

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN EMERGENCY ORDINANCE ADOPTING AN AMENDED  
EMPLOYEE HANDBOOK FOR PERSONNEL OF THE VILLAGE OF  
OAKWOOD OTHER THAN FIRE AND NON-AUXILIARY POLICE**

**WHEREAS**, Council has revised certain provisions in the Employee Handbook upon the recommendation of certain Department heads and further desires to provide for the specific procedures to be utilized in the dissemination of such handbooks to current and future employees of the Village.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

**SECTION 1.** The Council hereby adopts the amended Employee Handbook substantially in the form attached hereto and incorporated herein as Exhibit "A".

**SECTION 2.** The Mayor be and he is hereby authorized and directed to issue sufficient copies of the applicable handbook to each Director and Department Head in print and/or electronic format for dissemination to all employees working under their respective jurisdictions. All current employees shall sign a receipt acknowledging receipt of their handbook and all receipts shall be kept on file in the office of the Director of Finance. The Director of Finance shall require new employees of the Village to execute a receipt acknowledging receipt of his or her handbook at the time of the commencement of employment with the Village. All such receipts shall likewise be kept in the Office of the Director of Finance.

**SECTION 3.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department and is necessary to provide for the continued good order of Village operations, therefore, provided it receives two-thirds (2/3) of the vote of all members of the Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:

Christine Morgan, Clerk of Council

Johnnie A. Warren, President of Council

Presented to the  
Mayor

10-13-21

Approved:

10-13-21

Mayor, Gary V. Gottschalk

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2021-63 was duly and regularly passed by this Council at the meeting held on the 12th day of October, 2021.

Christine Morgan, Clerk of Council

### POSTING CERTIFICATE

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2021-63 was duly posted on the 12th day of October, 2021, and will remain posted for a period of fifteen (15) days thereafter as provided by the Village Charter and ordinances.

Christine Morgan, Clerk of Council

DATED:

10/12/21

## CHAPTER 149 - EMPLOYMENT PROVISIONS

*Footnotes:*

--- (24) ---

**Charter reference**— *Compensation fixed by ordinance—See § 7.16; Mayor's powers concerning employees—See § 8.02(D); Hearings and appeals—See § 8.04; Civil Service Commission classification—See § 10.06(D); Civil Service Commission eligible list—See § 10.06(E); Continuance of position under Civil Service—See § 10.06(F); Certification of payroll—See § 10.06(G); Credit for military service—See § 10.06(J); Credit for residents—See § 10.06(K)*

**State Constitution reference**— *Welfare—See Ohio Const., Art. II, § 34; Workers' compensation—See Ohio Const., Art. II, § 35; Wages and hours on public works—See Ohio Const., Art. II, § 37.*

**State Law reference**— *Deductions for dues and savings—See Ohio R.C. 9.41, 9.43; Deductions for municipal income tax—See Ohio R.C. 9.42; Public Employees Retirement System—See Ohio R.C. Ch. 145; Expenses for attendance at conference or convention—See Ohio R.C. 733.79; Wages and hours on public works—See Ohio R.C. Ch. 4115; Workers' compensation—See Ohio R.C. Ch. 4123.*

**Cross reference**— *Facsimile signatures authorized—See § 121.04.*

## 149.01 - Physical exam following conditional offer of employment.

At the time the Village grants full-time employment to any individual, the offer of employment shall be conditional. In addition to any other conditions which may be imposed upon the offer of employment, the offer of employment shall be conditioned upon the successful completion of a medical exam which shall ascertain the individual's ability to perform the duties of the job for which employment has been conditionally offered. As part of such exam the individual must pass a drug and alcohol screen. In the event the individual successfully passes this physical exam and is determined to be capable of performing the duties of the job for which employment has been sought, the offer of employment shall become unconditional upon the satisfaction of any other condition imposed by the Village. At such time, the employee shall commence his or her probationary period as provided in Section 149.06 herein.

(Ord. No. 2005-34, 6-14-2005)

## 149.02 - Physical examination subsequent to use of extended sick leave.

After use of sick leave by an employee for five or more consecutive work days due to injury, the Mayor may require the employee to take an examination, conducted by a physician, or if deemed necessary by the physician, a psychologist, selected and paid for by the Village, prior to that employee assuming his regularly assigned duties. Upon request of the Mayor or head of the department, any employee absent two days or more due to illness shall provide a statement in writing by a doctor as to the reasons for absence.

(Ord. No. 2005-34, 6-14-2005)

## 149.03 - Annual physical examinations for police officers.

As a condition of their continued employment as a police officer within the Village, all police officers shall submit to a medical examination, and psychological examination, if deemed necessary by the physician, on an annual basis, conducted by a physician selected by the Village and at the expense of the Village.

(Ord. No. 2005-34, 6-14-2005)

#### 149.04 - Disciplinary procedure.

- (a) No form of disciplinary action will be taken against any full-time, non- probationary employee except for just cause. Except in instances where the employee is found guilty of gross misconduct, discipline shall be applied in a corrective, progressive and uniform manner. Progressive discipline shall take into account the nature of the violation, the employee's record of discipline, and record of conduct.
- (b) Whenever the Mayor determines that a full-time probationary employee is to be suspended, reduced in pay, reduced in rank, or terminated for disciplinary reasons, the Mayor shall notify the employee in writing of the exact charges and the form of discipline that is contemplated. The employee shall be further advised in that written notice of the date, time and location of a pre-disciplinary conference that shall be conducted by the Mayor or his designee. In cases of gross misconduct, the Mayor may immediately suspend the employee with pay pending the pre-disciplinary conference.
- (c) Such notice of charges and the pre-disciplinary conference shall be given to the employee at least 72 hours prior to the time of the conference. During the conference, the employee shall have the opportunity to offer an explanation for the alleged conduct and to respond orally to the charges prior to discipline being imposed. The employee may be accompanied by a representative of his choice at the employee's sole costs.
- (d) Within five calendar days after the hearing, the Mayor shall provide the employee with a written statement affirming or dis-affirming the charges against that employee and the nature of the disciplinary action.
- (e) Prior to the scheduled time of the pre-disciplinary conference, the employee may waive his/her right to such a conference by signing a "Waiver of Pre-Disciplinary Conference" form.

(Ord. No. 2005-34, 6-14-2005)

#### 149.05 - Appeal to Council.

- (a) Any regular, full-time, non-probationary employee of the Village who receives an order of suspension, reduction in rank, non-lateral transfer or dismissal for any reason, economic or disciplinary, subsequent to the pre-disciplinary conference, if applicable, or subsequent to his/her waiver of such conference, may appeal that order to Council by filing a written notice of appeal and request for hearing within five days of the receipt of the disciplinary order. The notice of

appeal and request for hearing shall be filed with the Clerk of Council at the Village Hall, and the Mayor shall be served with a copy. The President of Council shall schedule a hearing within 30 days of the receipt of the employee's notice of appeal. The Clerk of Council shall provide the employee with written notice of the date, time and location of the hearing by certified mail to the employee's last known address, or by personal delivery to that employee. That notice shall be provided to the employee as soon as practical after the President of Council has set the hearing. The date of the hearing may be continued only by mutual agreement of the President of Council and the employee.

- (b) Council may reject and declare any appeal, if prior to its commencement, the Mayor establishes to Council's satisfaction that the dismissal, reduction in rank, or non-lateral transfer was economically related to the protection of the Village's finances. This determination will be made by Council exclusively.
- (c) The President of Council shall preside over the hearing on all matters and rule on all motions and objections made by the parties, subject to reversal by a majority vote of all Council members present. The President of Council may also set reasonable time limitations on the presentation of each party.
- (d) The presentations of the parties shall begin with a brief opening statement of the Mayor or his representative, followed by the opening statement of the employee or his representative. Thereafter, the mayor shall present testimony and evidence relevant to the disciplinary action taken against the employee. At the close of the Mayor's presentation, the employee shall have a right to present testimony and evidence relevant to that employee's appeal of the disciplinary action.
- (e) Each party shall have the right to call and examine witnesses to testify in their behalf, and those witnesses shall be subject to cross-examination by the other party.
- (f) The Council Clerk shall receive all evidence admitted into the record at the time of the hearing, and preserve and keep such evidence for at least 45 days subsequent to the date of the hearing. Thereafter, all evidence shall be returned by the Clerk of Council to the respective parties who submitted that evidence, unless further litigation or appeals are instituted.

Subsequent to the close of the employee's presentation, the Mayor or his representative may present closing argument. Thereafter, the employee or his/her representative may present closing argument. Thereafter, the employee or his/her representative may present rebuttal closing argument.

- (g) Subsequent to closing arguments, Council may adjourn to executive session, upon proper motion being made, for the purpose of deliberation of a personnel matter. Thereafter, Council shall, in open session, and upon proper motion being made, vote to reverse the decision of the Mayor, affirm the decision of the Mayor in its entirety, or affirm the decision of the Mayor to discipline

the employee but amend the nature of the disciplinary action. The motion shall be carried by a majority vote of all Council members present. In the event of a tie vote, the decision of the Mayor shall be construed as being affirmed.

(Ord. No. 2005-34, 6-14-2005)

#### 149.06 - Probationary period.

All appointments made to the position of full-time employee shall be for a probationary period of 90 days continuous service, and no appointment shall become final until the employee has satisfactorily served the probationary period. Before the expiration of such period, the Mayor shall evaluate the services and record of the employee and thereafter determine whether the employee has satisfactorily served the probationary period and is efficient, courteous and competent. The probationary period set forth in this section is not applicable to patrolmen or firemen.

(Ord. No. 2005-34, 6-14-2005)

#### 149.07 - Employee residency requirements.

- (a) All full-time and part-time employees of the Village hired on or after the first day of March, 1992, shall reside within the Village during their tenure of employment. This section shall not apply to the Director of Law or the Village Engineer or their assistants.
- (b) Council may grant the Mayor permission to hire non-resident employees only after it is shown that the best efforts of the Mayor did not result in qualified applicants for the position from among Village residents, including advertisement throughout the Village, and the Mayor providing Council copies of resumes of disqualified residents. For the purpose of this section, "residence" means the place where the individual has the qualifications of an elector and maintains his/her domicile.
- (c) Council hereby and herein clarifies that subsection (a) and (b) hereof does not in fact repeal any and all prior residency requirements which may have been in effect at any time prior hereto, including but not limited to Ordinance No. 1980-71, or any other ordinance adopted relative to a ten-mile residency radius requirement.

(Ord. No. 2005-34, 6-14-2005)

#### 149.08 - Use of Village vehicles.

- (a) All Village vehicles assigned for exclusive individual use by any Village employee, excluding the Mayor and Police Chief, shall be designated clearly as Village of Oakwood property, by reason of the Village emblem or decals, permanently located on both sides of said vehicles. It shall be the

obligation of the Service Director to arrange for the placement of Village emblems or decals on all Village vehicles within 30 days of the receipt of such vehicle or the inter-departmental transfer of such vehicle.

- (b) The Mayor and Director of Finance shall require compliance with the Internal Revenue Service rules and regulations relative to vehicles provided by an employer to its employees as set forth in all Internal Revenue Service publications, rules and regulations, including but not limited to Publication 917, and including but not limited to the requirement that personal use of the vehicles be reported and documented for evaluation for income tax purposes.
- (c) The Mayor and any other Village employee to who a Village owned or leased automobile has been issued is hereby authorized and directed to apply for registration of such vehicle under the provisions contained in Ohio R.C. 4503.16 upon the expiration of the vehicle's current registration. This subsection shall not apply to police vehicles used in undercover operations as the same may be approved by Council.

(Ord. No. 2005-34, 6-14-2005)

#### 149.09 - Employee Handbook.

Council hereby adopts the Employee Handbooks for the Police and Fire Departments and for Administrative personnel, copies of which are included in Exhibit "A", attached to Ordinance 1997-06 and expressly made a part hereof by reference.

(Ord. No. 2005-34, 6-14-2005)

#### 149.10 - Exempted from overtime.

The following positions are hereby declared to be executive or management positions and the persons employed therein shall not be entitled to overtime pay, but shall be entitled to all other benefits accorded full time employees of this Municipality:

Police Chief

Fire Chief

Director of Finance

Assistant Director of Finance

Director of Public Service

Clerk of Mayor's Court

Building Inspector

(Ord. No. 2005-34, 6-14-05)

## 149.11 - Longevity.

- (a) Effective with the first pay in 1996, all full time employees of the Village, except for Full-Time Police Patrol Officers and Police Sergeants shall receive annual longevity payments after completion of the required length of continuous full-time service with the Village on their anniversary date of hire, pursuant to the following schedule:

After completion of:	
5 years of continuous service	\$ 350.00
10 years of continuous service	1,000.00
15 years of continuous service	1,675.00
20 years of continuous service	2,350.00

- (b) Longevity payments shall be divided by the number of pay periods in the then current calendar year and included in the employee's regular payroll check.
- (c) Part-time employees of the Village who subsequently become full-time employees shall be credited for each year of continuous part-time service in determining said employee's longevity benefit as a full-time employee in accordance with the following: For each year a part-time employee of the Village averaged at least 20 hours of work per week, six months of continuous service shall be credited to said employee in calculating said employee's longevity benefit as a full-time employee. For each year a part-time Village employee averaged less than 20 hours of work per week, four months of continuous service shall be credited to said employee in calculating said employee's longevity benefit as a full-time employee.
- (d) Part-Time members of the Fire Department, who have at least five years of continuous service with the Village of Oakwood Fire Department, shall be entitled to a annual longevity benefit to be calculated as follows:

Gross amount of pay received	
The year immediately preceding year longevity benefit is to be paid	Times two percent = Amount of longevity benefit for succeeding year



The method of payment of this longevity benefit shall be at the discretion of the Finance Director.

Part-Time members of the Fire Department, who have at least ten years of continuous service with the Village of Oakwood Fire Department, shall be entitled to a annual longevity benefit to be calculated as follows:

Gross amount of pay received	
The year immediately preceding year longevity benefit is to be paid	Times 3.5 percent = Amount of longevity benefit for succeeding year

The method of payment of this longevity benefit shall be at the discretion of the Finance Director.

