except elected officials, are eligible to earn sick leave. For employees who are members of a bargaining unit, specific provisions regarding sick leave accumulation, use, transfer, and payment upon separation of employment, are covered in the City's various collective bargaining agreements. Part-time employees earn sick leave and bereavement leave that is prorated based on the number of hours they are scheduled to work.

For non- union employees (unaffiliated), full – time employees shall accumulate sick leave with pay at the rate of 4.6 hours for each eighty (80) hours in paid status. Accumulation of sick leave shall be unlimited.

Employees (whether affiliated or unaffiliated), may use sick leave for:

- His/her own illness, pregnancy, injury, or exposure to contagious disease;
- Attendance upon members of his/her household whose illness or injury requires the care of the employee if no other competent adult is living in the household; or
- A death in the employee's immediate family. Please refer to your perspective bargaining agreement or ordinance for the allowable number of bereavement days.
- An employee who has a sick leave absence in excess of three consecutive work days must present a Return to Work slip from their Medical Provider for the absence.

As used in this section, the term "household" shall mean two or more persons living together in a single dwelling unit. The term "immediate family" shall mean husband, wife, child, step-child, parent, step-parent, grandparent, mother-in-law, father-in-law, brother or sister of the employee. The department head may require reasonable evidence to support a claim for sick leave and shall, in case of absence of multiple days, require a doctor's certificate to justify the absence (per the individuals bargaining agreement).

The number of bereavement leave days is determined by the employee's bargaining agreement. Bereavement leave may be used in the event of death in the employee's immediate family; in certain circumstances, the employee's division or department head may authorize more time off using sick leave. For unaffiliated employees, three (3) days leave per occurrence may be used in the event of a death in the employee's immediate family; in certain circumstances, the employee's division or department head may authorize more time off using sick leave

TERMINATION OF EMPLOYMENT & SICK LEAVE PAYOUT

Full-time and permanent part-time employees with ten (10) full years or more of service may elect at retirement to be paid in cash for one-third of the value of his/her accrued sick leave credit. Such payment will be made at the employee's rate of pay at the time of retirement. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee and shall be made only once to any employee. The maximum payment shall be 500 hours. Employees can refer to their perspective bargaining agreement for maximum hours to be paid.

SICK LEAVE RECIPROCITY

Full-time and permanent part-time employees with more than one (1) year of service may have the option of receiving payment in cash for unused sick leave hours at the end of the payroll year, provided such employee was entitled to sick leave pay during said payroll year and provided further that the employee was in said paid status.

- Union employees can refer to their perspective bargaining agreement for other stipulations concerning hours worked and calculation tables.
- Unaffiliated employees will be entitled to sick leave benefits during said payroll year and provided further that the employee was in paid status, based on the following calculation tables:

Sick Leave Hours Used During Payroll Year	Hours Eligible for Reciprocity Payment
0 to 8	48
9 to 16	32
17 to 24	24
25 to 32	16
33 or more	0

- For the purpose of sick leave reciprocity computation, any disallowance of sick leave credit shall be considered as hours of sick leave taken during the year
- Appointed Salary employees shall not be eligible to receive sick leave reciprocity payments
- Eligible full-time employees may elect to receive the Sick Leave Reciprocity Payment or they may retain their accrued sick leave hours. The number of reciprocity hours paid each employee will be subtracted from his/her total accrued sick leave. The reciprocity payment shall be made at the employee's hourly rate in effect on the last day of the final pay period of the previous year.

5.4 Sick Leave Donation

The City of Zanesville recognizes that on rare occasions an employee may not have sufficient sick leave accruals to cover a long-term illness or serious injury. To address such occasions, the City finds it appropriate that other unaffiliated employees be allowed to donate some of their sick leave hours to other injured/ill unaffiliated employees within the parameters of this guideline. For employees who are members of a bargaining unit, specific provisions regarding sick leave donation are covered in their specific collective bargaining agreements.

Unaffiliated employees may donate up to forty (40) hours annually of accrued but unused sick time to another employee of the City, per these guidelines.

The City retains the right to approve the sick leave donation. Sick leave donations are intended for those individuals who need time to recover. Sick leave donation is not intended nor may be used for extending the service time of the employee. Employees may not be on disability or otherwise separated during the time requested for sick leave donation. Employees using donated sick leave will not accrue sick or other leaves.

In order to **donate** sick leave hours, employees must meet the following requirements:

- Donating employees must maintain a balance of 200 hours of sick leave.
- Donations must be in no less than four-hour increments.
- Employees may donate up to a maximum of 40 hours in one calendar year.
- Donations may only be made to eligible recipients as defined in this guideline.

In order to **receive** donated sick leave hours, employees must meet the following requirements:

- All leave type balances must be depleted.
- Must currently be off work for a qualifying serious health condition as defined by the Family Medical Leave Act (FMLA).

Unaffiliated employees wishing to donate must complete a *Sick Leave Donation Request and Authorization Form*, indicating the number of hours they wish to donate and the date and time of the donation. Please contact the Treasurer's Office or Human Resources for the Sick Leave Donation and Authorization form.

Donated hours will be used by the recipient according to the date and time in which they were donated – first hours donated will be first hours used. This information will be forwarded to the Treasurer's Office to ensure time banks are updated accordingly for the employee receiving and the employee(s) donating.

Guidelines

- All donations are on a voluntary basis. No employee is guaranteed any donations.
- Sick leave hours are to be donated and used with no regard to the pay rate of the donor or the recipient.
- Donated sick leave hours will not be available for any cash out, including retirement cash out.
- Recipients may not "bank" or save any unused donated hours.
- Donated hours will not count against the employees Sick Leave Reciprocity eligibility.
- Unused donated hours will not be returned to the donating employee.
- Unused donated hours will be cleared from the donor employee's time bank upon their return to work.
- Recipients may not pay back hours to those who donated to them.

5.5 Personal Leave of Absence

Division/Department heads shall have the authority to approve vacation, sick leave, and jury duty. Such leaves of absence shall be requested by the employee, approved by the department head, and reported to the proper city official. Personal Leaves of absence for other purposes, with or without pay, shall be authorized by the Civil Service Commission on recommendation of the proper city official or Human Resources. Employees shall not accrue vacation or sick leave while on a personal leave of absence without pay.

An employee may be granted a Personal Leave of Absence without pay for a period not to exceed twelve (12) months. Leave may be granted for advanced study or other important purposes

5.6 Family & Medical Leave Act (FMLA)

The City of Zanesville is committed to compliance with the Family and Medical Leave Act of 1993 (the "FMLA"). The purpose of this policy is to provide employees with a basic understanding of their rights and obligations under the FMLA.

Employees are responsible for requesting leave under the FMLA, which is subject to the provisions and standards for FMLA leave. The City reserves the right to designate FMLA leave as needed to any eligible employee.

General Provisions

The FMLA is intended "to balance the demands of the workplace with the needs of families." It allows eligible employees to take up to 12 work weeks of unpaid leave during any 12-month period to attend to the serious health condition for:

- Birth of the employee's child and to care for the newborn. Leave for this purpose must conclude within 12 months of the birth of the child;
- Placement with the employee of a son or daughter for adoption or foster care and to care for the newly placed child. Leave for this purpose must conclude within 12 months of the placement of the child;
- Care for the employee's spouse, son, daughter or parent with a serious health condition; and
- A serious health condition that prevents the employee from performing the essential functions of his or her job.

A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay or in-patient care in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least 2 visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Eligibility Requirements for All FMLA Leaves

To be eligible for FMLA leave, an employee must have been employed by the employer at least 12 months, and worked at least 1,250 hours over the past 12 months, and work at a location where the employer employs 50 or more employees within 75 miles.

The 12-month period is calculated by a "rolling" 12-month window, measured backwards from the date that the employee uses FMLA Leave. The only exception is when FMLA Leave is requested for one of the "Covered Servicemember" situations listed below. In this situation, the 12-month period begins on the first day that leave is taken to care for the covered service member, and ends 12 months after that date.

If An Employee and His/Her Spouse Both Work for the City

If an employee and his or her spouse are both employed by the City, they are each separately entitled to 12 workweeks of leave within a 12-month period if the leave is needed due to the employee's own serious health condition or that of the spouse or child. However, the spouses are jointly entitled to a combined total of 12 workweeks of leave to care for the birth or placement of a child, to care for a parent with a serious health condition, or for leave due to any of the "Military Obligations" situations. The spouses are also jointly entitled to a combined total of 26 workweeks of leave during a single 12-month period in any of the "Covered Servicemember" situations.