(Ord. No. 2005-34, 6-14-2005)

#### 149.12 - Bereavement leave.

- (a) Employees of the Village may be entitled to bereavement leave due to a death in the employee's immediate family, as that term is defined in Subsection (e) hereof, as provided in this section. All non-probationary, regular full-time employees of the Village shall be entitled to up to three days of paid bereavement leave. All regular part-time employees who work less than 40 hours per week but more than 20 hours per week, shall be entitled, after their first 90 days of continuous service with the Village, to up to two days of paid bereavement leave. All other employees of the Village are entitled to up to three days of unpaid bereavement leave. Employees may, at their Department Head's approval, use any available paid leave for additional time off as is necessary. Additional unpaid time off may be granted by the Mayor in special circumstances.
- (b) All paid bereavement leave shall be calculated on the base pay rate of the affected employee at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.
- (c) Employees who wish to take time off due to the death of an immediate family member should notify their Department Head immediately. Approval of bereavement leave shall be given in the absence of unusual operating requirements of the Village.
- (d) In the event that the deceased was an employee of Oakwood Village (present or former), or a member of a current employee's immediate family, authorization may be given to co-workers to attend the bereavement services if that service is scheduled during normal work hours. Authorization for up to four hours of paid leave will be freely granted, provided that staffing

concerns or business requirements do not require that the employee's request be denied. All requests are to be submitted to the Mayor in writing, at least one day in advance of the bereavement services.

- (e) The term "immediate family" shall be defined as the employee's spouse, parent or legal guardian, child, sibling, grandparent, grandchild, spouse's parent or legal guardian, spouse's sibling, or spouse's child.

(Ord. No. 2005-34, 6-14-2005)

#### 149.13 - VACATIONS.

- (a) All full-time employees of the Village shall receive the following paid vacation allowance:

Years of Continuous Service	Vacation Allowance
Less than one year	-0-
After one year	Two weeks per year
After six years	Three weeks per year
After ten years	Four weeks per year
After 16 years	Five weeks per year
After 21 years	Six weeks per year

- (b) The compensation to be paid for such vacation benefit shall be the hourly rate in effect on the date of such vacation, exclusive of time over 40 hours per week, during the calendar year in which such vacation shall have been earned. The compensation to be paid for such vacation benefit for salaried employees shall be the proportional share of their yearly salary.
- (c) The vacation benefit shall not apply or accrue for part-time employees. The vacation benefit shall not apply or accrue for employees of the Department of Law and the Department of Engineering.
- (d) The anniversary date of hire of each full-time or part-time employee who become full-time employees of the Village shall be the basis for computing vacation time. All vacation time earned shall be used prior to such employee's next following anniversary date, and such vacation time shall not be cumulative nor shall compensation be paid in lieu thereof. In exceptional circumstances an employee may carry forward a vacation allowance not to exceed one week of

vacation benefit into his or her next benefit year or may be paid in lieu of vacation benefit in an amount not to exceed one week of vacation benefit. In either event, an employee must secure the written permission of his or her Department Head and the Mayor to avail himself or herself of this provision.

- (e) All vacation days must be scheduled and approved by the responsible Department Head in advance.

(Ord. No. 2006-50, 10-10-2006)

#### 149.14 - Holidays; personal days.

All full-time employees of the Village shall receive ten paid holidays per year, consisting of the following: New Year's Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve and Christmas Day. In addition to the ten paid holidays, each full-time employee of the Village shall receive three personal days. The three personal days shall be at the employee's convenience with the Department Head's approval. Compensation for each paid holiday shall be computed on the basis of an eight-hour day. All regular part-time employees of the Village who work a minimum average of 20 hours per week shall receive seven paid holidays per year. Compensation for such paid holidays shall be computed on the average daily hours worked during the preceding 12-month period by each respective employee. These holidays shall be New Year's Eve, New Year's Day, Martin Luther King, Jr. Day, Independence Day, Thanksgiving Day, Christmas Eve and Christmas Day. No employee shall be entitled to a paid holiday until said employee has completed six months of regular employment. No employee shall be compensated for holiday pay unless he or she works his or her regularly scheduled work day next preceding and next following the holiday.

(Ord. No. 2006-50, 10-10-2006)

#### 149.15 - Uniform and clothing allowance.

- (a) An annual clothing and uniform allowance shall be provided to the following employees in the amounts specified:
  - (1) Members of the Fire Department .....\$300.00/year
  - (2) Fire Chief .....750.00/year
  - (3) Assistant Fire Chief .....450.00/year
  - (4) Auxiliary Police Officers .....225.00/year
  - (5) Full time members of the Service Department .....375.00/year
  - (6) Full time dispatchers .....300.00/year
  - (7) Part time dispatchers .....225.00/year
- (b) An account shall be established for each employee specified in Subsection (a) above. The Village shall annually allocate the specified amount to each account for the purchase of authorized

clothing and equipment. Such purchases from these accounts shall be made only with the approval of the employee's Department Head or supervisor and in accordance with the purchasing procedures of the Village. The balance remaining in each such account at the end of each calendar year may not be carried forward from year-to-year.

(Ord. No. 2006-50, 10-10-2006)

149.16 - Service Department personnel; overtime calculations; compensatory time off; other provisions.

- (a) For the purposes of calculating the number of hours worked in determining overtime compensation for full-time members of the Service Department, hours worked include holiday leave, but does not include vacation leave, sick leave, compensatory time off, bereavement leave or personal leave.
- (b) As agreed between the Village of Oakwood and all full-time members of the Service Department, at the option of a full-time Service Department employee, compensatory time off may be accumulated in lieu of paid overtime. Compensatory time off shall be accrued at the rate of one and one-half hours for each hour of overtime worked and the maximum amount of accumulated compensatory time off shall not exceed 40 hours at any time. Accumulated but unused compensatory time off will be paid to the employee at the time of separation from the Village and shall be paid to the employee at the employee's current rate of pay. Compensatory time off will be granted with the approval of the Service Director in increments of not less than one hour. Compensatory time accumulation and use will be subject to the regulations contained in the Fair Labor Standards Act.
- (c) Service Department personnel shall be paid for all hours worked, with a minimum of two hours pay at their regular hourly rate, when called in on an emergency.
- (d) All Service Department workers who perform work for the Village during the second or third shifts shall be paid an additional \$0.25 per hour for all hours worked during such shift. This extra \$0.25 shall be added to the worker's base pay in effect at the time the work is performed. This premium pay shall be effective only during the period November 15 through April 15 of each year.

(Ord. No. 2005-34, 6-14-2005)

149.17 - Safety Department personnel; additional provisions.

- (a) Part-Time Dispatchers, after their first 90 days of service, shall be entitled to receive one and one-half times their regular rate of pay for all hours worked on a recognized, regularly scheduled holiday.
- (b) Fire Department personnel shall be paid an extra two hours of pay at their regular hourly rate for every six hours of shift work on recognized holidays. Any Firefighter below the rank of Lieutenant shall receive an additional \$0.50 per hour for all hours worked while performing the function of

the Officer-In-Charge.

(Ord. No. 2005-34, 6-14-2005)

#### 149.18 - Expenses.

Any full-time, part-time and special employee who is required to use a personal vehicle in the performance of such employee's municipal duties, other than transportation to and from the employee's place of work, shall be reimbursed therefor at the rate of \$0.32 per mile, or the rate as the same may be adjusted by the Internal Revenue Service from time to time, upon submission to the Finance Director of a record indicating the date, time and purpose of such use and the number of miles driven. Any employee who, with the prior approval of their department head, is required to be beyond the limits of this Municipality in the performance of their municipal duties, or to receive training therefor, shall be reimbursed for the cost of their overnight accommodation and necessary meals consistent with reasonable rates prevailing, as approved by the responsible department head and Mayor.

(Ord. No. 2005-34, 6-14-2005)

#### 149.19 - Sick leave.

- (a) Each full-time employee of the Municipality shall be entitled to sick leave, with pay, as hereinafter provided. Sick leave shall be accrued at the rate of one and one-fourth days for each month of full time service with the Municipality with a maximum accumulation of 120 days. No accumulation of sick leave shall occur during the time period an employee is absent from work for any reason other than vacation leave.
- (b) All full-time employees shall be entitled to utilize three days of their accumulated sick leave for the death of the employee's spouse, child, mother, father, grandmother, grandfather, brother, sister, mother-in-law, or father-in-law.
- (c) Sick leave shall be applied upon the approval of the responsible Department Head against absence due to illness or injury to the employee.
- (d) Upon request of the Mayor or Department Head, any employee absent due to illness or injury shall provide a written statement by a doctor as to the medical reasons for the absence.
- (e) A full time employee who retires from the Municipality who has served a minimum of ten years and is a member of the Police and Fire Disability Pension Fund or PERS may obtain compensation at the rate of pay being earned at the time of retirement for unused sick days at the ratio of one day for every three days not used, up to 120 days total accumulation.

(Ord. No. 2006-50, 10-10-2006)

#### 149.20 - Technology use policy.

**Editor's note—** Pursuant to Resolution 2008-47, passed October 16, 2008, the Village has enacted a Technology Use Policy. Copies are on file at the Village Hall.

# The Village of Oakwood Employee Handbook

(DOES NOT INCLUDE NON-AUXILIARY  
POLICE AND FIRE)

Version 2021

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## EMPLOYEE ACKNOWLEDGMENT FORM

- The Oakwood Village employee handbook describes important information about my employment with Oakwood Village, and I understand that I should consult my Department Head regarding any questions not answered in the handbook.
- Since the information, policies, and benefits described herein are necessarily subject to change, I acknowledge that revisions to the handbook may occur. I understand that revised information may supersede, modify, or eliminate existing policies. Only the Mayor of Oakwood Village, with ratification by Village Council, has the authority to adopt any revisions to the policies of this Oakwood Village Employee Handbook.

*I acknowledge that I have received and read the Oakwood Village Employee Handbook and I agree to comply with all policies and procedures contained in it. I further understand that unless protected by a labor contract or civil service laws or rules providing for just cause protection as a classified employee, or other applicable legal document or circumstance, including a fixed term of employment, my employment relationship shall at all times remain at will.*

\_\_\_\_\_  
DATE:

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
EMPLOYEE'S NAME (TYPED OR PRINTED)

\_\_\_\_\_  
ORIENTATION HELD (DATE)

\_\_\_\_\_  
SUPERVISOR'S SIGNATURE

\_\_\_\_\_  
SUPERVISOR'S NAME (TYPED OR PRINTED)

## INTRODUCTORY STATEMENT

- This employee handbook is designed to acquaint you with Oakwood Village and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. The policies included in this employee handbook supersede any prior policies, oral or written and any commitments, understandings, customs or practices inconsistent with the terms and provisions of this employee handbook. All policies included in this employee handbook apply to all employees of Oakwood Village receiving this handbook except as otherwise noted.
- You should read, understand, and comply with all provisions of the employee handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Oakwood Village to benefit its employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.
- No employee handbook can anticipate every circumstance or question about policy or procedure. Oakwood Village reserves the right to revise, supplement, or rescind any policies and procedures or portions of the employee handbook from time to time as Oakwood Village deems appropriate, in its sole and absolute discretion.
- The employee handbook is a unilateral statement of rules, policies and procedures and is to be used for informational purposes only. It does not in any way constitute a contract of employment or an agreement between Oakwood Village and any of its employees and does not confer any rights and/or privileges upon employees of Oakwood Village.
- The policies and procedures set forth in this employee handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between Oakwood Village and any of its employees. The provisions of the employee handbook have been developed at the discretion of Oakwood Village and it may be amended or canceled at any time at Oakwood Village's sole discretion.
- These provisions supersede all existing policies, procedures and practices and may not be amended or added to without the express, written approval of the Mayor of Oakwood Village and the ratification by Village Council.
- This employee handbook does not apply to employees in the police and fire departments, except for those employees who are "auxiliary" members of that department.

## **ETHICS**

**As an employee of the Village of Oakwood, you hold a position of trust. All employees are expected to maintain the highest of ethical standards. Most Ohio ethics laws are located in Ohio Revised Code Chapters 102 and 2921 while others affecting ethical standards are located in various places throughout the Revised Code and the Ohio Administrative Code. All employees should familiarize themselves with these laws and comply with them at all times.**

### **Ethics Law Provisions:**

- **Misuse of Official Position:** You may not use your position as a public employee to gain personally as a result of decisions you make or have influence on at work. You may not use your position as a public employee to secure anything of value for persons or entities with whom you have a relationship that would impair your objectivity, such as your family members, business associates, employer or others.
- **Revolving-Door Policy:** You may not represent another person or business before any public agency (including your employer or former employer) in any matter in which you had dealings as an employee. This policy is effective while you are a public official or employee and remains in effect for one year or more after you leave Village of Oakwood employment.
- **Sale of Goods and Services:** You may not be paid by anyone other than your employer for services rendered in any matter pending before the Village of Oakwood. If you want to sell goods or otherwise do business with a government agency, contact the state purchasing agency and the Ohio Ethics Commission to be sure the proper bidding and selection requirements are met.
- **Confidential Information:** You may not use or release information you acquired as a result of your public service employment if it is confidential by statutory provision or officially designated as confidential.
- **Licensing and Rate-Making:** You may not participate in licensing or rate-making proceedings if you have a personal interest in the matter.
- **Interest in Public Contract:** You are prohibited from having any interest in a public contract of the Village. You may not use your authority or influence to get approval of a public contract or secure investment of public funds if you, your family or any business associate has an interest in the transaction.

- **Soliciting or Receiving Improper Compensation:** You may not receive additional compensation or any other thing of value to perform your duties. You may not solicit or accept anything of value in exchange for appointing, promoting or transferring any person to any public position.

The situations listed above are only a few examples of the possible conflicts that confront public officials and employees. They are not intended to represent the entire scope of conflicts of interest or ethics issues. The Ohio Ethics Laws include potential penalties, fines and imprisonment and are contained in Chapters 102 and 2921 of the Ohio Revised Code as well as other sections of the Revised Code and Ohio Administrative Code. Please contact the Ohio Ethics Commission for clarification or additional information.

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### **Nepotism**

**Village of Oakwood employees or public officials may not authorize or use the authority or influence of their positions to secure employment for or to benefit a person closely related by blood or marriage or who has another significant personal or business relationship.**

In general, relatives or close associates may not be employed in the same department if one supervises or otherwise has personnel authority over the other. If you have any questions regarding the practical application of the nepotism policy, please see your personnel officer, or contact the Ohio Ethics Commission.

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### **Political Activity**

All Village of Oakwood employees may register to vote and vote, make voluntary financial contributions to political candidates or organizations, circulate nonpartisan petitions, sign nominating petitions in support of individuals, attend political rallies, and work as a precinct election official/poll worker.

Employees are not permitted to engage in political activities during regular work hours. The law limits when public employees may run for elected office so, prior to doing so, you should check with your personnel officer.

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## **Child Support Enforcement**

Every Village of Oakwood employee should meet fully his or her child support obligations. Any employee who is behind on child support payments must make every effort to become current. Disciplinary action may be taken against any employee who refuses to take steps to become current in child support payments. No disciplinary action will be taken against any employee simply by virtue of the fact that he or she is the subject of a child support wage withholding order.

Any employee who needs assistance with collecting child support may contact the Ohio Department of Job and Family Services Child Support Hotline. Employees who are behind may also contact that department for advice or assistance in establishing a payment plan.

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## **EQUAL EMPLOYMENT OPPORTUNITY**

- In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Oakwood Village will be based on merit, qualifications, and abilities. Oakwood Village does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, gender identity, national origin, ancestry, age, disability, political affiliation, creed, status as disabled or Vietnam-era veteran, or any other characteristic protected by applicable law. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.
- Oakwood Village will make reasonable accommodations for qualified individuals with known physical or mental disabilities unless doing so would result in an undue hardship to Oakwood Village, or where the individual constitutes a direct threat to the safety of the employee or others that cannot be eliminated through the provision of a reasonable accommodation.
- Employees with a life-threatening illness, such as cancer, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Oakwood Village supports these endeavors as long as the employee is able to meet acceptable performance standards and the employee's physician certifies that he or she is able to perform the essential functions of his or her job either with or without a reasonable accommodation. As in the case of other disabilities, Oakwood Village will make reasonable accommodations, in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.
- Medical information on individual employees is treated confidentially. Oakwood Village will take reasonable precautions to protect such information from inappropriate disclosure.

Department Heads and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information will be subject to disciplinary actions, up to and including termination of employment.

- Any employees with questions or concerns about any type of discrimination in the workplace should submit a written statement to the Mayor, Law Director or Finance Director. Employees can raise concerns and questions without fear of reprisal. A thorough investigation of each complaint will be undertaken which may include interviews with the parties involved and, where necessary, with other employees who may have observed the alleged prohibited discriminatory acts. Anyone found to be engaging in any type of unlawful discrimination will be subject to corrective, disciplinary actions, up to and including termination of employment.
- If you believe that you have been discriminated against on the job, you must contact your Equal Employment Opportunity (EEO) officer, the Mayor, Law Director or Finance Director. You also have the right to file a complaint or discuss the matter with the Ohio Civil Rights Commission and/or the federal Equal Employment Opportunity Commission. For further information, contact your EEO officer. Please be advised that complaints must be filed within specific timeframes established by state and federal law. No person who has made good faith complaints of discrimination or harassment or has participated in an investigation relating thereto will be subjected to retaliation for making such complaints or participating in such investigation.

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## **VIOLENCE IN THE WORKPLACE**

The Village of Oakwood is committed to providing a safe and secure work environment for employees and others and does not tolerate violence in the workplace. The following policy has been adopted to protect its employees.

### **DEFINITIONS:**

Third Parties	Individuals who are not Village of Oakwood employees, including relatives, acquaintances, or strangers.
Workplace	Any location, either permanent or temporary, where an employee performs any work-related duty. This includes but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, alternate work locations, and travel to and from work assignments.



**Workplace Violence** Any physical assault, threatening behavior or verbal abuse occurring in the workplace perpetrated by either employees or third parties. It includes, but is not limited to, beating, stabbing, suicide, shooting, rape, attempted suicide, psychological trauma such as threats, obscene phone calls, an intimidating presence, harassing, violent verbal, written or physical behavior, and harassment of any nature such as stalking, shouting or swearing.

In situations posing an immediate threat to life and/or property (e.g. someone with a weapon), employees are to notify a Department Head and the police department.

### **Complaint and Investigation Procedure**

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to the Mayor, Finance Director and/or Law Director. When reporting a threat or incident of violence, the employee should report the specific threat in writing and be as detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Oakwood Village will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. Oakwood Village will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, Oakwood Village may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation. Anyone found to be responsible for threats of violence or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

### **Domestic Violence**

We are committed to providing a safe, productive workplace. Our organization treats all employees fairly and will not discriminate against an employee in any employment actions (including recruiting, hiring, promoting, disciplining or terminating) because the employee is, or is perceived to be, a victim of domestic violence.

To enable employees to seek assistance for domestic violence needs, we encourage individuals to respond to employees who are victims of domestic violence in an open-minded manner. Respecting employees' needs for confidentiality and self-determination whenever possible, we

reserve the right to disclose limited information and take action when it is necessary to protect the safety of our employees. Employees should promptly inform the Mayor, Finance Director and/or Law Director of any protective or restraining order that they have obtained that lists the workplace as a protected area.

Please note that nothing in this policy or any of the other employment policies contained in this handbook is intended to alter an employee's at will employment status.

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## EMPLOYMENT APPLICATIONS AND REFERENCES

- Oakwood Village relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data will result in Oakwood Village's exclusion of the individual from further consideration for employment. If, at the time the misrepresentation, falsification or material omission is discovered, the person has already been hired, discipline up to and including termination of employment will ensue.
- To ensure that individuals who join Oakwood Village are well qualified and have a strong potential to be productive and successful, Oakwood Village may perform a thorough and complete check of all data provided in the employment process including references and criminal background checks of applicants prior to final selection for employment. **Oakwood Village reserves the right forego a background check and/or drug screening prior to offering employment, based on its discretion. Unless a criminal conviction is a disqualifying conviction under applicable state or federal law, a criminal conviction will not automatically exclude an applicant from consideration.**

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- Oakwood Village is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.
- Upon acceptance of an offer of employment, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 or other legally-mandated forms or statements and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Oakwood Village within the past three years, or if their previous I-9 is no longer retained or valid.

- Employees with questions or seeking more information on immigration law issues are encouraged to contact the Mayor. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

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## **EMPLOYMENT CLASSIFICATIONS**

- Each employee is designated either nonexempt or exempt from federal and state wage and hour laws. Only nonexempt employees are entitled to overtime pay under the specific provisions of wage and hour laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. Exempt employees include the Director of Public Service, Director of Finance, Assistant Director of Finance, Chief Building Official, Police Chief, Fire Chief and Clerk of Mayor's Court.
- In addition to the above categories, each employee will belong to one of the following employment categories:

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## **EMPLOYMENT CATEGORIES**

**FULL-TIME EMPLOYEE:** An employee regularly scheduled to work 40 hours per week, who is not a temporary employee, seasonal employee, or an employee hired to help with a specific project.

**PART-TIME EMPLOYEE:** An employee regularly scheduled to work less than 40 hours per week, who is not an interim replacement, seasonal employee, or an employee hired to help with a specific project.

**TEMPORARY EMPLOYEE:** An employee hired as an interim replacement, a seasonal employee, or an employee hired to help with a specific project.

## **BENEFITS**

All full-time employees are eligible for Oakwood Village's benefits package, with the exception of full-time employees who have worked for the Village for 90 days or less. Full-time employees will be eligible for Oakwood Village's full benefits package upon their 91<sup>st</sup> day of employment. Information about the benefits package may be obtained by contacting the Finance Director.

All part-time employees, who are regularly scheduled to work at least 20 hours per week, are eligible to participate, at their cost, in the same health insurance program as full-time employees, unless such employee has worked for Oakwood Village for 90 days or less.

All full-time, part-time, and temporary employees are eligible to receive all legally mandated benefits.

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## **PHYSICAL EXAMINATION**

### **Physical Exam Following Conditional Offer of Employment**

At the time the Village grants employment to any individual, the offer of employment shall be conditional. In addition to any other conditions which may be imposed upon the offer of employment, the offer of employment shall be conditioned upon the successful completion of a medical exam which shall ascertain the individual's ability to perform, either with or without a reasonable accommodation, the duties of the job for which employment has been conditionally offered. As part of such exam the individual may be required to pass a drug and alcohol screen. In the event the individual successfully passes this physical exam and is determined to be capable of safely performing, either with or without a reasonable accommodation, the essential duties of the job for which employment has been sought, the offer of employment shall become unconditional upon the satisfaction of any other condition imposed by Oakwood Village. At such time, the employee shall commence his or her employment.

### **Subsequent to Use of Extended Sick Leave**

After use of sick leave by an employee for three or more consecutive work days due to illness or injury, the Mayor may request the employee to provide a statement in writing by a doctor indicating that the employee is fit for return to duty and any accommodations that may be required.

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## **PERSONAL APPEARANCE**

- Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image Oakwood Village presents to residents and other visitors.
- During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.
- Employees should consult their Department Head if they have questions as to what constitutes appropriate attire.

- *Fridays will constitute dress down days. On dress down days jeans are permitted. However, grooming and personal cleanliness standards shall continue to be observed on Fridays. No shorts, holes in clothing, or halter tops will be permitted.*
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## **ABOUT YOUR EMPLOYMENT**

### **Work Schedules**

- The work week consists of 168 hours commencing at 12:01 a.m. Sunday and ending at 12:00 Midnight of the following Saturday. Department Heads are expected to be available to work at any hour on any day. All other employees will be expected to work according to the schedule set by their Department Heads. No employee may work in excess of forty hours in any week without prior approval by his or her Department Head. Performance of any work in violation of this policy will subject the employee in violation of this policy to discipline.
- This “work schedules” section does not apply to exempt employees. Exempt employees are expected to be available whenever needed and are not restricted as to the amount of hours they may work or be required to work.
- Department Heads will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending time, as well as variations in the total hours that may be scheduled each day and week.
- Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Oakwood Village to keep an accurate record of time worked in order to calculate employee pay and benefits.
- Nonexempt employees should clock in at the beginning and ending time of work, as well as the beginning and ending time of each lunch period during which they leave the building. They should also clock in at the beginning and ending time of any split shift or departure from work for personal reasons. No work is to be performed before the employee clocks in or after the employee clocks out. Overtime work must always be approved before it is performed.
- Altering, falsifying, tampering with time records, or recording time on another employee’s time record may result in disciplinary action up to and including termination of employment.
- Nonexempt employees should not report to work before they are scheduled to begin and should not stay after their scheduled stop time without express, prior authorization from their Department Head.

- The Finance Director, Service Director, Building Inspector and Clerk of Courts (Department Head) shall keep the Executive Secretary or his or her designee in the Executive Secretary's absence, informed of their whereabouts during their regularly scheduled working hours. Information to be reported includes any approved leave and any periods of absence in excess of one hour from the Village Hall premises. Department Heads must designate one person in his or her department to whom the Department Head will give advance notice of absences of less than one hour.
  - Failure of a Department Head to comply with the policy may result in disciplinary action being taken, up to and including termination of employment.
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### **Meal Periods**

All full-time employees are provided with one lunch period of 30 minutes in length each day that they work in excess of 4 ½ hours. Lunch periods should be taken between the hours of 11:30 a.m. and 2:00 p.m. Department Heads will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during lunch periods and will not be compensated for that time. Employees must refrain from performing any work for Oakwood Village during all lunch breaks.

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### **Attendance and Punctuality**

- To maintain a safe and productive work environment, Oakwood Village expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Oakwood Village. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should seek approval from their Department Head as soon as possible in advance of the anticipated tardiness or absence.
- Tardiness, as used herein, includes any period of time that an employee is not at his or her work station ready to perform assigned duties and any unauthorized early leaves from work. The amount of time during which an employee is tardy is considered an unapproved absence and the employee must sign an incident report regarding the matter. Tardy employees will have time deducted from their paychecks.
- Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary actions, up to and including termination of employment.

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## Overtime

- When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Overtime is defined as the amount of time that an employee is present at work and performing job duties in excess of forty (40) hours in a work week. The calculation of work time does not include sick leave, vacation leave, holiday leave or paid personal leave. For purposes of this policy, the work week commences at 12:01 a.m. on Sunday and ends at 12:00 a.m. (midnight) the following Saturday.
- Advance written notification of mandatory overtime assignments is to be submitted by the Department Head to the Mayor for approval before it is assigned to an employee. In the event that it is not possible to obtain advance approval from the Mayor, the Department Head is permitted to grant overtime as necessary, provided that the Department Head, as soon as possible after scheduling the overtime, notifies the Mayor of the occurrence of the overtime, the reason for said overtime, and the reason said overtime was not subject to prior approval.
- If it appears that a nonexempt employee will be working overtime based on his or her current work week schedule, the Department Head shall first attempt to reschedule the employee's work week so that the employee does not work overtime. Should overtime be required despite attempts to reschedule an employee's work week, every effort will be made by the Department Head to distribute overtime assignments evenly to employees qualified to perform the required work. Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Compensation for a nonexempt employee who works overtime shall be calculated by multiplying the overtime period by an amount equal to one and one-half times regular pay.
- Exempt employees are expected to be available to work at any hour on any day. Exempt employees are not entitled to overtime compensation. However, in the event that an exempt employee works overtime in a work week, that employee may be granted time off commensurate with the amount of overtime worked.
- Employees may not work overtime without prior written authorization. Employees who work overtime without receiving prior written authorization from their supervisor will be subject to appropriate disciplinary action, up to and including termination of employment.

### **Exempted from Overtime**

The following positions are hereby declared to be executive or management positions and the persons employed therein shall not be entitled to overtime pay, but shall be entitled to all other benefits accorded full time employees of this Municipality:

- Police Chief
- Fire Chief
- Director of Finance
- Assistant Director of Finance
- Director of Public Service
- Clerk of Mayor's Court
- Chief Building Official

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### **Longevity**

- Effective with the first pay in 1996, all full time employees of the Village, except for Full-Time Police Patrol Officers and Police Sergeants shall receive annual longevity payments after completion of the required length of continuous full-time service with the Village. The payment shall begin on the payday immediately following the employee's anniversary date of hire, pursuant to the following schedule:

<u>After completion of:</u>	<u>Longevity Payment</u>
5 years of continuous service	\$ 350.00
10 years of continuous service	\$1,000.00
15 years of continuous service	\$1,675.00
20 years of continuous service	\$2,350.00

- Longevity payments shall be divided by the number of pay periods in the then current calendar year and the resulting figure included in the employee's regular payroll check.
- Part-time employees of the Village who subsequently become full-time employees shall be credited for each year of continuous part-time service in determining said employee's longevity benefit as a full-time employee in accordance with the following: For each year a part-time employee of the Village averaged at least 20 hours of work per week, six months of continuous service shall be credited to said employee in calculating said employee's longevity benefit as a full-time employee. For each year a part-time Village employee averaged less than 20 hours of work per week, four months of continuous service shall be credited to the employee in calculating said employee's longevity benefit as a full-time employee. Part-Time members of the Fire Department, who have at least Five (5) years of



continuous service with the Village of Oakwood Fire Department, shall be entitled to an annual longevity benefit to be calculated as follows:

$$\left[ \begin{array}{l} \text{Gross Amount of Pay Received} \\ \text{The Year Immediately Preceding} \\ \text{Year Longevity Benefit is to be Paid} \end{array} \right] \text{Times 2 Percent (2\%)} = \text{Amount of Longevity Benefit For Succeeding Year}$$

- The method of payment of this longevity benefit shall be at the discretion of the Finance Director.
- Part-Time members of the Fire Department, who have at least Ten (10) years of continuous service with the Village of Oakwood Fire Department, shall be entitled to an annual longevity benefit to be calculated as follows:

$$\left[ \begin{array}{l} \text{Gross Amount of Pay Received} \\ \text{The Year Immediately Preceding} \\ \text{Year Longevity Benefit is to be Paid} \end{array} \right] \text{Times 3.5 Percent (3.5\%)} = \text{Amount of Longevity Benefit For Succeeding Year}$$

- The method of payment of this longevity benefit shall be at the discretion of the Finance Director
- Part-Time members of the Fire Department, who have at least Fifteen (15) years of continuous service with the Village of Oakwood Fire Department, shall be entitled to an annual longevity benefit to be calculated as follows:

$$\left[ \begin{array}{l} \text{Gross Amount of Pay Received} \\ \text{The Year Immediately Preceding} \\ \text{Year Longevity Benefit is to be Paid} \end{array} \right] \text{Times 5 Percent (5\%)} = \text{Amount of Longevity Benefit For Succeeding Year}$$

- The method of payment of this longevity benefit shall be at the discretion of the Finance Director
- Part-Time members of the Fire Department, who have at least Twenty (20) years of continuous service with the Village of Oakwood Fire Department, shall be entitled to an annual longevity benefit to be calculated as follows:

$$\left[ \begin{array}{l} \text{Gross Amount of Pay Received} \\ \text{The Year Immediately Preceding} \\ \text{Year Longevity Benefit is to be Paid} \end{array} \right] \text{Times 7 Percent (7\%)} = \text{Amount of Longevity Benefit For Succeeding Year}$$

- The method of payment of this longevity benefit shall be at the discretion of the Finance Director.