Requests for FMLA Leave, Medical Certification

An employee who wishes to take FMLA Leave must contact Human Resources, obtain the required leave request form and any required certifications (see below), and return these forms signed and completed to Human Resources at least 30 days before the day that the FMLA Leave is to start.

Employees who request FMLA Leave are responsible and will be required to provide a completed and signed certification form that demonstrates the employee's eligibility for FMLA Leave.

If the employee is requesting leave for one of the "Military Obligations" situations, the employee will also be required to provide a copy of the military member's active duty orders or other documentation issued by the military which indicates that the military member is on covered activity duty or a call to covered active duty status, and the dates of the military member's covered active duty service.

Blank certification forms are available from Human Resources. The type of form needed will depend on the reason for the FMLA Leave.

Employees must return the completed certification form to Human Resources within 15 days, or as soon as practicable. Failure of employees to timely return forms may result in the delay of FMLA Leave. Failure of employees to timely return certification forms or medical certifications may result in denial of leave and discipline action as a result of the absence.

Employees will be notified if leave used by the employee will be designated as FMLA Leave and the amount of leave counted against the employee's FMLA Leave.

If the need for FMLA Leave was unforeseeable, the employee must submit these signed and completed forms to Human Resources as soon as practicable.

Employees must provide sufficient information to determine if the leave may qualify for FMLA Leave and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform their essential job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must indicate if the requested leave is for a reason for which FMLA Leave was previously taken or certified to determine the remaining amount of FMLA Leave, if any.

Employees will also be required to submit medical certification for their own or family member's serious health condition. The medical certification must be signed by the health care provider, on forms provided by Human Resources. Second or third certifications and periodic recertification may also be required. Employees requesting leave will be informed whether they are eligible under the FMLA, the reason for ineligibility if applicable, any additional information required, and their rights and responsibilities.

Intermittent or Reduced-Schedule FMLA Leave

Employees may take intermittent or reduced schedule leave, when medically necessary, for leaves of absences taken in connection with the employee's own serious health condition or that of a spouse, son, daughter, or parent; or under one of the "Military Obligations" or "Covered Servicemember" situations.

Employees who take intermittent or reduced schedule leave may be reassigned or may be required to transfer temporarily to an alternate position (with equivalent pay and benefits) which better accommodates recurring periods of leave.

Employees who take intermittent leave for planned medical treatment may also be required to schedule the treatment so as not to unduly disrupt operations.

Use of Sick, Vacation, Compensatory Leave and Personal Days during FMLA Leave

Under the FMLA, Family Medical Leave generally is unpaid. If an employee has unused sick, vacation, compensatory leave or personal days before the start of a FMLA Leave, the employee must use those days as part of his or her FMLA Leave. This means that any unused sick, vacation, compensatory leave and personal days will run concurrently with unpaid FMLA Leave and will count against the employee's 12-week (or 26-week covered servicemember) entitlement. Sick time must be used before any other form of paid time off.

Employees absent due to work-related illness or injury that qualifies as a serious health condition will have the absence counted as FMLA Leave.

As long as the employee's FMLA Leave is approved, no additional forms are necessary to receive payment for vacation/personal days when used in this circumstance.

After the employee exhausts all remaining unused sick, vacation, compensatory leave and personal days, the remainder of the employee's FMLA Leave will be unpaid.

Additional Leave after Exhaustion of FMLA Leave

After an employee's FMLA Leave is exhausted a request for unpaid leaves of absence may be submitted, which is discretionary. Return from the unpaid leave of absence will be to positions determined if available.

Separation at Expiration of FMLA Leave

Employees not able to return to work and perform the duties of their position at the expiration of their FMLA Leave, or the extension by an unpaid disability leave, may, at the discretion of the Employer, be discharged as an involuntary separation, involuntary disability separation or, if eligible under the retirement systems, be retired under the involuntary retirement provisions.

Benefits During Leave

Employees will not accrue leave (sick, leave, etc.) during unpaid periods of FMLA Leave or additional unpaid leaves granted following the expiration of the FMLA Leave.

Health Insurance during FMLA Leave

During a Family and Medical Leave, the employee's existing coverage under the group health benefit plan will be maintained in the same manner as if the employee was actively working, but the employee will be required to pay his or her share of the cost of coverage, if any, as if he or she was actively at work.

The City of Zanesville will maintain the employee's benefits, including health, dental, and eye while on an FMLA leave of absence. Additionally, while the employee is on "paid status", their medical premiums will continue to be deducted for their paycheck. If an employee goes into an *unpaid status*, it will be the employee's responsibility to pay their share of the health insurance premium directly to the City. If applicable, the employee must continue to pay their portion of the benefits, which may be made by check or money order to the City of Zanesville and submitted to the Auditors Office. If the employee fails to pay their portion of the benefits for more than 30 days, the employee and their beneficiaries' coverage(s) will be terminated, and the employee will be offered COBRA to continue benefits, excluding life and disability insurance. The City may recover the employee's share of any premium payments missed by the employee for any FMLA leave period during which the employer maintains health coverage by paying the employee's share after the premium payment is missed.

Returning From FMLA Leave, Fitness for Duty Statement

When an employee returns from FMLA Leave, he or she will be given the same or an equivalent position and reinstated to all benefits as before the leave. However, the employee will have no greater rights to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA Leave period, such as layoffs.

In addition, if the FMLA Leave was due to the employee's own health condition, the employee may be required to provide a fitness-for-duty certification before returning to work. Employees will not be required to submit to a fitness-for-duty examination for each intermittent or reduced schedule leave absence, but may require a fitness-for-duty certification or certification of the serious health condition once every 30 days if the employee is taking intermittent and reduced schedule leave, or if reasonable safety concerns exist regarding the employee's ability to perform the employee's duties.

Employees will not be permitted to "make up" days or hours that are missed on account of taking FMLA Leave.

Taking FMLA Leave Due to a Family Member's Military Obligations

Employees are eligible for up to 12 workweeks of unpaid FMLA Leave during a single 12-month period in the event of a qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a military member and is on or has been called to covered active duty service in the Armed Forces of the United States in support of a contingency operation and that requires deployment to a foreign country.

A "qualifying exigency" may exist in the event of a short notice deployment, or if leave is needed to attend to one or more of the following situations:

- military events and related activities
- childcare and school activities
- financial and legal arrangements
- counseling
- rest and recuperation, up to a maximum of 15 calendar days
- post-deployment activities
- parental care, in the event that the military member's parent is incapable of self-care and care such as arranging for alternative care, or providing care on an immediate need basis, or admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility, is necessitated by the military member's active duty

Taking FMLA Leave to Care for a Covered Servicemember

The City will provide up to 26 workweeks of unpaid FMLA Leave during a single 12-month period for an employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember, if the covered servicemember is undergoing medical treatment, recuperation, therapy, is in outpatient status, or is on the temporary disability retired list due to a serious injury or illness.

A “covered servicemember” means someone who is either:

- A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. The veteran must be someone who was a member of the Armed Forces (including a member of the National Guard or Reserves), and who was discharged or released under conditions other than dishonorable at any time during the 5-year period prior to the first day that the employee in question takes FMLA Leave. In addition, FMLA Leave to care for the veteran must begin no later than 5 years from the veteran’s previous active duty service.

FMLA Leave for this purpose is available only if the covered servicemember has incurred a “serious injury or illness.”

- In the case of a current member of the Armed forces (including a member of the National Guard or Reserves), a “serious injury or illness” means an injury or illness that was incurred in the line of duty on active duty, or that existed before the beginning of active duty and was aggravated by service in the line of duty on active duty, and that may render the member medically unfit to perform the duties of the member’s office, grade, rank or rating.
- In the case of a veteran, a “serious injury or illness” means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the veteran’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and that either: (a) is a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember’s office, grade, rank, or rating; or (b) a physical or mental condition for which the veteran has received a VA Service-Related Disability Rating (VASRD) of 50% or greater, which was based at least in part on the condition precipitating the need for leave; or (c) a physical or mental condition that substantially impairs the veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or (d) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the VA’s Program of Comprehensive Assistance for Family Caregivers.

Limitation on Reinstatement for Certain Key Employees

Certain “key employees” may be denied reinstatement if necessary to prevent substantial and grievous economic injury to operations. A “key employee” is a salaried eligible employee who is among the highest paid 10% of all employees.

An employee will be advised at the time of a request for, or commencement of, FMLA Leave, or as soon thereafter as is practicable, that he/she qualifies as a key employee and that reinstatement may be denied if substantial and grievous economic injury to its operations would occur if the employee elects not to return to employment.

Outside Work Prohibited, Conduct Inconsistent

Employees are prohibited from engaging in any work or activity of any kind that is inconsistent with the employee’s condition while on an approved FMLA Leave. Employees may be disciplined for engaging in outside employment or activity inconsistent with the employee’s condition during the FMLA Leave. Employees on FMLA Leave are subject to the standards of conduct of an employee and all other policies and procedures for employment.

Discrimination Prohibited

Discrimination, harassment or retaliation based on, or interference with any employee’s exercise of his or her rights under the FMLA, is prohibited. Employees are encouraged to inform Human Resources of any such conduct directed at them, or other employees, as a result of the use of FMLA Leave by the employee or other employees.

Questions about Family and Medical Leave

Any questions regarding this policy, including questions about eligibility for FMLA Leave and the requirements for taking FMLA Leave, may be directed to Human Resources.

5.7 Jury Duty

Employees shall be granted a leave of absence with pay any time they are required to report for jury duty or jury service. In order to receive payment from the City, the employee must furnish a certificate of service and a statement of jury duty compensation signed by the Clerk of Courts. The duty compensation is the payment the employee received for Jury Duty.

6 Employee Conduct, Responsibility, Discipline

6.1 Employee Standards of Conduct & Responsibilities

As public employees everyone who works for the City is responsible to the public. As such public employees are held by the public to a higher standard of ethical conduct. These rules will provide guidance for City employees, but are not intended to cover every situation. Common sense should also be considered.

The following standards apply to all employees and have been established to ensure:

- Employees conduct themselves in a mature, responsible and professional manner during work hours or while on City premises.
- Employees work in an efficient, conscientious and diligent manner.
- Employees work in a safe environment, without risk to their health or safety, or the health and safety of others.
- That the rights of all employees are protected and honored.

The following outlines the expectations of all employees with respect to appropriate behavior and conduct. In addition to these rules, employees are also required to follow any work rules, policies or procedures established by their respective departments or divisions. An employee in violation of any of these work rules may be subject to disciplinary action, including suspension or termination, dependent upon the seriousness of the offense, the employee's disciplinary history and any other relevant factors. These expectations include all other standards of conduct in this handbook, and all other policies and rules issued.

Commitment to Service

Employees are expected to act in a professional and courteous manner. Conduct that is abusive, discourteous, neglectful, purposefully performed incorrectly and against policy or standard procedure, or not performed when required will not be tolerated. Further, speech that is disparaging of the City, its officers, management or fellow employees and is not constitutionally protected shall not be tolerated. To be constitutionally protected, speech must a) address a matter of public concern, and b) outweigh any governmental interests. Speech that is purely job related or of purely personal interest is not a matter of public concern.

Activities Outside of Work

While the City recognizes that it cannot control, the actions of employees while away from work, misconduct while not on duty that discredits the employee's or the City's reputation, interferes with the ability to provide services to the public, or otherwise violates any established policy, procedure or agreement will not be tolerated. An employee who is arrested for any criminal offense which arrest could affect their ability to do their job (e.g., OVI) must report such arrest immediately to his/her supervisor. The City will evaluate the impact that the arrest and/or subsequent conviction has on its operations and consider any applicable employment decisions based on that impact.

6.2 Discipline Reasons

Employees in the classified civil service, upon completion of their probationary period, shall not be disciplined other than as set forth in Ohio Revised Code 124.34. Employees in the classified service may be disciplined for any of the following:

- Incompetency
- Inefficiency
- Dishonesty
- Drunkenness
- Immoral conduct
- Insubordination
- Discourteous treatment of the public
- Neglect of duty
- Violation of work rules or policies of the City, or City official for whom the employee works.
- Violation of Chapter 124 of the Ohio Revised Code or municipal civil service rules
- Any other failure of good behavior
- Any other acts of misfeasance, malfeasance, or nonfeasance in his job or conviction of a felony

Employees in the unclassified civil service and serve at the pleasure of the Appointing Authority, are considered employees at-will, and may be disciplined without notice for any reason. If you are a part of a bargaining unit, please refer to your agreement regarding discipline.

6.3 Discipline Procedure – Pre-Disciplinary Conference

Discipline involving a reduction in pay, demotion, suspension or removal/termination of a classified civil service employee entitles the employee to a pre-disciplinary conference as set forth herein. All other discipline may be imposed without a pre-disciplinary conference.

Before imposing a reduction in pay, demotion, suspension or removal/termination to a classified civil service employee, the employer shall hold a pre-disciplinary conference with the employee. The pre-disciplinary conference will be conducted by a neutral supervisor who will be selected by the appointing authority, or his/her designee, from those supervisors not directly in the chain of command of the employee. At the pre-disciplinary conference the appointing authority will explain the charges against the employee and permit the employee the opportunity to respond to the charges. The employee has the right to be accompanied at the pre-disciplinary conference by a representative of his own choosing. The pre-disciplinary conference will be scheduled as promptly as possible by the appointing authority. The employer may impose reasonable rules on the length of the pre-disciplinary conference and the conduct of the participants. The employer may tape record the pre-disciplinary conference, as may the employee or his representative. If the employer determines that the employee's continued employment prior to the conference poses a danger to persons or property or a threat of disrupting operations, the employee may be placed on administrative leave with or without pay pending the pre-disciplinary conference to determine the final disciplinary action.

Prior to the pre-disciplinary conference, the employer shall provide to the employee a list of alleged improper conduct and a summary of the evidence concerning the disciplinary charges. Generally, this information will be provided to the employee at least twenty-four (24) hours before the pre-disciplinary conference.

The employee may waive the disciplinary conference. A failure to attend the pre-disciplinary conference constitutes a waiver of the pre-disciplinary conference.

At the pre-disciplinary conference, the employee will be given an opportunity to respond to the allegations. The employee does not have the right to call or cross-examine witnesses. Upon completion of the pre-disciplinary conference the neutral supervisor shall prepare a written report within twelve (12) calendar days and provide a copy to the employee. Thereafter, the appointing authority or his/her designee shall determine the appropriate discipline, if any. The employee will be notified of the disciplinary action taken.

When imposing a demotion, reduction in pay, suspension or fine of forty (40) or more work hours in the case of an employee exempt from the payment of overtime compensation, a suspension of twenty-four (24) or more work hours in the case of an employee required to be paid overtime compensation, demotion, or removal/termination of a classified employee, the appointing authority or her/his designee shall sign a written order of reduction, suspension or removal/termination. The order shall state the reasons for the disciplinary action. The appointing authority or her/his designee shall furnish a copy of the order to the employee.

These provisions on discipline and removal do not apply to employees in the unclassified service. If you are a part of a bargaining unit, please refer to your agreement regarding discipline.

6.4 Administrative Leave

The appointing authority may, at his or her discretion, place any employee of the City on administrative leave, with or without pay, when the appointing authority has probable cause to believe that a serious violation or offense has occurred, that could ultimately lead to termination, and pending any investigation into any alleged violation and/or resolution of any related court proceedings.

The length of any administrative leave, with or without pay, shall be determined by the appointing authority, who shall inform the employee of such leave in writing prior to any such leave taking effect.

Should an employee be placed on administrative leave without pay, and subsequently be found innocent of the alleged charges of misconduct and/or related court proceedings, said employee will be compensated as if he/she had worked for the time spent on administrative leave without pay.

The City of Zanesville will continue to pay its portion of the cost of the employee's benefits, including health, dental, and eye while on Administrative Leave. While on an unpaid Administrative Leave, it will be the employee's responsibility to pay their share of the health insurance premium directly to the City.

6.5 Discipline Action and Penalties

All decisions regarding disciplinary action will be at the sole discretion of the City. The types of discipline to which employees may be subject include but are not limited to: (1) oral warning; (2) written warning; (3) suspension (unpaid or paid); and (4) termination. While discipline may be progressive in nature, the City has the sole discretion to implement any type of discipline in accordance with factors such as the seriousness and frequency of the violation and previous discipline. Records of disciplinary action shall remain in the employee's personnel file but shall only be considered, in connection with subsequent disciplinary action. Individuals should refer to their collective bargaining agreements concerning time limits of disciplinary action.