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## **SALARY SCHEDULE**

### **Paydays**

- All employees are paid biweekly on every other Thursday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.
- Part-time and temporary employees must submit time sheets by no later than the first day following the payroll period for which they are being paid. Employees should see their Department Head to obtain time sheets.
- In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.
- If a regular payday falls during an employee's vacation or other leave, the employee's paycheck will be available upon his or her return from vacation.
- Full-time and part-time patrol officers and the sergeants shall be compensated in accordance with the collective bargaining agreement as previously approved by Village Council. The Police Chief, Police Lieutenant, Director of Law, Village Engineer, Village Landscape Architect, Village Consulting Architect, members of the Village's Boards and Commissions, Recording Secretaries of the Village's Boards and Commissions, Company performing Village Pump Station Maintenance, Call-In Building Inspectors, and Village Architect shall be compensated as previously provided by ordinance and/or Village Council.

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### **Deductions**

- The law requires that Oakwood Village make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. Oakwood Village also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." Oakwood Village matches the amount of Social Security taxes paid by each employee.

- Oakwood Village offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs.
  - If you have questions concerning deductions that were made from your pay check or how they are calculated, your Department Head can assist in having your questions answered.
  - Oakwood Village takes all reasonable steps to ensure the employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Department Head so that corrections can be made as quickly as possible. Any improper underpayments or deductions will be reimbursed to the employee and any overpayments will require reimbursement from the employee,
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## **SMOKING**

In keeping with the Ohio Department of Health regulations as outlined in Ohio Administrative Code rule 3701-52-02, and the provisions of Ohio Revised Code Chapter 3794, employees are not permitted to smoke in any Oakwood Village buildings, in village vehicles or in any area where smoke could enter buildings through entrances, windows, ventilation systems or other means. For purposes of this policy, smoking includes e-cigarettes and vaporizers. Smoking is permitted outside the Village Hall at the cigarette disposal. Any employees who violate this section or who permit their guests to violate this section will be subject to appropriate disciplinary action.

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## **PERFORMANCE EVALUATION**

All newly-hired employees will be evaluated for performance by their department heads between their 90<sup>th</sup> and 120<sup>th</sup> calendar day of employment. Additional formal performance evaluations are conducted periodically to provide both Department Heads and employees with the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Additionally, all newly transferred or promoted employees may be returned to their former position or a comparable position should he or she not meet the demands of the new position within 90 calendar days of transfer or promotion. The return to a former or comparable position will be subject to availability and at the discretion of the Mayor and Department Head.

## **Pay Adjustments**

- Pay adjustments for employees whose positions are not subject to a collective bargaining agreement are assigned by Oakwood Village based on the discretion of Oakwood Village and may include the following criteria:
    - employee's overall performance;
    - employee's attendance record;
    - Department Head's recommendation based on the information documented in the most recent formal performance evaluation; and
    - Oakwood Village's salary budget for the applicable fiscal year.
  - Oakwood Village believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and of its size. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice their concerns openly and directly to their supervisors.
  - Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Oakwood Village amply demonstrates its commitment to employees by responding effectively to employee concerns. Whenever feasible, written comments, questions or concerns submitted by employees will be answered in writing by the Mayor or Department Head, whichever person is deemed appropriate.
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## **ACCESS TO PERSONNEL FILES**

- Oakwood Village maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.
- Information regarding medical history or treatment, suspicion of, treatment for and testing for drug or alcohol use and regarding criminal convictions is stored in a separate file for each employee and is not to be made a part of an employee's general personnel file. The information contained in the separate file is considered by Oakwood Village to be highly confidential and is to be viewed only by the Mayor or Director of Finance and those in their offices who have a reasonable, documented need to have access to the information, and whose access has been approved by the Mayor or Director of Finance. The Mayor or Director of Finance may approve access to the information in the confidential personnel file where:

- The information is needed to support a disciplinary action taken by a Department Head or other supervisor;
  - A court has ordered by subpoena requiring access to the information;
  - Persons in the offices of the Mayor or Director of Finance must review the information in order to carry out their official responsibilities; or
  - A formal request has been made, pursuant to the Open Records Act or Ohio Privacy Act.
- Employees who wish to review their own file should contact their Department Head. With reasonable advance written notice, or when invited to do so by their Department Head, employees may review their own personnel files in Oakwood Village's offices and in the presence of an individual designated by Oakwood Village to maintain the files.
  - An employee's medical records shall be stored in a separate file from that employee's personnel file and will be stored in a safe and secure area. Access to these records will be limited as provided above.

#### **Changes in Personnel Data: Employee's Responsibility**

- It is the responsibility of each employee to promptly notify Oakwood Village of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment(s), and other such status reports should be accurate at all times. If any personnel data has changed, notify your Department Head.

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### **CONFLICTS OF INTEREST**

Employees of Oakwood Village are required to avoid all actual and potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision by Oakwood that may result in a personal gain for that employee or for a relative or other person with a close personal or business relationship with the employee. The Ohio Ethics Commission defines a member of a public employee's family as follows: "A family member [of a public employee] includes a spouse, children, whether dependent or not, parents, grandparents, grandchildren, siblings, and other persons related by blood or marriage and residing in the same household."

- Personal gain may result when an employee, relative or business associate has a significant ownership in a firm with which Oakwood Village does business, but also when an employee, relative or business associate gave or received any compensation from sources other than Oakwood, kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving Oakwood Village. Personal gain is not always

monetary, but may also be enhancement of an employee's prestige or standing in ways that do not serve the interests of Oakwood Village.

- If employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to a Department Head or the Mayor as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.
  - In addition, outside employment held by employees will present a conflict of interest if the employment has an adverse impact on Oakwood Village.
  - Any illegal or unethical conduct by an employee creates a conflict of interest.
  - Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Oakwood Village wishes to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of legally acceptable standards of operation. Any violation of this policy may lead to disciplinary action, up to and including termination of employment. Contact the Mayor or Law Director for more information or questions about conflicts of interest.
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### **OUTSIDE EMPLOYMENT**

- Any employee may engage in paid work with another organization, entity, or him or herself as long as the outside work does not interfere with the employee's performance or ability to meet the requirements of Oakwood Village as they are modified from time to time, and does not present a conflict of interest. All employees will be judged by the same performance standards as their peers and will be subject to Oakwood Village's scheduling demands, regardless of any existing outside work requirements.
- No full-time employee can hold another full-time job while in the employ of Oakwood Village.
- If Oakwood Village determines that an employee's outside work interferes with the employee's performance or ability to meet the requirements of Oakwood Village as they are modified from time to time, the employee may be asked to terminate either the outside employment or his or her employment with Oakwood Village.
- Outside employment will present a conflict of interest if it has an adverse impact on Oakwood Village. Therefore, Oakwood Village employees are specifically prohibited from engaging in outside employment that:

- is prohibited by federal or state law or Oakwood Village ordinance;
  - gives the appearance of impropriety;
  - detrimentally affects the employee's ability to perform his/her work assignments; or
  - causes the employee to violate Oakwood Village's Ethics Policy or any provision of law.
- Employees are not permitted to work an outside job while using any form of Oakwood Village sick or medical leave.
  - Employees are responsible for ensuring that their outside employment is not of a prohibited nature. An employee who desires to obtain further guidance as to whether an outside employment opportunity is prohibited by the policy may submit a written request for clarification to the Mayor. Any violation of the policy on outside employment may lead to disciplinary action up to and including termination of employment.

### **EMPLOYMENT OF RELATIVES**

- The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In some circumstances, such employment may be illegal. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.
- Relatives of exempt employees shall not be hired. Relatives of non-exempt employees may be employed provided the following;
  - Relatives of non-exempt employees shall be judged solely on their qualifications and the criteria established for the positions for which they are applying;
  - Relatives of non-exempt employees shall not be employed within the same department as the non-exempt employee;
  - No relatives shall occupy a position which has influence over another relative's employment, promotion or salary administration, nor shall any relative have access to the personnel records of another; and
  - Relatives of non-exempt employees may be hired only if they will not be working directly for or supervising a relative and will not occupy a position in the same line of authority within Oakwood Village.
- This policy applies to any relative who has the authority to review employment decisions. Relatives who are Oakwood Village employees cannot be transferred into an unauthorized relative-employee relationship. In addition, where a conflict or the potential for conflict

arises, even if there is no unauthorized employment relationship involved, the parties may be separated by reassignment or termination from employment.

- If the relative relationship is established after employment, Oakwood Village shall attempt to place the individuals concerned in non-conflicting positions but, under no circumstances shall one relative be under the direct or indirect supervision of the other. The same requirements apply to relative relationships created after employment as those relative relationships which exist at the time of hiring.

For the purposes of this policy, the Ohio Ethics Commission defines a member of a public employee's family as follows: "A family member [of a public employee] includes a spouse, children, whether dependent or not, parents, grandparents, grandchildren, siblings, and other persons related by blood or marriage and residing in the same household."

- Responsibility for monitoring compliance with this policy is charged to the Department Head of each department. Unresolved violations or conflicts of the policy that arise due to new assignments, transfers, promotions, marriage or other events shall be reported to the Mayor.

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## **VISITORS AND SOLICITATION IN THE WORKPLACE**

### **Visitors**

- **Non-Employee Visitor** is anyone who has been authorized to be at an employee's workplace or meet with an employee on Oakwood Village property for the purpose of conducting Oakwood Village business unless meeting the employee during the employee's lunch period or prior to or after work.
- **Employee Visitor** is an employee who has been authorized to be at another employee's workplace or meet with another employee on Oakwood Village property for the purpose of conducting Oakwood Village business unless meeting the employee during the employee's lunch period (provided they have simultaneous lunch periods) or prior to or after work.
- To provide for the safety and security of employees and the facilities at Oakwood Village, only authorized visitors are allowed in employee-only areas of the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.
- Because of safety and security concerns, family and friends of employees are discouraged from visiting other than during the employees' lunch period or before or after work. In cases of emergency, employees will be called to meet any visitor outside their work area.



- All visitors must enter Village Hall through the lobby. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors at all times that the visitors are on Village Hall premises.
- If an unauthorized individual is observed on Oakwood Village's premises, employees should immediately notify their Department Head or, if necessary, direct the individual to the lobby.
- Violations of the policy on visitors may lead to disciplinary actions up to and including termination of employment.

### **Solicitation**

- In an effort to assure a productive and harmonious work environment, persons not employed by Oakwood Village may not solicit or distribute literature in the workplace at any time for any purpose.
- Oakwood Village recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods or any other periods in which employees are not required to be on duty.)
- In addition, the posting of written solicitations on Village bulletin boards is prohibited except as required by law. Bulletin boards are reserved for official Village communications on such items as:
  - Internal memoranda
  - Job openings
  - Federally mandated postings
- Violations of this policy will be addressed on a case-by-case basis. Disciplinary measures will be based upon the severity of the violation, and not on the content of the solicitation.

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## **LEAVE POLICY**

### **HOLIDAYS**

- The following holidays are recognized by Oakwood Village:
  - New Year's Day (January 1)
  - Martin Luther King, Jr. Day (third Monday in January)

- President's Day (third Monday in February)
  - Good Friday (Friday before Easter)
  - Memorial Day (last Monday in May)
  - Juneteenth (June 19)
  - Independence Day (July 4)
  - Labor Day (first Monday in September)
  - Thanksgiving Day (fourth Thursday in November)
  - Christmas Eve (December 24)
  - Christmas Day (December 25)
- In addition to the eleven (11) paid holidays, each full-time employee of Oakwood Village shall receive three (3) personal days. Use of personal days shall be at the employee's convenience with the Department Head's approval.
  - Full-time employees will receive compensation for each paid holiday based on an eight (8) hour day. All regular part-time employees of the Village who work a minimum average of twenty (20) hours per week shall receive eleven (11) paid holidays per year. Compensation for such paid holidays shall be computed on the average daily hours worked during the preceding twelve (12) month period by each respective employee.
  - Holidays will be observed on the day of their occurrence. Holidays that fall on a Saturday will be observed on the preceding Friday. Holidays that fall on a Sunday will be observed on the following Monday.
  - No employee shall be entitled to paid holidays until the employee has completed six (6) months of regular employment or service. No employee shall be compensated for holiday pay unless he or she works his or her regularly scheduled work day next proceeding and next following the holiday.
  - If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.
  - If eligible non-exempt employees work on a recognized holiday, they will receive holiday pay plus wages at their straight-time rate, or overtime rate if applicable, for the hours worked on the holiday.
  - Paid time off for holidays will be counted as hours worked for the purposes of determining whether overtime pay is owed.
  - The Mayor may designate paid holidays for certain part-time employees.

- Part-time employees who are not regularly scheduled to work at least 20 hours per week and all temporary employees are ineligible to receive compensation for holidays.

## **APPROVED ABSENCE FROM WORK**

### **Vacation**

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. All full-time and part-time employees who are regularly scheduled to work at least 20 hours per week are eligible to accrue vacation time. No employee may use accrued vacation time within his or her first 90 days of employment. In the event that available vacation time is not used by the end of the benefit year, employees will forfeit the unused time.

Part-time employees who are not regularly scheduled to work at least 20 hours per week, temporary employees, and employees of the Department of Law and Department of Engineering are not eligible for the vacation benefit.