Notwithstanding the foregoing, the employer may consider an employee's entire employment and disciplinary history in determining the appropriate discipline to be imposed upon the employee.

6.6 Prohibited Behavior

Prohibited Behavior

It is the policy of the City that certain types of behavior are inappropriate and, therefore, are prohibited. Behaviors and conduct set forth in the following Groups are in violation of City policy and subject an employee to discipline. Such behaviors and conduct may, in addition and independently, constitute additional grounds for disciplinary action under other rules and policies as well as standards of conduct expected of public employees.

Prohibited behaviors and conduct are grouped according to seriousness of the offense, with Group III being the most serious. The Group within which an offense falls provides a beginning point for determining disciplinary action. Discipline is progressive regardless of the Group in which a current or previous offense falls. Furthermore, behaviors and conduct not listed in any Group may still constitute grounds for disciplinary action. Such behavior or conduct may be subject to discipline under one or more of the grounds set forth in Section 6.2. Alternatively, behaviors and conduct not specifically listed in any Group may be considered as being in the Group in which the most similar behavior or conduct is found.

Discipline for prohibited behaviors and conduct shall be imposed based upon the facts of the offense including, but not limited to, the type of offense, the nature of the offense, the duration or frequency of the offense, any harm to persons or damage to property or risk thereof resulting from the offense and the extent thereof, and the employee's disciplinary history.

In addition, other City policies and procedures, such as the Drug Free Workplace Policy, may contain specific discipline for violations. Employee behavior or conduct violating such policies shall be addressed in accordance with such policies and, generally, shall not be subject to this Section. However, any such violation shall be considered an offense for the purposes of the progressive system of discipline.

Group I Offense

- Failure to timely "report off" work for any absence.
- Failure to commence duties at the beginning of the work period, or leaving work prior to the end of the work period.
- Leaving the job or work area during the regular working hours without authorization.
- Making preparations to leave work without specific prior authorization before the lunch period, or for any official break time, or before the specified quitting time.
- Leaving post of continuous operations prior to being relieved by employee of incoming shift.
- Neglect or carelessness in signing in or out.
- Unauthorized absence from work.
- Creating or contributing to unsanitary or unsafe conditions, or poor housekeeping.
- Distracting the attention of others, unnecessary shouting demonstration, or otherwise causing disruption on the job.
- Mischief, horseplay, wrestling, or other undesirable conduct, including use of profane or abusive language.
- Tardiness in reporting to work.
- Failure to cooperate with other employees as required by job duties.
- Failure to exercise reasonable care during the use of City property or equipment.
- Use of possession of another employee's working equipment without authorization.
- Neglect or carelessness in observance of official safety rules, or disregard of common safety practices.
- Failure to observe department rules.
- Obliging the City for any expense, service, or performance without authorization.
- Failure to report accidents, injury or equipment damage.
- Disregarding job duties by neglect of work, or reading for pleasure during working hours.
- Unsatisfactory work or failure to maintain required standard of performance.
- Unauthorized use of telephone for other than business purposes.

Group II Offenses

- Any Group I offense that results in harm to persons or damage to property, or risk thereof, or causes the Employer to incur additional costs.
- Unauthorized absence from work for three (3) days or more.
- Discourteous treatment of the public.
- Reporting for work or working while unfit for duty.
- Violation of or failure to comply with any City rule, regulation or policy.
- Conduct violating morality or common decency.
- Unauthorized use of City property or equipment, or unsafe use or failure to use prescribed safety equipment, or failure to ensure proper use of prescribed safety equipment and/or adherence to safety practices and procedures.
- Performing private work on City time.
- Failure to sign in or out when required.
- Failure to make required reports.
- Failure to report for overtime work without good reason after being scheduled to work according to overtime policy.
- Solicitation on City premises without authorization.
- The making or publishing of false, vicious or malicious statements concerning employees, supervisors, the City, or its operations.
- Refusing to give testimony when accidents are being investigated.
- Unauthorized posting or removal of notices or signs from bulletin boards.
- Distributing or posting written or printed matter of any description on City premises unless authorized

- Unauthorized presence on City property.
- Willful disregard of department rules.
- Threatening, intimidating, coercing, or interfering with subordinates or other employees.
- Sleeping during hours of work. (This policy does not apply to employees in the Fire Department.)
- Misfeasance, Nonfeasance.
- Failure to report safety hazards.

Group III Offenses

- Any Group I or Group II offense that results in serious harm to persons or serious damage to property, or risk thereof, or causes the Employer to incur additional costs.
- Wanton or willful neglect in the performance of assigned duties, or in the care, use, or custody of any City property or equipment. Abuse, deliberate, or negligent destruction in any manner of City property, tools, equipment, or the property of employees.
- Signing or altering other employees' time sheets/time cards, or unauthorized altering of own time sheet/time card.
- Unauthorized absence from work jeopardizing the health and safety of other employees or citizens and/or interfering with necessary City operations.
- Falsifying testimony when accidents are being investigated, falsifying or assisting in falsifying or destroying any City records, including work performance reports; or giving false information or withholding pertinent information called for in making application for employment.
- Making false claims or misrepresentation in an attempt to obtain any City benefit.
- Gambling during working hours.
- Stealing or similar conduct, including destruction or vandalism.
- The illegal use of narcotics/controlled substances or the sale of narcotics/controlled substances.
- Use of abusive or threatening language, gestures or behavior toward supervisors, coworkers or the public.
- Abusing, fighting, or attempting injury to other employees, supervisors, or persons, inclusive of sexual harassment.
- Carrying or possession of firearms, explosives, or weapons on City property at any time without proper authorization.
- Knowingly concealing a communicable disease, such as TB, which may endanger other employees.
- Misuse, removal or improper release of City records or information without prior authorization.
- Instigating, leading, or participating in any illegal walkout, strike, sit-down, stand-in, 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 City's work stations.
- Dishonesty or any dishonest action.
- Insubordination by refusing to perform assigned work or to comply with written or verbal instruction of the supervisor.
- Giving false testimony or statements during a complaint, grievance, or internal investigation or hearing.
- Malfeasance.
- Failure to promptly report a traffic violation, traffic related violation, or chargeable accident.
- Willful failure to comply with/enforce safety practices and procedures resulting in a safety hazard to self, co-workers, and/or the general public.
- Being convicted of a "felony" within the meaning of R.C. 124.34, even if prior discipline has been issued for the underlying conduct.
- Failure to abide by or comply with any rule, regulation, policy, procedure, directive or instruction resulting in damage or injury to or risk of damage or injury to City property, other employees or the general public.
- Engaging in conduct towards other City employees or the general public constituting harassment based on sex, sexual orientation, race, color, creed, religion or national origin.

6.7 Classified Employee Appeals

Any classified unaffiliated employee who desires to appeal a disciplinary action resulting in discharge, suspension of more than twenty four (24) hours pay, a demotion, or layoff, shall appeal such disciplinary action to the Civil Service Commission. Classified, unaffiliated employees who are exempt from the payment of overtime under the law may appeal discipline listed in the previous sentence when the discipline is more than forty (40) hours.

Any appeal filed by any classified unaffiliated employee of the City shall be brought within ten (10) calendar days of the employee being served with the notice of such personnel action by filing a Notice of Appeal with the Civil Service Employment Coordinator of the Civil Service Commission. Affiliated employees should refer to their Collective Bargaining Agreement regarding appealing a disciplinary action.

7 Employee Benefits

Full – time and permanent part-time City employees are eligible for benefits defined in this Section and include a variety of insurance programs. Contact the Human Resources Manager with any questions you may have on these plans.

7.1 Ordinance and Collective Bargaining Agreement

The following benefits are provided in either City Ordinance or union collective bargaining agreements. Any questions regarding application or eligibility for these benefits listed should be directed to the Human Resource Manager.

- Holidays
- Personal Days
- Vacation Leave
- Sick Leave
- Unpaid Leave of Absence
- Injury Leave
- Health Insurance
- Mileage Reimbursement

7.2 Health Benefits (Insurance)

Each regular, full-time and permanent part-time employee working 20 or more hours per week is eligible to enroll in the health insurance benefits plan offered by the City for its employees and their eligible family members. These benefits, which are administered through MedBen, include medical, dental, eye and prescription insurance. New employees can enroll on day one, benefits will be **effective after on the first day of employment** (note, new employees have 30 days to enroll in the insurance plan. If an employee misses the 30 day cut off, they will have to wait until open enrollment to enroll in the benefits).

Cost for the insurance (Single/Family) will be communicated to new employees during new hire orientation.

If the spouse of a city employee is employed and is eligible for employer-sponsored health coverage with their employer, the spouse must enroll in that particular health plan. If the spouse cannot obtain coverage through their employer until certain date or open enrollment period, the spouse will be covered under the City's plan until he or she can obtain coverage through their employer. **Employees whose spouse has health insurance coverage through an employer shall receive up to one thousand five hundred dollars (\$1,500) per year stipend.** If an employee's spouse would be required to pay more than 50% of the insurance premium through their employer, they may be granted a waiver and allowed to stay on the City's plan as a primary member. Spouses can also remain on the City's plan under secondary coverage.

CHANGE IN FAMILY STATUS – *Changes to your health care coverage may only be made during Open Enrollment (offered annually), unless you have a change in your family status. A change in family status means to gain/lose a dependent, or loss of other coverage. Enrollment in such instances must be made within 31 days of the day of the event. (Refer to your Certificate of Coverage for more detailed information.) Employees are responsible for notifying Human Resources within the 31-day time limit should a change in family status occur. **Employees failing to do so will be liable for back payments to the City for additional premiums paid by the City on the employee's behalf***

The City shall establish a health care committee comprised of the Budget and Finance Director, the Mayor, the Law Director, one representative from City Council, two representatives from A.F.S.C.M.E., two representatives from the F.O.P/O.L.C bargaining unit, one representative from the I.A.F.F. and one representative from the unaffiliated employees. This committee shall meet regularly to review the content of the health care plan for the City and shall explore alternative health care plans, cost saving measures, and proposed changes in current coverage before changes are made.

While an employee is on Workers Compensation as a direct result of his/her employment with the City, the City shall continue to pay his/her insurance premiums for up to one year, provided the employee continues paying his/her share of the insurance cost.

7.3 Life Insurance/Accidental Death & Dismemberment Insurance

On behalf of each full-time and permanent part-time employee of the City of Zanesville, the City provides life insurance (Amounts are based on job title/division and is communicated during new hire orientation). The City of Zanesville shall pay the entire cost of group life insurance policy for each unaffiliated employee which may be concerted upon separation.

Eligible employees may also elect to purchase additional life Accidental Death & Dismemberment insurance coverage. Such benefits shall be administered in accordance with the policy of the current provider.

Such benefits shall be payable in addition to any termination pay which may be payable to the employee's named beneficiary. In the event no beneficiary is named, the benefit shall be distributed in accordance with the employee's last will and testament or the statute of descent and distribution then in effect in the State of Ohio, whichever is applicable. Employees are advised to update their beneficiary designations as changes occur.

7.4 Retirement Benefits (PERS/Police & Fire)

The Ohio Public Employees Retirement System of Ohio (OPERS) was created in 1935 to provide retirement allowances for all State employees. Today the program provides retirement, disability retirement and survivor benefit programs for public employees throughout the State. Certain Police and Fire employees contribute to a similar plan, the Ohio Police and Fire Pension Fund.

All City employees, being public employees, do not contribute to the Social Security System, but are required to participate in the State's retirement system. As a new employee, you will be sent a member handbook from the appropriate retirement system that outlines the details concerning membership, benefits, and health care. You will be required to complete a personal history form on your first day of employment to become a member

ELECTED OFFICIALS: *Membership in OPERS is optional for service as an elected official; however, if you do not choose membership in OPERS, you must contribute to Social Security. Membership in OPERS as an elected official is required if you have an OPERS account through previous elected service or if you are an age and service retiree from OPERS or another Ohio retirement system.*

As a new employee eligible for OPERS, you have the choice of selecting the retirement plan that provides the features and benefits most suitable for your future financial needs. In order to select the retirement plan most suitable for your needs, it is important you take the time to learn the details of each plan. The choices available include the traditional pension plan, which is a defined benefit plan, a defined contribution plan and a combined defined benefit and defined contribution plan. For specific information about these plans, visit the OPERS website at www.opers.org or see Human Resources.

As an employee, you contribute a percentage of your eligible earnings to your retirement plan through a pre-tax payroll deduction. The City also contributes, on your behalf, a percentage of your eligible earnings to your retirement plan. If you leave the City before retirement eligibility, you must contact OPERS or the Ohio Police & Fire Pension Fund to discuss options for funds available to you in your account. If you have questions regarding your OPERS/Police & Fire Pension contributions or benefits, please contact Human Resources for assistance.

7.5 Deferred Compensation

A 457(b) deferred compensation plan is a retirement plan created to allow public employees like you to put aside money from each paycheck toward retirement. A deferred comp plan can help bridge the gap between what you have in your pension and Social Security, and how much you'll need in retirement.

Here are some frequently asked questions about deferred comp plans:

- **What sets a 457(b) apart from other retirement plans?** A 457(b) may offer benefits other retirement plans can't, like penalty-free withdrawals once you stop working for your public sector employer.
- **What does tax-deferred mean?** Basically, you don't pay income taxes on your deferred comp plan contributions or earnings until you retire and/or begin to take payments from your account. This may lower your taxable income now and in retirement. Withdrawals taken in retirement are taxed as regular income.

The City has four deferred compensation providers you may choose to invest money with.

OHIO DEFERRED COMPENSATION

Ohio Deferred Compensation is a 457 plan. Public employees ("participants") contribute pre-tax money each payday into a custodial trust account set up for them by the 457(b) plan, and invest that money, so that it can grow tax-deferred. When a participant withdraws money from the plan, it's taxed as ordinary income. You can learn more about 457 plans and Ohio Deferred Compensation by visiting their website at ohio457.org or call their service center at (877) 644-6457.

BUCKEYE DEFERRED COMP

The Buckeye Deferred Comp Plan (BUCKEY457.COM) has been available in Ohio since 2004 and has been adopted by over 50 Ohio municipalities and the Ohio Association of Public Treasurers. Buckeye Deferred Comp offers three different platform choices to manage deferred compensations investments. Choose from 3000+ investment options and get your portfolio professionally managed by a portfolio manager. There are loan provisions with this plan. You can learn more about Buckeye Deferred Comp by visiting www.buckeye457.com or by calling (844) 662-9200.

OAPFF DEFERRED COMPENSATION PLANT

The OAPFF Deferred Comp Plan is a full-service plan available to all city employees. Serving the OAPFF 457 Deferred Compensation Plan as Investment Advisors is the entire team of knowledgeable dedicated financial professionals of Palanca & Associates Wealth Management. You can learn more by calling (614) 906-1514.

EQUI-VEST STRATEGIES/AXA EQUITABLE

EQUI-VEST Strategies is a group variable deferred annuity that can be used to fund a 403(b) plan. It is a long term financial product that is designed for retirement purposes. Its account value can be invested in a variety of investment option, including stock and bond investment options.

To learn more about EQUI-VEST, visit www.axa.com or call (614) 975-7534

The City of Zanesville offers these tax-exempt savings benefits to all City Employees.

These plans accept payroll-deducted contributions for participant-directed investing and are intended to help public employees meet long-term savings objectives, such as generating retirement income.

7.6 Longevity Pay

The City of Zanesville will grant longevity pay to permanent full-time and part-time unaffiliated employees in accordance with the following schedule

Years of Service on June 30	Longevity Pay
5	2% of Previous Annual Payroll Earnings
9	3% of Previous Annual Payroll Earnings
13	4% of Previous Annual Payroll Earnings
17	5% of Previous Annual Payroll Earnings
22	6% of Previous Annual Payroll Earnings

Employee who receive longevity pay from the City under the provisions of a labor agreement are not eligible for the for the longevity pay described herein.

- June 30 of each year shall be used to calculate years of service for longevity pay.
- Payment shall be made in a lump sum during October of each year during a week when regular payroll checks are not scheduled to be distributed.
- Employees on the payroll as of June 30 will be entitled to a prorated share of longevity pay even though they may terminate prior to October 1. This paragraph shall apply only to terminations for those employees who have given a two weeks' notice and not used any benefit pay during those two weeks.
- For purposes of this section, "years of service" shall include all years of permanent employment with the City of Zanesville. It shall not include employment with other governmental units.