- All full-time employees of the Village shall receive the following paid vacation allowance:

<b>Years of Continuous Service</b>	<b>Vacation Allowance</b>
Less than One (1) Year	- 0 -
After One (1) Year	Two (2) weeks per year (10 days)
After Six (6) Years	Three (3) weeks per year (15 days)
After Ten (10) Years	Four (4) weeks per year (20 days)
After Sixteen (16) Years	Five (5) weeks per year (25 days)
After twenty-One (21) Years	Six (6) weeks per year (30 days)

Part-time employees shall accrue vacation time at one-half the allowance afforded to full-time employees.

- The compensation to be paid for such vacation benefit shall be the regular hourly rate in effect on the date of such vacation, during the calendar year in which the vacation shall have been earned. Part-time employees eligible for vacation time shall be paid for the days they would have been scheduled to work during the vacation period taken by the employee. The compensation to be paid for such vacation benefits for salaried employees shall be the proportional share of their yearly salary.
- The anniversary date of hire of each employee of Oakwood Village shall be the basis for computing vacation time. All vacation time earned shall be used prior to such employee's next following anniversary date. Such vacation time shall not be cumulative nor shall compensation be paid in lieu thereof. In exceptional circumstances an employee may carry forward a vacation allowance not to exceed one week of vacation benefit into his or her next benefit year or may be paid in lieu of vacation benefit in an amount not to exceed one week

of vacation benefit. In either event, an employee must secure the written permission of his or her Department Head and the Mayor to avail him or herself of this provision.

- All vacation days must be scheduled and approved by the responsible Department Head in advance. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Should there be a conflict in a department with vacation requests; the employee with the greatest seniority will receive preference.

### **Sick Leave**

- Oakwood Village provides paid sick leave benefits to all full-time employees for periods of temporary absence due to illnesses or injuries.
- Employees will accrue sick leave benefits at the rate of 15 days per year (1.25 days for every full month of service) with a maximum accumulation of 120 days. Sick leave benefits are calculated on the basis of a “benefit year”, the 12-month period that begins when the employee starts to earn sick leave benefits.
- Employees can request use of paid sick leave after completing a waiting period of at least 90 calendar days from the date they become eligible to accrue sick leave benefits. Paid sick leave can be used in minimum increments of one-half day. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of a family member who resides in the employee’s household.
- All full-time employees shall be entitled to utilize three (3) days of accumulated sick leave for the death of the employee’s spouse, child, mother, father, grandmother, grandfather, brother, sister, mother-in-law, or father-in-law.
- Employees who are unable to report to work due to illness or injury should notify their Department Head before the scheduled start of their workday if possible. The Department Head must also be contacted on each additional day of absence.
- Upon request of the Mayor or Department Head, any employee absent due to illness or injury shall provide a written statement by a doctor as to the medical reasons for the absence.
- If an employee is absent for three or more consecutive days due to illness or injury, a physician’s statement must be provided verifying the disability, its beginning and expected ending dates and any accommodations that may be required. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

- Sick leave benefits shall be paid based on the employee's base pay rate at the time of the absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.
- Unused sick leave benefits will be allowed to accumulate until they reach a maximum of 120 days.
- No accumulation of sick leave shall occur during the time period an employee is absent from work for any reason other than vacation leave.
- Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.
- A full time employee who retires from the Municipality who has served a minimum of 20 years and is a member of the Police and Fire Disability Pension Fund or PERS may obtain compensation at the rate of pay being earned at the time of retirement for unused sick days at the ratio of one day for every three days not used.

### **Medical, Family, and Personal Leave**

- Oakwood Village provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to their own serious health condition or disability, who wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, placement of a foster child; or to care for a child, spouse, or parent with a serious health condition. For purposes of this policy, serious health conditions or disabilities include inpatient care in a hospital, hospice, or residential medical care facility; continuing treatment by a health care provider; and temporary disabilities associated with pregnancy, childbirth, and related medical conditions. In certain, rare circumstances, Oakwood Village also provides leaves of absence without pay to eligible employees who need to take time off from work duties to fulfill personal obligations.
- All full-time and part-time employees who have been employed for twelve (12) months and have worked at least 1,250 hours during the twelve (12) months immediately preceding the requested leave are eligible to request medical leave as described in this policy.
- Eligible employees may request medical leave only after having completed 365 calendar days of service. Exceptions to the service requirement will be considered to accommodate disabilities.

- Eligible employees should make their written requests for medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.
- A health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending date. Any changes in this information should be promptly reported to Oakwood Village. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work and any accommodations that may be required.
- Eligible employees are normally granted leave for the period of the disability, up to a maximum of 12 weeks within any 12 month period. Any combination of medical leave, family leave and personal leave may not exceed this maximum limit. If the initial period of approved absence proves insufficient, consideration will be given to a written request for an extension. Employees will be required to first use any accrued paid leave time before taking unpaid medical leave.
- Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.
- Subject to the terms, conditions, and limitations of the applicable plans, Oakwood Village will continue to provide health insurance benefits for the full period of the approved medical leave.
- Benefit accruals, such as vacation, sick leave, and holiday benefits, will continue during the approved leave period, if provided for an employee's own serious health condition or disability, or an employee's family obligations relating directly to childbirth, adoption, placement of a foster child, or to care for a child, spouse, or parent with a serious health condition. Benefit accruals will not continue during leave granted to fulfill other personal obligations.
- So that an employee's return to work can be properly scheduled, an employee on medical leave is requested to provide Oakwood Village with at least two weeks advance notice of the date the employee intends to return to work. When a medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.
- If an employee fails to report to work promptly at the end of the medical leave, Oakwood Village will assume that the employee has resigned.

### **Pregnancy-Related Absences**

- Oakwood Village will not discriminate against any employee who requests an excused absence for medical disabilities associated with a pregnancy or childbirth. Such leave requests will be made and evaluated in accordance with the leave policy provisions outlined above in this employee handbook and in accordance with all applicable federal and state laws.

### **Military Duty Leave**

- Any employee who is a member of a Reserve component of the Armed Forces of the United States, the Ohio organized militia or the Ohio National Guard who has a short-term active duty training assignment or inactive duty training drill shall, upon request, be granted a leave of absence by Oakwood Village for the period required to perform the active or inactive duty training. Upon such employee's release from a period of such active or inactive duty training, or upon such employee's discharge from hospitalization incident to that training, such employee shall be permitted to return to his or her previous position with such seniority, status, pay and vacation as he or she would have had if he or she had not been absent for such purposes.
- To be eligible for reinstatement following military service, the employee must:
  - Have given advance notice that he or she was leaving the job for service in the uniformed services, unless that notice is impossible, unreasonable or precluded by military necessity;
  - Service must not have exceeded five (5) years;
  - The employee must have been discharged from service under honorable conditions; and
  - The employee must report back within a timely manner.
- Employees on short-term active duty training assignments or inactive duty training drills (service of less than 30 days) are required to return to work for the first regularly scheduled shift after the end of the training, allowing for reasonable travel time. Failure to report for work for the first regularly scheduled shift may result in disciplinary action.
- Employees called to active duty for periods of 31 to 180 days must request reinstatement within 14 days of release from active duty. Employees called to active duty in excess of 180 days must request reinstatement within 90 days of release from active duty. Requests for reinstatement may be submitted in writing to the Finance Director.
- If, the employee's previous position no longer exists at the time of the request for reinstatement, the applicant shall be offered a position of like seniority, status and pay. If the



applicant is not qualified to perform the duties required by the position because of disability sustained during the applicant's service of military duty, the applicant shall be placed in a position, the duties of which he or she is qualified to perform and which provides the applicant like seniority, status and pay, or the nearest approximation thereof consistent with the circumstances of the applicant's case, unless Oakwood Village's circumstances have so changed as to make it impossible or unreasonable to do so.

- During the term that an employee serves his or her military duty, the employee's benefits shall continue to accrue as if the employee were continuously employed. This provision applies to seniority, medical insurance, vacation leave, severance pay, sick leave, pension plans and other benefits dependent upon length of employment. Upon restoration to his or her position after military duty lasting for one year or more, an employee shall not be terminated from that position without cause for a period of one year. Upon restoration to his or her position after military duty lasting between 31 and 180 days, an employee shall not be terminated from that position without cause for a period of 180 days.
- Any employee, except those occupying a temporary position, are entitled to up to 176 hours of paid leave per fiscal year for time spent performing service in the uniformed services. If an employee is called or ordered to the uniformed services for longer than one month (176 work hours) because of an executive order issued by the President of the United States, because of an act of Congress, or because of an order to perform duty issued by the Governor pursuant to O.R.C. §5919.29, he or she is entitled to receive the lesser of:
  - The difference between the employee's gross monthly wage or salary and the sum of the employee's gross uniformed pay and allowances; or
  - Five hundred dollars.

In no event will an employee's pay under this section exceed the employee's usual gross wage or salary from the Village. To be entitled to pay under this section, the employee must submit to the Finance Director the published order authorizing the call or order to the uniformed services or a written statement from the appropriate military commander authorizing that service.

Once an employee has exhausted 176 hours of paid leave per fiscal year, any remaining leave will be unpaid. Employees may elect to take any available accrued time off.

- The employee shall submit to the Finance Director an Order from the military Commander as evidence of the dates of departure and return, and provide the Finance Director evidence of satisfactory completion of the required training.

## **Court Leave**

- Oakwood Village encourages employees to fulfill their civic responsibilities by serving jury duty when required and serving as witnesses when subpoenaed. Employees called for jury duty or as witnesses are eligible to receive paid court leave for time missed from work as required by such service.
- Employees must show the jury duty summons or witness subpoena to their Department Head as soon as possible so that the Department Head may make arrangements to accommodate their absences. Employees are expected to report for work whenever the court schedule permits. Either Oakwood Village or the employee may request an excuse from jury duty if, in Oakwood Village's judgment, the employee's absence would create serious operational difficulties.
- Court leave pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day(s) of absence. Full-time employees will be reimbursed the difference between the jury or witness pay and their regular pay. Part-time employees will be reimbursed the difference between the jury pay and their regular pay based upon the hours they were scheduled to work during jury duty.
- In order for an employee to be eligible for reimbursement, a receipt for the jury payment must be obtained from the court and given to the Finance Department immediately upon the employee's return to work. Employees will receive the adjusted pay for the time they were on jury duty in the first paycheck following the return from jury duty.
- Oakwood Village will continue to provide health insurance benefits for the full term of the court leave of absence. Vacation, sick leave, and holiday benefits will continue to accrue during unpaid court leave.
- If an employee appears in a court proceeding other than his/her capacity as an employee, either as a private individual on his own account, or voluntarily as a witness, he/she will not be eligible for paid court leave. Such employee may use vacation leave for such an appearance. If an employee has no vacation leave, then an employee may be given personal leave without pay.

## **Bereavement Leave**

- Employees of the Village may be entitled to bereavement leave due to a death in the employee's immediate family, as that term is defined in this section. All full-time employees shall be entitled to up to 3 days of paid bereavement leave. All part-time employees who are regularly scheduled to work at least 20 hours per week shall be entitled, after their first 90 calendar days of continuous service, to up to 3 days of unpaid bereavement leave. Employees

may, at their Department Head's approval, use any available paid leave for additional time off as necessary. Additional unpaid time off may be granted by the Mayor under special circumstances.

- All paid bereavement leave shall be calculated on the base pay rates and expected days of work of the affected employee at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.
- Employees who wish to take time off due to the death of an immediate family member should notify their Department Head immediately. Approval of bereavement leave shall be given in the absence of unusual operating requirements of Oakwood Village.
- In the event that the deceased was an employee of Oakwood Village (present or former), or a member of a current employee's immediate family, authorization may be given for co-workers to attend the bereavement services if that service is scheduled during normal work hours. Authorization for up to four (4) hours of paid leave will be freely granted, provided that staffing concerns or business needs do not require that an employee's request be denied. All requests are to be submitted to the Mayor in writing, at least one day in advance of the bereavement services.
- Oakwood Village defines "immediate family" as the employee's spouse, parent or legal guardian, child, sibling, grandparent, grandchild, spouse's parent or legal guardian, spouse's sibling or spouse's child.
- Oakwood Village may, at its sole discretion, make an inquiry for substantiating documentation upon request, e.g., death certificate or funeral notice.

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#### **UNAPPROVED ABSENCE FROM WORK**

- Oakwood Village offers a wide variety of alternatives for employees who need to take time off from work. Therefore, leave taken by an employee which does not fit into an approved category is considered unapproved absence and warrants discipline up to and including termination.

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#### **SERVICE DEPARTMENT PERSONNEL**

##### **Overtime Calculations; Compensatory time off; other provisions**

- For the purposes of calculating the number of hours worked in determining overtime compensation for full-time members of the Service Department, hours worked include

holiday leave, but does not include vacation leave, sick leave, compensatory time off, bereavement leave or personal leave.

- As agreed between the Village of Oakwood and all full-time members of the Service Department, at the option of a full-time Service Department employee, compensatory time off may be accumulated in lieu of paid overtime. Compensatory time off shall be accrued at the rate of one and one-half (1½) hours for each hour of overtime worked and the maximum amount of accumulated compensatory time off shall not exceed forty (40) hours at any time. Any further overtime hours worked beyond the maximum accrual will be paid as cash overtime. Accumulated but unused compensatory time off will be paid to the employee at the time of separation from the Village and shall be paid to the employee at the employee's current rate of pay. Compensatory time off will be granted with the approval of the Service Director in increments of not less than one hour. Compensatory time accumulation and use will be subject to the regulations contained in the Fair Labor Standards Act.
- Service Department personnel shall be paid for all hours worked, with a minimum of two (2) hours pay at their regular hourly rate, when called in on an emergency.
- All Service Department workers who perform work for the Village during the Second or Third shifts shall be paid an additional twenty five cents (\$0.25) per hour for all hours worked during such shift. This extra twenty five cents (\$0.25) shall be added to the worker's base pay in effect at the time the work is performed. This premium pay shall be effective only during the period November 15th through April 15th of each year.

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#### **SAFETY DEPARTMENT PERSONNEL; ADDITIONAL PROVISIONS**

- Part-time Dispatchers, after their first 90 days of service, shall be entitled to receive one and one-half (1½) times their regular rate of pay for all hours worked on a recognized, regularly scheduled holiday.
- Fire Department personnel shall be paid an extra two (2) hours of pay at their regular hourly rate for every six (6) hours of shift work on recognized holidays. Any Firefighter below the rank of Lieutenant shall receive an additional \$.50 per hour for all hours worked while performing the function of the Officer-In-Charge.