7.7 Workers Compensation

The City of Zanesville strives to provide a safe and secure working environment for all employees. When a work related injury or illness occurs (i.e. injuries and illnesses that arise out of, or are incurred in the course of job related activities on behalf of the City), the City shall provide appropriate medical care and treatment to the injured worker through its Workers' Compensation Program.

The Human Resources Department is responsible for administering the City's Worker's Compensation program.

Employee Responsibilities - Reporting an Injury

- Immediately notify your supervisor. Your Supervisor will assess the situation, assist with arranging proper medical care and begin the injury reporting process. No matter how minor the injury may seem, it is required that you report it. Promptly cooperate with your Supervisor and the Claims Administrator in the completion of all relevant documents.

Supervisor Responsibilities – Reporting an Injury

- Immediately assess the incident and assist the Employee in seeking appropriate medical care or necessary treatment for any work-related injury. Provide the employee with the Injury/Accident Report and the Injury Reporting Kit (only if they require medical attention other than first aid) within 24 business hours. Complete a Supervisor Incident Investigation Report and forward to Human Resources along with the Injury/ Accident Report. Obtain any witness statements and forward to Human Resources along with Supervisor Incident Investigation Report and Injury/Accident Report.

When an injury requires medical attention, the City encourages the use of Designated Medical Providers. These providers are familiar with the Workers Compensation process. At times, the Employee may be required to see a provider selected by the City. According to Ohio's workers' compensation laws, an injured employee may seek treatment from a physician of their choice who is certified by the Ohio Bureau of Workers' Compensation (BWC).

Returning the Employee to Work -The Medical Provider must complete a Physician's Report of Work Ability and provide it to the Employee and Claims Administrator. The Physician's Report of Work Ability will indicate when the Employee can return to work and whether job modifications are required to accommodate physical restrictions. The Employee will provide a copy of the Physician's Report of Work Ability to Human Resources.

Employees without restrictions can return to their usual work duties.

If the Medical Provider imposes work restrictions, the Supervisor and Human Resources will review the job modifications that are required to comply with the restrictions. Every effort will be made to accommodate the employee's restrictions, however there may be times it may not be possible due to the restrictions and the employee's job description.

The City must be advised and continually updated if an employee continues to be absent due to a work-related injury with an anticipated date of return to work. All requirements for reporting off work must be followed. Employees are responsible for providing the City with their expected date of return.

The City may establish a Wage Continuation Policy. Wage Continuation is not automatically granted when an employee is injured. The City has the sole discretion whether or not to pay Wage Continuation or have an injured worker go on Temporary Total Compensation. Wage Continuation is not intended to last beyond a 12 week period, and if an injured worker is put on Wage Continuation, the City may, at any time, terminate the Wage Continuation and have the injured worker go on Temporary Total Compensation.

The injury or illness must be determined by the City to be compensable. Wage Continuation will be paid only for those periods of lost time that otherwise would qualify the employee for receipt of Workers' Compensation lost time benefits.

While an employee is on Workers Compensation as a direct result of his/her employment with the City, the City shall continue to pay his/her insurance premiums for up to one year, provided the employee continues paying his/her share of the insurance cost.

The City reserves the right to have the employee examined by a physician of its choice at City expense to confirm the medical diagnosis and period of disability.

7.8 Tuition Reimbursement Program

The City of Zanesville is committed to the educational development of City employees. The Tuition Reimbursement Program has been designated to promote continuing education by offering financial assistance to employees for job -related courses.

The City of Zanesville may reimburse full-time, regular employees for education costs for courses approved by the City. The approval for reimbursement will be dependent on the course and its relevance to the employee's current or future potential position. Approval must be obtained prior to commencement of each course per semester.

- The City may reimburse employees a percentage based on the grade achieved and will cover up to two (2) courses per term (quarter/semester). Payment will not be made for travel to and from the course, time spent in class, study materials purchased for the class, exam fees, parking fees, meals and misc. supplies.
- The annual maximum benefit is \$2,400.00 per employee
- Percentage reimbursement is as follows:

UNDERGRADUATE		GRADUATE	
Grade	Percentage	Grade	Percentage
A	90%	A	90%
B	75%	B	75%
C	50%		
A pass/fail course will be reimbursed at 75% if passed			

- Eligible expenses include: Tuition and general lab fees or similar costs

For complete eligibility and guidelines, please contact Human Resources for full policy.

7.9 Mileage Reimbursement

Employees who are authorized to use their private vehicles for public business shall be reimbursed at the standard mileage reimbursement rate established by the Internal Revenue Service of the United States. (Ord. 10-28).

7.10 Uniform Allowance

Each year, sworn employees of the Police Division will receive a \$1,000 uniform allowance. For sworn employees of the Fire Division, the uniform allowance granted shall conform to Part (D) of Article 15 of the contract between the City of Zanesville and Local #88 of the I.A.F.F. E. Employees occupying position classifications which require a CDL, water or wastewater license shall be reimbursed the cost of renewing said license. Employees occupying position classifications which require employee to wear steel toe safety shoes may be reimbursed up to \$100.00 per year. The Public Safety and Public Service Directors shall determine if the position classification is eligible for the reimbursement. Allowed reimbursements must be turned into the Budget & Finance Director no later than May 31st of each year and the employee will receive the reimbursement by June 15th of each year.

7.11 Employee Assistance Program (EAP)

The City of Zanesville provides to all full-time and permanent part-time employees a comprehensive Employee Assistance Program (EAP). The City's EAP provider is AnthemEAP. EAP is a City funded benefit that offers the support and resources you need to address any personal challenges and/or concerns that may affect your personal well-being and/or work performance. It is confidential and free to all City employees as well as their eligible family members, including spouses and dependent children.

Your EAP benefit provides **confidential** access to licensed professional counselors and work/life specialists who are available for short term assistance. EAP benefits include:

- EAP Benefits 24-hour Emergency Hotline
- Up to 5 visits per employee per event. This means you can talk either In-person, telephonic or video counseling with licensed professional counselor for concerns such as grief & loss, depression, or anything happening in your life.
- Help with work/life service for issues such as childcare, eldercare, financial & legal issues, identity theft and more.
- Savings Center which you will have access to discounts redeemable online, through catalogs and select in-store merchants.

Getting started with AnthemEAP:

- AnthemEAP Toll-Free Number: 800.865.1044
- Anthem EAP Website: anthemEAP.com (Enter COZ to log in)
- Member Orientation Video: Available on the website

Please call Human Resources at 740.617.4881 for more information.

8 Computer and Technology Use, Cell Phones

8.1 Information Technology Policy

Employees are provided with Internet access and electronic communications services (which may include, but are not limited to, computers, e-mail, cell phones, iPhones, iPads, PDAs, personal computers and the like) as required for the performance and fulfillment of job responsibilities. All employees are obligated to make effective, safe and responsible use of this technology. This policy applies to all employees, including regular full-time, permanent part-time, temporary, and seasonal employees who are provided access to the technology systems.

The City offers this access to technology for the purpose of increasing productivity and not for non-work related activities. Specifically, this technology is meant to enhance operations by enabling users to, among other things: locate and retrieve information; communicate more effectively with other departments, employees, and organizations; and more easily publish information of interest to the community and the general public. Users must understand that any connection to the Internet offers an opportunity for non-authorized users to view or access information stored in the system. Therefore, it is important that all connections be secured, controlled and monitored.

Electronic equipment and communications systems provided are considered to be City property to be used for valid business purposes only. All communications and/or information created, stored, received, sent or otherwise transmitted on or through provided technology, including without limitation the Internet, intranet, email, servers, personal computers, iPads, associated hardware and software, online services and other electronic communications services, are considered City property.

There shall be no expected right of privacy for any matter related to using equipment provided, including no personal privacy right in any matter passing through, viewed, downloaded, printed, created, stored, received, sent or otherwise transmitted from City-provided technology and equipment. All employees should understand that the City reserves and intends to exercise the right to monitor, review, intercept, access and disclose all Internet usage, email communications sent or received, and all cell phone, iPhone, iPad and PDA usage, if necessary, to ensure that the system is being used for business purposes in compliance with this policy, to ensure that all other policies (including for instance those related to harassment and discrimination) are being followed, and to be able to access information in an employee's email or other electronic communications system in the event that the employee is unavailable to do so. Electronic audits of Internet activity and other electronic communications by City employees may be implemented to identify and properly deal with unauthorized activity.

8.2 Internet Access, Email, Public Records

Restrictions may apply to access, of all users, to certain unapproved Internet sites and capabilities (ex: YouTube and instant messenger capabilities).

Emails are public records under State Law and are subject to public records requests. Emails must be maintained and may be deleted only according to the public records policy.

Permitted Use

The Internet and electronic communications services are intended for the purposes of conducting City business. Valid business purposes include, but are not limited to:

- Locating, retrieving, collecting and/or disseminating information in connection with business;
- Communicating with other departments and employees, as well as with outside contractors, businesses, individuals or organizations currently or potentially doing business with or assisting with the business of the City;
- Conducting research to obtain information and material related to City issues; and
- Limited personal use that does not result in the disruption of network operation or interfere with productivity at work. Personal use of City technology and electronic devices must be kept to the minimum amount of time needed to address a situation. Excessive use will be determined on a case-by-case basis.

Prohibited Use

Internet and electronic communications services should not be used for any prohibited purpose. Prohibited usage may result in the cancellation or loss of privileges. Any non-work related use is defined as a prohibited use. Prohibited usage includes, but is not limited to:

- Conducting personal business activities or seeking personal financial gain.
- Playing games during working hours.
- Bringing actual or potential embarrassment or harm to the City.
- Conducting illegal activities or otherwise violating federal, state, or local laws.
- Receiving, transmitting, downloading, viewing, or printing offensive materials of any kind, including any obscene or pornographic materials.
- Receiving, transmitting, downloading, viewing, or printing any materials of a derogatory, inflammatory, discriminatory, harassing, sexually explicit, obscene, offensive, defamatory, violent or threatening in nature, or other material which is inappropriate, including any content regarding an individual's or group's race, national origin, gender, age, marital status, sexual orientation, religion or disability.
- Downloading and/or installing software, games or any files or programs which could potentially change system configuration without the consent of authorized Information Technology personnel.
- Removing and/or copying software, shared files or programs without the consent of authorized Information Technology personnel.
- Any social media use that is unrelated to an employee's duties and responsibilities.
- Use of any streaming or websites that impair system operations.
- Downloading, distributing or printing copyrighted materials, which include articles, software or intellectual property, in violation of the copyright laws.
- Copying programs from City owned systems for personal use or non-City use.
- Spamming email accounts or forwarding chain letters.
- Disclosing confidential information or otherwise violating the privacy rights of the City or its employees, citizens or business associates.

- Using the Internet or electronic communications systems of another employee without authorization.
- Vandalizing data of another user, including uploading or creating of computer viruses.
- Purchasing goods, materials, or services via the Internet using a City credit card or other credit means without having proper authorization.
- Violating any state or federal law.
- Other uses as determined by the City.

8.3 Users, Employee Responsibilities

- Ensuring the security of their accounts and related passwords. Passwords should never be shared between users or be in plain sight. If the integrity of a password has been compromised, it should be changed and/or the Information Technology personnel or Department should be notified.
- Abiding by existing federal, state and local telecommunications and networking laws and regulations;
- Minimizing unnecessary network traffic that may interfere with the ability of others to make effective use of City network resources and to conduct normal business activities;
- Avoiding the overload of networks with excessive data, or wasting other City technical resources;
- Exercising good judgment and generally accepted rules of network etiquette when using the Internet or other electronic communications services to avoid offense to others;
- Maintaining the integrity and confidentiality of all City information;
- Exercising good judgment when providing information to other individuals and using all reasonable safeguards to avoid the mistaken distribution of another's information. The transmission of confidential, sensitive or personal information shall follow current procedures and regulations. Employees should only disclose such information or messages from the electronic communications system to authorized individuals with a need to know.
- All dissemination of public records must follow the rules in this handbook and all public records policies and laws.
- Access personal email accounts.

8.4 Violations

If it is determined that a user has violated any of the above policy guidelines, the user will be considered to have misused City property and will be subject to disciplinary action, up to and including termination, as well as the loss of electronic communications privileges. If necessary, the City will advise appropriate legal authorities of any illegal activities.

8.5 Email Use Policy

This policy provides the employees with effective, consistent standards in regards to the use of the electronic mail system (email). This policy applies to all employees. All City of Zanesville (COZ) employees will have a COZ email address. This email account will be used for city-wide/departmental communications, as well as communicating to outside agents on behalf of the City. It will be the employees' responsibility to check their email frequently. This email account will serve as the main communication channel for receiving all city-wide communications. (I.e. Human Resource, insurance/benefits updates, memos from the Mayor, etc.) Reviewing the employee email account on a frequent basis allows for the timely response to any actions that are necessary or needed. This City email account is required to be used when discussing city business. The use of personal email accounts (Hotmail, yahoo, gmail, etc.) is not the City's protocol and is not permitted for use when conducting City business. Violations of any guidelines listed above may result in disciplinary action up to and including termination. If necessary, the appropriate legal officials will be advised of any illegal activities.

All electronic communications and stored information transmitted, received, or archived in the City's information system are the property of the City. The City reserves the right to access and disclose all messages sent by email. Employees have no expectation of privacy with respect to any email coming into or going out of City resources, particularly those which come into, or go out of, a City email account. City email accounts are provided in order to carry out communications for City or City-related business only. Employees may not access their personal email accounts through the computer system.

8.6 Social Media

Public employees have responsibilities, higher standards of conduct, and a public image to follow and maintain.

There are many tools available today that enable people to publish and share content on the public Internet. These include social media and networking sites such as Facebook, Twitter, Yelp, YouTube, and foursquare, subscription services such as Angie's List, as well as blogs, blog comments, forum posts, wikis, and other similar sites.

Employees may participate in any of these forms of communication using personal equipment during their personal non-work time. The City respects the right of its employees to use social media sites and other parts of the public Internet as a medium of self-expression, communication, and public conversation. The City does not discriminate against employees who use these media for personal interests and affiliations or for other lawful purposes.

However, employees should keep in mind that their postings can affect how the general public perceives the City. The City has the right to make sure that nobody has made unauthorized use of or discloses confidential information (e.g., personal and protected information about employees and/or citizens). Employees are cautioned that they should have no expectation of privacy while using the public Internet, even on their own personal time, and even when using their own personal equipment. Employees' public postings on social media and other Internet sites can be viewed by anyone, including the City's management.

The following guidelines apply to all use of social media or the public Internet by City employees, even when on their own personal time and on their own personal equipment:

- Employees are free to identify themselves as a City employee if they wish. (Certain law enforcement positions may be exempt.) However, they should state that their views are their own, and do not reflect those of the City administration.
- Only employees who are specifically authorized by the City are permitted to prepare and modify content for the City's website, any official City blogs, and any of the City's official social sites. If an employee is uncertain about whether or not he or she is permitted to post certain content, he or she must discuss the proposed content with his or her supervisor prior to posting.
- If an employee sees a posting on the Internet from a member of the public that speaks adversely about any City operation or service, they should forward the post to their supervisor instead of responding directly to the poster.
- Employees may not claim to speak on behalf of the City in an official capacity on the public Internet or in any social networking service unless they have been specifically authorized to do so.
- Employees may not discuss or disclose on the public Internet or in any social networking service any confidential information they obtained through their employment with the City.
- Employees may not post or view any content on social media sites or to the public Internet during working time, except as part of the employee's official assigned job duties.
- Employees may not post any threats of violence or any unlawfully harassing or discriminatory content about any of their co-workers, or any person.
- Any employee found to be violating this Policy is subject to immediate disciplinary action, including discharge.

8.7 Cellular Phone, Electronic Devices

This policy outlines the use of personal cell phones/electronic devices at work, the personal use of City cell phones/electronic devices and the safe use of cell phones/electronic devices by employees while driving.

Personal Cellular Phones/Electronic Devices

While at work employees are expected to exercise the same discretion in using personal cellular phones/electronic devices as is expected for the use of City phones. Excessive personal calls/electronic device use during the work day, regardless of the phone/device used, interfere with employee productivity and distract others. Employees must limit personal calls and electronic device use to non-working time (i.e., authorized breaks and lunch periods) and ensure that friends and family members are aware of the City's policy. Flexibility will be provided in circumstances demanding immediate attention or for emergencies.

Where an employee's duties require immediate access to an employee the City may issue a pager, cellular phone or a hand-held radio (i.e., a "walkie-talkie") to an employee for work-related communications.

Employees in possession of City equipment are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or any time upon request, the employee may be asked to produce the equipment for return or inspection. Employees unable to present the equipment in good working condition within the time period requested (i.e. 24 hours) may be expected to bear the cost of a replacement.