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#### **UNIFORM AND CLOTHING ALLOWANCE**

- An annual clothing and uniform allowance shall be provided to the following employees in the amounts specified:

<i>Department</i>	<i>Yearly Allowance</i>
<i>Members of the Fire Department</i>	<i>\$300.00/Year</i>
<i>Fire Chief</i>	<i>\$750.00/Year</i>
<i>Assistant Fire Chief</i>	<i>\$450.00/Year</i>
<i>Auxiliary Police Officers</i>	<i>\$225.00/Year</i>
<i>Full-Time Members of the Service Department</i>	<i>\$375.00/Year</i>
<i>Full-Time Dispatchers</i>	<i>\$300.00/Year</i>
<i>Part-Time Dispatchers</i>	<i>\$225.00/Year</i>

- An account shall be established for each employee specified above. Oakwood Village shall annually allocate the specified amount to each account for the purchase of authorized clothing and equipment. Such purchases from these accounts shall be made only with the approval of the employee's Department Head or supervisor and in accordance with the purchasing procedures of the Village. The balance remaining in each such account at the end of each calendar year may not be carried forward from year-to-year.

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### **EMERGENCY CLOSINGS**

- At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt Village operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during nonworking hours, local radio and/or television stations will be asked to broadcast notification of the closing. On the day before a proposed emergency closing, the Department Head will notify employees in their departments of the call letters for the station which will carry the emergency closing broadcast.

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### **EMPLOYEE CONDUCT AND WORK RULES**

- To ensure orderly operations and provide the best possible work environment, Oakwood Village expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.
- It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment.
  - Theft or inappropriate removal or possession of property;
  - Falsification of timekeeping records;
  - Working under the influence of alcohol or illegal drugs;

- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty away from the workplace, or while operating employer owned vehicles or equipment;
  - Fighting or threatening violence in the workplace;
  - Insubordination or other disrespectful conduct;
  - Sexual or other unlawful or unwelcomed harassment;
  - Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace;
  - Neglect of duty;
  - Excessive absenteeism or any absence without notice; and
  - Violation of any of the policies identified in this employee handbook.
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### **DISCIPLINE**

- The purpose of this policy is to state Oakwood Village's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace.
  - Although employment with Oakwood Village is based on mutual consent and both the employee and Oakwood Village have the right to terminate employment at will, with or without cause, Oakwood Village may use progressive discipline at its discretion.
  - Disciplinary action may call for any of four procedures – verbal warning, written warning, suspension without pay, or termination of employment – depending on the severity of the problem and the number of occurrences. There may be circumstances in which some, all or none of the procedures identified above may be followed, and/or the procedures may be followed in any order.
  - Progressive discipline generally takes into account the nature of the violation, the employee's record of discipline and the employee's record of conduct.
  - Nothing in this policy or any other policy contained in this handbook alters the at will employment relationship.
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### **ANTI-DISCRIMINATION AND HARASSMENT POLICY**

- Oakwood Village is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's gender, race, ethnicity, age, religion or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the

employment relationship, and is strictly prohibited. Sexual harassment does not refer to occasional, welcomed compliments of a socially acceptable nature. It refers to behavior which is not welcome, which is personally offensive or, which debilitates morale, thereby interfering with work effectiveness. Sexual harassment includes, but may not be limited to: repeated offensive sexual flirtations, unwelcome advances, propositions, continued or repeated verbal abuse of a sexual nature, graphic or degrading verbal comments of a sexual nature about an individual or his or her appearance, offensive physical contact or abusive physical contact.

**Sexual harassment** is defined as any unwelcome or unwanted sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature, or that which is otherwise based on sex, from someone in the workplace that creates discomfort and/or interferes with the job. Conduct constitutes harassment when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions and/or retaliation; or
- Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
- This policy also strictly forbids any other forms of unlawful workplace harassment, including that based on an employee's gender identity, race, color, religion, disability, age, military status, veteran status or any other legally protected characteristic.

Harassment on the basis of any protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, gender, gender identity, color, religion, national origin, age, disability, or any other characteristic protected by law and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display, e-mail or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group. This definition is not intended to be exhaustive and all conduct which an employee feels to be improper or offensive should be reported in accordance with the complaint process described below.

## **Individuals and Conduct Covered**

These policies apply to all employees, and prohibit harassment, discrimination and retaliation by fellow employees, a supervisor or manager, and individuals not directly connected to the Village (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, off-site events, business meetings and business-related social events. Any employee found to have violated this policy will be subject to corrective action, up to and including termination.

## **Complaint Process**

Any employee who believes he or she is a victim of sexual harassment must report any incident to the Mayor, Finance Director, Law Director and/or his or her supervisor. No employee who makes a complaint of harassment in good faith will be subject to any forms of retaliation or reprisal of any kind.

- If you have any questions regarding this policy, please contact the Mayor, Finance Director or Law Director.
- Any employee who wants to report an incident of unlawful harassment should promptly submit a written report of the matter to the Mayor, Finance Director or the Law Director. A thorough investigation of the report will be undertaken immediately and may include interviews with the directly involved parties and, where necessary, with employees who may have observed the alleged harassment. If after investigation, it is determined that the accused employee did engage in prohibited harassment, appropriate corrective action will be taken against the harassing employee, up to and including termination of employment.
- Any Department Head who becomes aware of possible unlawful harassment in his or her department should immediately advise the Mayor, Finance Director or Law Director who will handle the matter in a timely and confidential manner.

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## **PROBLEM RESOLUTION**

- Oakwood Village is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from Oakwood Village supervisors and management.



- Oakwood Village strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

### **Non-Disciplinary Concerns**

- If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with Oakwood Village in a reasonable, business-like manner, or for using the problem resolution procedure.
- If a situation occurs when an employee believes that a condition of employment or a decision affecting him or her (other than a decision made regarding a disciplinary procedure) is unjust or inequitable, the employee is encouraged to make use of the following steps. The employee may discontinue the procedure at any step.
  1. Employee presents problem in writing to Department Head within 5 calendar days after incident occurs. If Department Head is unavailable or employee believes it would be inappropriate to contact that person, employee may present problem to Mayor or another appropriate Department Head.
  2. Department Head (or other appropriate supervisor) meets with employee within 5 calendar days to discuss the incident and attempt to resolve the problem. Department Head documents discussion.
  3. Department Head (or other appropriate supervisor) responds to problem in writing within 5 calendar days, after consulting with appropriate management, when necessary.
  4. Employee presents problem in writing to Mayor within 5 calendar days.
  5. Mayor counsels and advises employee within 7 calendar days and visits with employee's Department Head, if necessary.
  6. Mayor responds in writing to employee's concern within 7 calendar days and forwards copy of written response to Department Head for employee's file. The Mayor has full authority to make any adjustment deemed appropriate to resolve the problem.
- Each level of the problem resolution process assumes that the problem was not resolved at the prior level. The employee is free to abandon the process at any point. If the employee does not adhere to the timetable established under the problem resolution process, Oakwood Village will assume that the employee has chosen to abandon the process. If the Department

Head does not adhere to the established timetable, the employee may proceed to the next level of the process.

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**ACKNOWLEDGMENT OF RECEIPT OF ANTI-DISCRIMINATION AND  
HARASSMENT POLICY**

**I acknowledge that I have received and read the Oakwood Village Anti-Discrimination and Harassment Policy Employee, and I agree to comply with all policies and procedures contained within.**

\_\_\_\_\_  
DATE:

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
EMPLOYEE'S NAME (TYPED OR PRINTED)

## **PUBLIC RECORDS - POLICY AND PROCEDURE**

### **Introduction:**

It is the policy of the Village of Oakwood that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Village of Oakwood to strictly adhere to the state's Public Records Act. All exemptions to public record disclosure resulting in any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

### **Section 1. Public Records**

The Village of Oakwood, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the Village of Oakwood are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

Section 1.1 It is the policy of the Village of Oakwood that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4 for the e-mail record policy). Record retention schedules are to be updated regularly and posted prominently.

### **Section 2. Record Requests**

Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1 Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the Oakwood Village employee to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.

Section 2.2 The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. Although not required, Oakwood Village encourages requests for public records be put in writing to ensure there are no misunderstandings as to what records are being requested.

Section 2.3 Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Section 2.4 Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, such should be made available as quickly as the equipment allows.

All requests for public records must either be satisfied (see Section 2.4) or be acknowledged in writing by the (public office) within three business days following the office's receipt of the request. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

Section 2.4a – An estimated number of business days it will take to satisfy the request.

Section 2.4b – An estimated cost if copies are requested.

Section 2.4c – Any items within the request that may be exempt from disclosure.

Section 2.5 Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

### **Section 3. Costs for Public Records**

Those seeking public records will be charged only the actual cost of making copies.

Section 3.1 The charge for paper copies is 5 cents per page.

Section 3.2 The charge for downloaded computer files to a compact disc is \$1 per disc.

Section 3.3 There is no charge for documents e-mailed.

Section 3.4 Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

#### **Section 4. E-mail**

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Section 4.1 – Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of the Village of Oakwood are instructed to retain their e-mails that relate to public business (see Section 1 Public Records) and to copy them to their business e-mail accounts.

Section 4.2 – The Department Head is to treat the e-mails from private accounts of their employees as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

#### **Section 5. Failure to respond to a public records request**

The Village of Oakwood recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, Oakwood Village's failure to comply with a request may result in a court ordering the Village of Oakwood to comply with the law and to pay the requester reasonable attorney's fees and damages.

- **Records Disposal Policy**

In the course of the daily activities of the Village of Oakwood records are created which document such activities. The records may be in many forms e.g. paper, electronic, email, etc. In the event that a Department Head deems it necessary to destroy records of the Village of Oakwood which are no longer of administrative or historical value, the Department Head must comply with the Ohio Revised Code Chapter 149 regarding the proper disposal of public records.

The Village of Oakwood has established a Records Commission to review such records. The Department Head must obtain approval prior to destruction. Contact a member of the Records Commission for any questions regarding this policy and procedures in place (Law Director, Council President, Clerk of Council or Mayor).

Records must be shredded, or, in the case of electronic communications, a wiping agent used on the electronic documents and/or communications shall be scrambled to the extent approved by

and consistent with procedures established by the Records Commission (Law Director, Council President, Clerk of Council and/or Mayor).

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**ACKNOWLEDGMENT OF RECEIPT OF PUBLIC RECORDS POLICY AND  
PROCEDURE**

*I \_\_\_\_\_, have read the Oakwood Village Public  
Records Policy and Procedure. I further state that the undersigned signature acknowledges  
receipt of this information.*

\_\_\_\_\_  
**PRINT NAME**

\_\_\_\_\_  
**TITLE**

\_\_\_\_\_  
**DEPARTMENT**

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**DATE**



## **IDENTITY THEFT POLICY**

### **SECTION 1: BACKGROUND**

The risk to the Village of Oakwood, its employees and others from data loss and identity theft is of significant concern to Oakwood Village and it is the purpose of this Policy is to help minimize the risk of compromising information not disclosable under the Ohio Open Records Act.

### **SECTION 2: POLICY**

#### **2.1 Sensitive Information**

##### **2.11 Definition of Sensitive Information:**

Sensitive information includes any information not disclosable under the Ohio Open Records Act whether stored in electronic or printed format and may include the following:

- A. Credit card information, including any of the following:
  - 1. Credit card number (in part or whole),
  - 2. Credit card expiration date.
  - 3. Cardholder name.
  - 4. Cardholder address
- B. Tax identification numbers, including:
  - 1. Social Security number.
  - 2. Business identification number.
  - 3. Employer identification numbers.
- C. Payroll information, including, among other information:
  - 1. Paychecks
  - 2. Pay stubs

- D. Medical information for any employee or individual named in any police, fire or Court record or report, including but not limited to:
  - 1. Medical conditions and treatment therefor.
  - 2. Result of medical testing. (e.g., blood pressure readings, etc.)
  - 3. Prescriptions.
  - 4. Any related personal medical information or medical history.
  - 5. Any other medical or medically related information,
- E. Village personnel are encouraged to use common sense judgment in securing Sensitive Information. All provisions of this Policy are subject to the Ohio Open Records Act, and therefore non-disclosable information may be redacted from any document prior to it being released to anyone requesting a copy under this Act.

## **2.2 Securing Sensitive Information**

**2.21** Each employee of Oakwood Village shall comply with the following:

- A. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with Sensitive Information will be locked when not in use.
- B. Storage rooms containing documents with Sensitive Information and record retention areas will be locked at the end of each workday or when unsupervised.
- C. Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing Sensitive Information when not in use.
- D. Whiteboards, dry-erase boards, writing tablets, etc., containing Sensitive Information will, be erased, removed, or properly secured when not in use.

## **2.3 Securing and Distributing Electronically Stored Sensitive Information**

**2.31** Each employee of Oakwood Village shall comply with the following:

- A. All Sensitive Information must be encrypted when stored in an electronic format.
- B. Sensitive Information may be transmitted internally using approved Oakwood Village e-mail.

- C. Any Sensitive Information sent externally must be encrypted and password protected and only to approved recipients. Additionally, a statement similar to the following should be included in the body of the e-mail;

*"This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender and delete this email message from your computer. Thank you."*

## **2.4 Destruction of documents containing Sensitive Information**

- 2.41 When documents containing Sensitive Information are destroyed in accordance with Oakwood Village's Record Retention Policy, they will be placed inside a locked shred bin or immediately shredded using a mechanical cross cut shredding device. When electronically stored information containing Sensitive Information is destroyed or erased in accordance with Oakwood Village's Record Retention Policy, it shall be done in such a manner to prevent the Sensitive Information from being retrievable.