Safety Issues for Cellular Phone/Electronic Device Use

- Certain employees may be provided cellular telephones to provide communications needed to perform job duties and responsibilities on behalf of the City of Zanesville. Employees who are issued cellular telephones under the City plan shall be selected at the sole discretion of the appointing authority, in consideration of business need, and to enhance the efficiency and economy of City services. Appointing authorities are responsible for ensuring that only those employees whose job demands require use of mobile telecommunications shall be issued a City cellular telephone.
- When personal telephone calls on City cellular phones are necessary, they are to be brief in duration, and limited in number, in order to avoid tying up the cellular telephone on non-business related matters.
- City issued cell phones are the property of the City and as such may be accessed and inspected at any time by the City. There are absolutely no rights or expectations of privacy for any contents on the City owned phone.
- Lost, stolen or broken City cell phones shall be reported by the Employee to the appointing authority immediately.
- Each employee, who makes personal telephone calls on his or her City issued cellular telephone, shall be required to reimburse the City in full, for any costs associated with said personal calls.
- Upon a department's receipt of its monthly cellular telephone bill, the appointing authority or designee shall review the statement. If the statement indicates any charges related to an Employee's calls, the appointing authority shall submit a copy of the bill to the Employee and said Employee shall promptly reimburse the City for the cost of any personal calls.
- At an Employee's option, and as an alternative to using the City cellular telephone, the Employee may, with the appointing authority's approval, use his or her own personal cell phone for City business. If said use results in the Employee being billed for City business related usage, the Employee may submit a copy of his bill to his or her appointing authority and seek reimbursement for said expenses from the City.
- When using a City issued cellular telephone in a City or personal vehicle, the Employee is required to first pull over and stop the vehicle at a safe location, prior to placing the call or texting. When receiving a cellular telephone call while driving, the employee is required to pull over, as soon as it is safe and practicable to do so. If needed to remain safe, the Employee receiving a cell phone call should place the caller on hold, or advise that the Employee will return the call, when the Employee can safely park the vehicle. For the safety of the Employee and other drivers, the employee is required to remain parked during the entire telephone conversation. No texting while driving.
- Upon termination of employment, any employee who has been issued a City cell phone shall turn said phone into the appointing authority. If the employee desires to keep the cell phone, he shall advise the appointing authority that will refer the matter to the City Auditor who will determine the cost for purchasing the phone.

9 Important Telephone Numbers for City of Zanesville Employees

Office	Contact	Phone Number
Mayor's Office	Mayor Don Mason	(740) 617-4913
Public Service Director	Scott Brown	(740) 617-4915
Community Development Director	Matt Schley	(740) 617-4879
Public Safety Director	Doug Merry	(740) 617-4914
Budget & Finance Director	Kade Haddox	(740) 617-4912
City Law Director	David Tarbert	(740) 617-4887
Auditor's Office	Andrew Body	(740) 617-4873
Treasurer's Office	David Wolfe	(740) 617-4898
Payroll	Krista Bonnett	(740) 617-4899
Civil Service	Billie Corns	(740) 617-4877
Human Resources	Darla Wooten	(740) 617-4881
Information Technology	Lisa Hittle	(740) 617-4911
City Council (Clerk)	Sue Culbertson	(740) 617-4875
Insurance	MedBen	800-686-8425
EAP	AnthemEAP	800-865-1044
Pension	OPERS	800-222-7377
Police & Fire Pension	Ohio P&FP	888-864-8363
Deferred Compensation	Ohio Deferred Compensation	877-644-6457
Workers Compensation	CompManagement	888-247-7799
Fraud Hotline	Ohio Auditor of State	866-372-8364

10.3 COZ Notice of Pre-Disciplinary Conference

CITY OF ZANESVILLE

NOTICE OF PRE-DISCIPLINARY CONFERENCE

TO: _____
Name of Employee

A pre-disciplinary conference concerning you will be held at:

_____ Time _____ Location _____ Date

The purpose of the conference is to provide you with an opportunity to respond to the following allegations of misconduct:

You have the right to: (1) appear at the conference to present an oral or written statement in your response; (2) appear at the conference and have your chosen representative present an oral or written statement on your behalf; or (3) elect in writing to waive your opportunity to have a pre-disciplinary conference. Failure to respond or respond truthfully may result in further disciplinary action.

At the conference you may present any testimony, witnesses, or documents which explain whether or not the alleged conduct occurred. You may be represented by any person you choose, whether such individual is an employee or not. You shall provide a list of witnesses to the designated neutral conference supervisor no later than one (1) hour prior to the pre-disciplinary conference. It is your responsibility to notify witnesses that their attendance is desired. No conference will be delayed more than twenty-four (24) hours to enable your representative to attend.

A written report will be prepared by the neutral supervisor concluding as to whether or not the alleged conduct occurred. A copy of this report will be provided to you within five (5) days following its preparation. The pre-disciplinary conference will be conducted by:

If you have any question in regard to this procedure, please contact the above individual or consult the City's personnel policy manual.

Signature of Appointing Authority or Designee

Date

cc: Neutral Conference Supervisor
Employee Personnel File

10.4 COZ Disciplinary Action (Pay Reduction, Demotion, Suspension, Removal/Termination)

CITY OF ZANESVILLE
DISCIPLINARY ACTION
(Pay Reduction, Demotion, Suspension, Removal/Termination)

Employee Name: _____

Department: _____ Employee Classification: _____

VIOLATION

Date Violation Occurred: _____

Location Where Violation Occurred: _____

Type of Violation:

- | | |
|----------------------------------|---|
| Chapter 124 Violation | Inefficiency |
| Conviction of Crime | Insubordination |
| Discourteous Treatment of Public | Malfeasance |
| Dishonesty | Misfeasance |
| Drunkenness | Neglect of Duty |
| Failure of Good Behavior | Nonfeasance |
| Immoral Conduct | Violation of Work Rules or Policies of the City |
| Incompetency | |

Description of Violation: _____

(attach additional sheet[s] if necessary)

Signature of Person Requesting Action Title Date

DISCIPLINARY ACTION TAKEN

Date of Pre-Disciplinary Conference _____
Disciplinary Action Taken: _____

Signature of Person Imposing Action Title Date

Signature of Person Issuing Action Title Date

I hereby acknowledge that a copy of the above DISCIPLINARY ACTION was provided to me this day.

Signature of Employee Date
cc: Employee; Employee Personnel File

10.5 Employee Request for Leave Form

Employee Request for Leave Form

Name: _____ Date form completed: _____

Date(s) of Requested leave (enter date(s) only – list hrs. in correct category :)

List of Hours Below For Each Leave Requested:

- _____ Personal medical, dental, optical examination or treatment for employee
- _____ Personal illness or injury
- _____ Immediate family illness, injury or medical, dental or optical appointment
- _____ Death in family, bereavement leave for immediate family
- _____ Death in family, sick leave for extended family (relationship _____)
- _____ Vacation
- _____ Personal Holiday
- _____ Civil leave, jury duty, etc.
- _____ Military
- _____ Compensatory time
- _____ Family medical leave
- _____ Unpaid leave – describe:

SIGNATURE OF EMPLOYEE

DATE

By signing, the employee verifies the use of the leave requested and compliance with Department Leave Policies.

Administrative Action:

The approval and/or recommendation signified does not prevent issuance of disciplinary action for abuse of leave or violation of the leave policy.

_____ Approved _____ Disapproved Hours Approved:

_____	_____	Comp Time	_____
Admin. Approval	Date	Vacation	_____
		Personal Holiday	_____
		Sick Leave	_____

Remarks:

10.6 Employee Acknowledgement

CITY OF ZANESVILLE EMPLOYEE HANDBOOK

Employee Name: _____

Department: _____

Date: _____

I hereby acknowledge that I have received a copy of the City of Zanesville Employee Handbook. I hereby acknowledge that I understand that it is my responsibility to familiarize myself with the Employee Handbook and I agree to comply with all of the policies and procedures contained in the Handbook.

I further understand that if I have any questions as to the applicability or meaning of any policy, I can direct my questions to my supervisor, department head, Human Resources or the Mayor's Office.

I further understand that this Handbook is not an employment contract and that changes may occur to this Handbook.

Signature

Date

This form must be completed and signed at the time of the issuance of this Handbook. A copy of this acknowledgment is to be placed in the employee's personnel file.