## **SECTION 3: ADDITIONAL IDENTITY THEFT PREVENTION MEASURES**

### **3.1 Fair and Accurate Credit Transactions Act of 2003**

- 3.11 If Oakwood Village, as a creditor, maintains "covered accounts" which are regulated under the provisions of the Federal Fair and Accurate Credit Transactions Act of 2003 and the Regulations promulgated thereto, the following procedures shall also be adhered to by Oakwood Village employees:
  - A. A "covered account" includes any account that involves or is designed to permit multiple payments or transactions such as a credit card or utility account. Every new and existing account that meets the following criteria is covered by this Policy:
    - 1. Business accounts for which there is a reasonably foreseeable risk of identity theft; or
    - 2. Business accounts for which there is a reasonably foreseeable risk to the person from which Oakwood Village holds Sensitive Information as to the safety or soundness of Oakwood Village as it relates to identity theft, including financial, operational, compliance, reputation, or litigation risks.
  - B. The following "red flags" are potential indicators of fraud. Any time a red flag, or a situation closely resembling a red flag, becomes apparent to any Oakwood Village employee, the employee's supervisor should be notified and the supervisor should

cause an investigation to be conducted to verify whether or not fraud may be occurring. The following are examples of "red flags";

1. Alerts, notifications or warnings from a consumer reporting agency;
2. A fraud or active duty alert is included with a consumer report;
3. A notice of credit freeze from a consumer reporting agency is provided in response to a request for a consumer report; or
4. A notice of address discrepancy from a consumer reporting agency is provided as this phrase is defined in §334,82(b) of the Fairness and Accuracy in Credit Transactions Act of 2003,

**3.12** Red flags also include consumer reports that indicate a pattern of activity inconsistent with the history, and usual pattern of activity of an applicant or user of Village services, such as:

- A. A recent and significant increase in the volume of inquiries;
- B. An unusual number of recently established credit relationships;
- C. A material change in the use of credit, especially with respect to recently established credit relationships; or
- D. An account that was closed for cause or identified for abuse of account privileges by the Village,

## **3.2 Suspicious documents**

**3.21** The following documents should cause the Village employee to be suspicious of potential fraud and the employee should immediately report this information to the employee's supervisor:

- A. Documents provided for identification that appear to have been altered or forged;
- B. The photograph or physical description on the identification is not consistent with the appearance of the applicant or person presenting the identification;
- C. Other information on the identification is not consistent with information provided by the person opening a new "covered account" or person presenting the identification;

- D. Other information on the identification is not consistent with readily accessible information that is on file with the Village, such as a registration form or a recent check issued to Oakwood Village from that person; or
- E. An application or registration form appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

### **3.3 Suspicious personal identifying information**

**3.31** Suspicious personal identifying information is information provided which is inconsistent when compared against internal or external information sources used by Oakwood Village. For example:

1. The address does not match any address in the consumer report;
2. The Social Security number (SSN) has not been issued or is listed on the Social Security Administration's Death Master File; or
3. Personal identifying information provided by the person is not consistent with other personal identifying information provided by the person. For example, there is a lack of correlation between the SSN range and date of birth.

**3.32** Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by Oakwood Village. For example, the address on an application is the same as the address provided on a known fraudulent application.

**3.33** Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by Oakwood Village. For example:

1. The address on an application is fictitious, a mail drop, or a prison; or
2. The phone number is invalid or is associated with a pager or answering service.

**3.34** The SSN provided is the same as that submitted by other persons opening an account or registering for programs.

**3.35** The address or telephone number provided is the same as or similar to the address or telephone number submitted by an unusually large number of other persons.

**3.36** The person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the

application is incomplete.

- 3.37 Personal identifying information provided is not consistent with personal identifying information that is on file with Oakwood Village.
- 3.38 When using security questions (mother's maiden name, pet's name, etc.), the person opening the covered account cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

#### **3.4 Unusual use of, or suspicious activity related to, the covered account**

- 3.41 Shortly following the notice of a change of address for a covered account, Oakwood Village receives a request for new, additional, or replacement goods or services, or for the addition of authorized users on the account
- 3.42 A new revolving credit account is used in a manner commonly associated with known patterns of fraud. For example, the person fails to make the first payment or makes an initial payment but no subsequent payments.
- 3.43 A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:
  - 1. Nonpayment when there is no history of late or missed payments; or
  - 2. A material change in purchasing or usage pattern.
- 3.44 A covered account that has been inactive for a lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).
- 3.45 Mail sent to the person is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the person's covered account.
- 3.46 Oakwood Village is notified that the person is not receiving paper account statements.
- 3.47 Oakwood Village is notified of unauthorized charges or transactions in connection with a person's covered account.
- 3.48 Oakwood Village receives notice from persons, victims of identity theft, law enforcement authorities, or other individuals regarding possible identity theft in connection with covered accounts held by Oakwood Village.

- 3.49 Oakwood Village is notified by a person, a victim of identity theft, a law enforcement authority, or any other individual that it has opened a fraudulent account for a person engaged in identity theft.

#### **SECTION 4: RESPONDING TO RED FLAGS**

**4.1 Once potentially fraudulent activity is detected an employee must act quickly as a rapid appropriate response can protect persons and Oakwood Village from damages and loss.**

- 4.11 Once potentially fraudulent activity is detected, the employee should gather all related documentation and write a report detailing the situation and the facts leading the employee to believe that fraudulent activity may be occurring. The employee should present this information to the employee's supervisor or other individual designated to receive this information.

- 4.12 The supervisor or other designated individual shall undertake additional investigation and authentication to determine whether the attempted transaction was in fact fraudulent or authentic,

**4.2 If a transaction is determined to be fraudulent, appropriate actions must be taken immediately. These actions may include:**

- 4.21 Canceling the transaction;
- 4.22 Notifying and cooperating with appropriate law enforcement personnel;
- 4.23 Determining the extent of involvement by the Village; and
- 4.24 Notifying the real person that fraud involving that person has been attempted.

#### **SECTION 5: PERIODIC UPDATES TO POLICY**

- 5.1 At periodic intervals or as required, this Policy will be re-evaluated to determine whether it is up to date and applicable in the current business environment. This review shall include:

- 5.11 An assessment of which amounts are covered by this policy.
- 5.12 Addition, revision, replacement, or revision of "red flags."
- 5.13 Actions to be taken in the event fraudulent activity is discovered.

## **SECTION 6: PROGRAM ADMINISTRATION**

### **6.1 Involvement of Directors and Supervisors**

- 6.11** This Identity Theft Policy shall be administered with the highest level of attention and importance.
- 6.12** The Mayor/Safety Director, each Director and the Clerk of Council are responsible for the administration of this Identity Theft Policy.

### **6.2 Staff training**

- 6.21** Staff training shall be conducted for all Directors and other employees for whom it is reasonably foreseeable that they may come into contact with accounts or Sensitive Information that may constitute a risk to Oakwood Village or to individuals for which this Sensitive Information is being maintained.
- 6.22** Affected Oakwood Village employees must receive periodic training and updates in all elements of this Policy.

### **6.3 Oversight of service provider arrangements**

- 6.31** It is the responsibility of Oakwood Village and its employees to ensure that the activities of all service providers are conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.
- 6.32** A service provider that maintains its own identity theft prevention program, consistent with the "red flag" rules as provided by Federal law, may be considered to be meeting these requirements,
- 6.33** Any specific requirements concerning service providers should be specifically addressed in the contract documents.

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](http://www.ohioauditor.gov)

(Acknowledgement form follows)

**ACKNOWLEDGEMENT OF RECEIPT OF AUDITOR OF STATE FRAUD  
REPORTING SYSTEM INFORMATION**

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

Each new employee has thirty days after beginning employment to confirm receipt of this information.

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

I \_\_\_\_\_, have read the information provided by my employer regarding the fraud-reporting system operated by the Ohio Auditor of State's office. I further state that the undersigned signature acknowledges receipt of this information.

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
DEPARTMENT

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

Added 8-11-2017

## **WORKERS' COMPENSATION INSURANCE**

- Oakwood Village provides a comprehensive worker's compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.
- The workers' compensation law creates a rebuttable presumption that an injury is not work related when an employee tests positive for alcohol or controlled substances following a workplace injury. Rebuttable presumption means that an employee may dispute or prove untrue the presumption (or belief) that alcohol or a controlled substance not prescribed by the employee's physician is the proximate cause (main reason) of the work-related injury. The burden of proof is on the employee to prove that the presence of alcohol or a controlled substance was not the proximate cause of the work-related injury. An employee who tests positive or refuses to submit to chemical testing may be disqualified from receiving compensation and benefits under the Workers' Compensation Act.
- Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Neither Oakwood Village nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off duty recreational, social, or athletic activity sponsored by Oakwood Village.

## **HEALTH AND LIFE INSURANCE POLICY**

- Please see the Human Resources Department or Payroll for current information.

## **USE OF VILLAGE PROPERTY**

### **Telephones and Office Equipment**

- Personal use of telephones for incoming or outgoing calls, including local calls, is not permitted except in emergency situations. Employees may be required to reimburse Oakwood Village for any charges resulting from their personal use of the telephone. Employees are not permitted to receive calls during working hours except for those concerning verifiable family emergencies.

- The mail system is reserved for business purposes only. Employees should refrain from sending or receiving personal mail at the workplace. Oakwood Village's policy provides that personal mail addressed to an employee will be returned to the sender.
  - To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.
- 

### **TECHNOLOGY USE POLICY (COUNCIL)**

The purpose of this policy is to establish guidelines for the use of the various digital and information technology systems, including computer hard drives, laptops, ipads and any and all hand-held devices and equipment, including Oakwood Village-owned phones, which are utilized by members of Council for the Village of Oakwood. Access and use of these systems shall require a signed acknowledgment form, indicating that the Member of Council has received a copy of the policies contained in this document.

Information technology, as referenced in this Policy, includes (but is not limited to) the following:

- Computer systems, iPads
- The Village of Oakwood's local area network
- The Internet
- Electronic mail (both internal and Internet based)
- Village-owned web sites and associated web sites maintained by the Village
- Telephone based systems (including voice mail)
- Any privately owned information technology system that is utilized on Village-owned property is also subject to these policies.

Information technology has a great potential to enhance the productivity and efficiency of members of Council of the Village. Members of Council will be held accountable for their use and/or misuse of any Village resources, including those which are technologically based.

Village information technology is to be used only and exclusively for official Village business. Any types of private use, solicitation, privately-owned business activities, or activities which could potentially embarrass the Village are strictly forbidden. Members of Council are advised not to utilize any newsgroups, chat rooms, or bulletin boards which do not deal with work-related topics. In addition, Members of Council shall not use Village information technology for operating a business for personal gain or any other non-authorized personal use.

By using any Village-owned information technology, the user understands that he or she is waiving any expectation or right to privacy in communications, data files, or any other personal

information stored, displayed, accessed, communicated, published, or transmitted using such equipment.

Members of Council are not to use information technology for any unauthorized use. However, the following are expressly prohibited:

1. Disseminating offensive or harassing statements, including disparagement of others based on their race, nationality, sex, sexual orientation, age, disability or religious or political beliefs.
2. Disseminating incendiary statements which might incite violence.
3. Disseminating, soliciting or viewing sexually oriented messages or images.
4. Disseminating or printing copyrighted materials in violation of copyright laws.
5. Using a signature line other than Councilperson's own.
6. Accessing data which he or she is not authorized to access.
7. Attempting to disable or compromise the security of information contained on the Village computers or web sites.
8. Misrepresenting personal opinion as official information.
9. Personal or private commercial use of any information technology system.
10. No Member of Council shall place any personal or other unauthorized software on any of the Village's computers, iPads, network or other electronic systems without the express written permission.

All data files produced, viewed, or modified by information technology shall be considered public records unless specifically exempt from mandatory disclosure by applicable state or federal law as determined by the Law Director. Should any employee have any questions as to whether a record or any part thereof is public or not subject to release, the Law Director must be consulted prior to the release of any such record. Information technology based documents and records are subject to review by Village officials with or without notice to the employee.

Occasional personal use of the Village's e-mail system and access to the Internet to which a Village owned computer or iPad has been assigned and for which these services are available may be permitted subject further to the following restrictions:

- < No member of Council shall use the Village's e-mail system or access to the Village, Village Internet connection in violation of subparagraphs 1 through 10 above.
- < No member of Council shall use the Village's e-mail system or access the Village Internet connection for any commercial or private business related purpose.
- < A member of Council receiving unsolicited or "spam" e-mail shall immediately delete the e-mail from their system.
- < A member of Council who violates the personal use portion of this Policy will subject themselves to sanctions as may be determined by a majority vote of all members of Council.

Members of Council who have been assigned laptop computers and/or iPads for their exclusive use at home are permitted personal use of these computers which do not interfere with the use of these computers for Village purposes. Any issues related to the interpretation of this paragraph shall be resolved by a majority vote of all members elected to Council.

**ACKNOWLEDGMENT OF RECEIPT OF TECHNOLOGY USE POLICY**  
**INCLUDING THE USE OF USE OF APPLE IPAD**

As a member of the Council of the Village of Oakwood, I understand that confidentially, the protection of records and the reputation of the Village are of utmost importance. I acknowledge that I have received an Apple iPad and have read, understand and agree to follow the *Technology Use Policy* of the Village of Oakwood in its use.

If I receive a password for access to e-mail, the Internet, voice mail, or any other information technology system, I will use it only for authorized purposes. I agree not to access information which I have not been authorized to access. I will notify the President of Council or the Mayor if I believe that another member of Council may have engaged in unauthorized access to data files or that the integrity of my password has been compromised.

I understand that all information which is created, stored, transmitted or received through information technology systems owned or controlled by the Village is the sole and exclusive property of the Village of Oakwood and is to be used solely for job-related purposes. I further understand that authorized representatives of the Village may monitor the use of the Village's information technology systems to ensure that such use is consistent with the Village's policies and interests. Further, I am aware that the use of an employer-provided password or code does not in any way restrict the Village's right or ability to access electronic communications.

\_\_\_\_\_  
**Printed Name of Member of Council**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

## **TECHNOLOGY USE POLICY (EMPLOYEES)**

The purpose of this policy is to establish guidelines for the use of the various digital and information technology systems which are utilized by certain employees of the Village of Oakwood. Employee access and use of these systems shall require prior approval by the Department Head as well as a signed employee acknowledgment form, indicating that the employee has received a copy of the policies contained in this document.

Information technology, as referenced in this Policy, includes (but is not limited to) the following:

- Computer systems, including hard drives, iPads, laptops and any and all hand held devices
- The Village of Oakwood's local area network
- The Internet
- Electronic mail (both internal and Internet based)
- Village-owned web sites and associated web sites maintained by Oakwood Village
- Telephone based systems (including voice mail)
- Any privately owned information technology system that is utilized on Oakwood Village-owned property is also subject to these policies.

Information technology has a great potential to enhance the productivity and efficiency of those employed by Oakwood Village. At the same time, as with all resources available to employees, abuse is possible. Employees will be held accountable for their use and/or misuse of any Oakwood Village resources, including those which are technologically based.

Village information technology is to be used only and exclusively for official Village business. Any types of private use, solicitation, privately-owned business activities, or activities which could potentially embarrass the Village are strictly forbidden. Oakwood Village employees are advised not to utilize Village information technology to access any newsgroups, chat rooms, or bulletin boards which do not deal with work-related topics. In addition, Oakwood Village employees shall not use information technology for operating a business for personal gain or any other non-authorized personal use.

By using Village information technology the user understands that he or she is waiving any expectation or right to privacy in communications, data files, or any other personal information stored, displayed, accessed, communicated, published, or transmitted using such equipment.

Oakwood Village employees are not to use information technology for any unauthorized use. However, the following are expressly prohibited:



1. Disseminating offensive or harassing statements, including disparagement of others based on their race, nationality, sex, sexual orientation, age, disability, religious or political beliefs or any other legally protected trait emanating incendiary statements which the Village determines in its sole and absolute discretion might incite violence.
2. Disseminating, soliciting or viewing sexually oriented messages or images.
3. Disseminating or printing copyrighted materials in violation of copyright laws.
4. Accessing gambling or betting related sites.
5. Using a signature line other than the employee's own.
6. Accessing data which the employee is unauthorized to access.
7. Attempting to disable or compromise the security of information contained on the Village computers or web sites.
8. Misrepresenting personal opinion as official information.
9. Personal or private commercial use of any information technology system.
10. Placing any personal or other unauthorized software on any Oakwood Village Computer, network or other electronic systems without the express written permission of the employee's Department Head.

All data files produced, viewed, or modified by Village information technology shall be considered public records unless specifically exempt from mandatory disclosure by applicable state or federal law as determined by the Law Director. Should any employee have any questions as to whether a record or any part thereof is public or not subject to release, the Law Director must be consulted prior to the release of any such record. Information technology based documents and records are subject to review by Oakwood Village officials with or without notice to the employee.

A violation of this Policy will subject the employee to disciplinary action, up to and including termination.

Occasional personal use of Oakwood Village's e-mail system and access to the Village Internet connection may be permitted only for those employees to which an Oakwood Village owned computer has been assigned and for which these services are available and subject further to the following restrictions:

- ▶ No employee shall use Oakwood Village's e-mail system access the Village Internet connection in violation of subparagraphs 1 through 10 above.
- ▶ All personal use shall only occur during the employee's lunch period or other authorized break and shall not occur during the employee's normal work periods.
- ▶ No employee shall use the Village's e-mail system or access the Village Internet connection for any commercial or private business related purpose.
- ▶ An employee may lose his or her right to use the Village's e-mail system and access to the Village Internet connection at the discretion of the employee's Department Head and/or the Mayor.
- ▶ Any employee receiving unsolicited or "spam" e-mail shall immediately delete the e-

mail from their system.

- ▶ Any employee who violates the personal use portion of this Policy will subject the employee to disciplinary action, up to and including termination.

Employees and other officials of the Village who have been assigned laptop computers for their exclusive use at home are permitted personal use of these computers which do not interfere with the use of these computers for Village purposes. Any issues related to the interpretation of this paragraph shall be resolved by a majority vote of all members elected to Council.

## **ACKNOWLEDGMENT OF RECEIPT OF TECHNOLOGY USE POLICY**

As an employee of the Village of Oakwood, I understand that confidentially, the protection of records and the reputation of the Village are of utmost importance. I acknowledge that I have read, understand and agree to follow the Technology Use Policy of the Village of Oakwood.

If I receive a password for access to e-mail, the Internet, voice mail, or any other information technology system, I will use it only for authorized purposes and shall keep the password secret and not disclose to others. I agree not to access information which I have not been authorized to access. I will notify my department head or the Mayor if I believe that another person may have engaged in unauthorized access to my data files or that the integrity of my password has been compromised.

I understand that all information which is created, stored, transmitted or received through information technology systems owned or controlled by the Village is the sole and exclusive property of the Village of Oakwood and is to be used solely for job-related purposes. I further understand that authorized representatives of the Village may monitor the use of the Village's information technology systems to ensure that such use is consistent with the Village's policies and interests. Further, I am aware that the use of an employer-provided password or code does not in any way restrict the Village's right or ability to access electronic communications.

I am aware that any violation of Oakwood Village's Technology Use Policy may subject me to disciplinary action, up to and including discharge from employment.

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*Name of Employee*

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*Department Head/Village Representative*

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*Signature*

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*Signature*

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*Date*

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*Date*

## **VEHICLES AND OTHER EQUIPMENT**

- All Oakwood Village vehicles assigned for exclusive individual use by an employee, excluding the Mayor and Police Chief, shall be clearly identified as Village property. Village of Oakwood emblems or decals shall be located on both sides of any such vehicles. It shall be the obligation of the Service Director to arrange for the placement of Oakwood Village emblems or decals on all Oakwood Village vehicles within thirty days of the receipt of such vehicle or the inter-departmental transfer of such vehicle.
- The Mayor and Director of Finance shall require compliance with the Internal Revenue Service rules and regulations relative to vehicles provided by an employer to its employees as set forth in all Internal Revenue Service publications, rules and regulations, including but not limited to Publication 917, and including but not limited to the requirement that personal use of the vehicles be reported and documented for evaluation for income tax purposes.
- The Mayor and any other Village employee to whom an Oakwood Village owned or leased automobile has been issued is hereby authorized and directed to apply for registration of such vehicle under the provisions contained in O.R.C. Section 4503.16 upon the expiration of the vehicle's current registration. This subsection shall not apply to police vehicles used in undercover operations as the same may be approved by Council.
- Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.
- Please notify the Department Head of any equipment, machines, tools, or vehicles that appear to be damaged, defective, or in need of repair. Prompt reporting of damage, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Department Head can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.
- The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations can result in disciplinary action, up to and including termination of employment.
- Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Oakwood Village shall require compliance with all rules and regulations of the Internal Revenue Service with regard to vehicles, property and equipment. Employees must return all Oakwood Village property immediately upon request or upon termination of employment.

## **IN THE EVENT OF A VEHICLE ACCIDENT**

*Call The Police Department immediately even if the accident occurred outside the Village.  
Complete a police report and within 24 hours complete an Oakwood Village incident report.  
You may be required to perform a breathalyzer test.  
Go to Concentra for medical examination  
Report any injuries to your Department Head.*

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## **RECYCLING**

- Oakwood Village supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.
- Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at Oakwood Village:
  - Newspaper
  - Glass
  - Cans
- The simple act of placing a piece of paper, can, or bottle to a recycling container is the first step in reducing demand on the Earth's limited resources. Success of this program depends on active participation by all of us. Employees are encouraged to make a commitment to recycle and be a part of this solution.
- Oakwood Village encourages reducing and, when possible, eliminating the use of disposable products. Source reduction decreases the consumption of valuable resources through such workplace practices as:
  - Posting memos for all employees
  - Two-sided photocopying
  - Reusing paper clips, folders, and binders
  - Reusing packaging material
  - Turning off lights when not in use

- Whenever possible, employees of Oakwood Village are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Buying recycled products supports recycling and increases the markets for recyclable materials.
  - By recycling, Oakwood Village is helping to solve trash disposal and control problems facing all of us today.
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## **CELLULAR/PAGER POLICY**

### **Procedures**

- Employees requesting the issuance of an Oakwood Village issued cellular phone or pager must complete the Cellular Phone/Pager Request and Review form. The request must include a proposed budget to encompass the cost of the cellular phone or pager. If the request is being made after budget adoption, the request must be submitted to the Mayor and copied to Finance Director. The Mayor or his/her designee shall review each request and the requesting employee's Department Head will be notified of approval or denial, with the approval of the recommended budget. Emergency acquisitions shall be determined on a case-by-case basis. It shall be understood that any equipment purchased by Oakwood Village remains the property of Oakwood Village and shall be returned to Oakwood Village when the employee separates from service or when the need for such equipment no longer exists.

### **Issuance of Cellular Phone or Pager**

- Employees issued a cellular phone or pager shall be identified by the Department Manager. Employees assigned a cell phone or pager must complete and sign an acknowledgement form, stating they understand and will comply with the formal cellular/pager policy. The list of users shall be reviewed annually by the Department Manager to ensure the designated employee continues to demonstrate a need for the cellular phone or pager. The Finance Director shall reserve the right to audit/review cellular phone/pager bills.

### **Usage/Reimbursement-Amended**

- From time to time employees may need to use their Oakwood Village-issued cellular phone for personal calls. These calls shall be kept to a minimum. Upon receipt of the monthly cellular phone bill, any billing minutes for personal usage shall be reimbursed by the employee to Oakwood Village through the Finance Department. The personal minutes used shall be divided into the monthly billing charge. When paying by check, the check should be made out to "The Village of Oakwood" not the cellular phone service provider. Payment

reimbursement shall be made within one week of the employee's receipt of notice from the Finance Department.

- An employee's repeated non-compliance with cellular phone policy and failure to remain within the allotted minutes, costs, etc. shall result in progressive discipline and may result in loss of cellular and/or paging equipment. Any detected abuse or misuse will result in corrective disciplinary action.
- Oakwood Village will not pay for roaming charges, long distance charges, costs for calling directory assistance, web usage and download fees, and other charges above and beyond the regular monthly service charge.
- Unless utilizing a "hands free" speakerphone option, employees should stop their vehicle as soon as safely possible prior to making a call or sending or reading a text message on a cellular phone. This prohibition will help ensure the safety of employees while reducing government liability in case of an accident.

#### **Service/Maintenance of Cellular Phones**

- If a cellular phone needs servicing, contact Support Services. If a cellular phone is lost or stolen, the Finance Department shall be notified immediately and prior to contacting the phone supplier.

#### **Service/Maintenance of Pagers**

- If a pager needs service, contact the supplier. If a pager is lost or stolen, the Finance Department must be notified immediately and prior to contacting the supplier.

#### **Use of Personal Cellular Phones/Pagers**

- On occasion, employees who do not have City issued cellular phones may find it necessary to use their personal cellular phone to make business calls. These calls are eligible for reimbursement by the Village to the employee, provided there is no other option available (i.e., there is no pay phone, hotel phone, or home phone to use). Use of employee's personal cellular phone is discouraged, due to the higher costs associated with cellular phone usage versus the standard phone. Requests for reimbursement shall be made through the petty cash or check request process with copy of the monthly phone bill attached and the business calls highlighted.
- Employees who privately purchase cellular phones and/or pagers shall not include the Village as co-owner or as co-lessee. A governmental rate shall not be used for these phones.





**ACKNOWLEDGMENT OF RECEIPT OF VILLAGE OF OAKWOOD  
CELLULAR/PAGER POLICY**

**Employee Statement of Understanding**

I, \_\_\_\_\_, understand that I have been chosen to receive a Village of Oakwood cell phone. I have read and understand the Village of Oakwood Cellular/Pager Policy. As such, I also understand that I may be accountable for any and all charges incurred by cell phone usage above and beyond the contractual monthly limits of the cell phone plan. I understand that I may be accountable for any of the following additional charges:

- Lost, stolen, or damaged cell phone equipment;
- Exceeding the amount of peak minutes allowed under the cell phone plan;
- Exceeding the amount of off-peak minutes allowed under the cell phone plan;
- Calling directory assistance;
- Any roaming charges;
- Long distance charges;
- Web usage and download fees;
- Any other charges above and beyond the regular monthly service charge established by the Cell phone provider contract.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date Signed

## VILLAGE OF OAKWOOD CELLULAR/PAGER POLICY INVENTORY RECEIPT

I, \_\_\_\_\_, received the following cellular phone equipment. Furthermore, I understand that the following equipment must be returned at the request of the Mayor or my Department Head and/or on the date my employment ends with The Village of Oakwood.

Phone: \_\_\_\_\_

Wall charger: \_\_\_\_ yes \_\_\_\_ no

Car Charger: \_\_\_\_ yes \_\_\_\_ no

Additional Equipment: \_\_\_\_ yes (list) \_\_\_\_ no

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\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date Signed

## VILLAGE OF OAKWOOD CREDIT CARD POLICY

The purpose of this Credit Card Policy is to facilitate purchases necessary for the operation of the Village of Oakwood, lodging and/or travel to or from approved Village functions, and to facilitate other necessary transactions where use of a credit card would expedite the transaction in an efficient manner. This policy is meant to comply with the mandates of Sub HB 312 enacted by the 132<sup>nd</sup> General Assembly

### POLICIES

- 1. Procedure for acquiring, using, managing and cancelling accounts.** The Mayor and/or Finance Director have the exclusive authority to open, re-open, and/or cancel any credit card accounts. The Finance Director shall be responsible for the management of all credit card accounts including acquisition, issuance, accounting, monitoring, cancellation and retrieval of credit cards, and general oversight of compliance with this Credit Card Policy. The Finance Director shall report and Council shall review on a quarterly basis the number of cards and accounts issued, the number of active cards and accounts issued and the cards' and accounts' expiration dates and credit limits. The Finance Director shall further file a report to Council on an annual basis detailing all rewards received based on the use of Village credit cards.
- 2. Name on accounts.** All credit card accounts shall be in the name of the "Village of Oakwood, Ohio". All cards, checks, statements and other instruments related to the account shall bear the name of the "Village of Oakwood, Ohio".
- 3. Positions authorized to use credit card.** Credit card transactions made on behalf of the Village may be made by Village officials or employees authorized to do so by the Mayor and/or Finance Director. Those officials or employees who may be authorized to have custody of Village credit cards are:

Name	Issuer	Limit
Mayor	Huntington Bank	\$10,000.00
Chief of Police	Huntington Bank	\$5,000.00
Recreation Director	Huntington Bank	\$5,000.00
Chief Building Official	Huntington Bank	\$5,000.00
Finance Director	Huntington Bank	\$40,000.00

	Home Depot	\$10,000.00
	Tractor Supply Co.	\$3,000.00
	Circle K-Wex-Gas	\$2,200.00
	Sam's Club	\$40,000.00
Service Director	Home Depot	\$5,000.00
Service Dept. Foreman	Home Depot	\$5,000.00
	Sam's Club	\$5,000.00
Fire Chief	Sam's Club	\$5,000.00
	Home Depot	\$5,000.00

4. **Credit account maximum limits.** All Village credit accounts have a maximum limit of \$40,000.00 or less.
5. **Responsibility of officials and employees.** Officials or employees to whom credit cards are entrusted for Village purchases shall be responsible for the protection and custody of the credit card while in his/her possession. Officials and employees shall not knowingly post or otherwise make publicly available credit card data that could potentially result in fraud or unauthorized charges.
6. **Lost or stolen credit cards.** Any official or employee who has reason to believe that a Village credit card has been lost or stolen shall immediately report that fact to the Finance Director who shall immediately contact the issuer of the card and cancel or suspend authorization of purchases on the card. The Finance Director shall document the date, time, method of contact and all other pertinent details concerning the contact with the card issuer.
7. **Authorized expenses.** Credit cards may be utilized only for purchases related to the official business and activities of the Village of Oakwood.
8. **Authorized vendor or merchants.** Credit Cards may be used for any authorized Village purchase where the vendor or merchant accepts credit card payments except as otherwise prohibited in this Credit Card Policy.
9. **Procedure for use of credit card.**
  - a. All credit cards set forth in Section 3 above shall be maintained in the custody of the person listed. All persons having custody of or using a Village credit card shall complete and return to the Finance Director the Credit Cardholder Agreement attached hereto as Exhibit 1 prior to using the card.

- b. A Purchase Requisition and/or Purchase Order must be completed and approved by the Department Director, Finance Director and/or Mayor before the purchase of any goods or services. The Finance Director shall review and recommend approval or denial of credit card invoices prior to any purchase made on behalf of the Village.
- c. If an official or employee experiences denials when using a Village credit card, the official or employee shall notify the Finance Director as soon as possible with details of the denial. Such details shall include, but not be limited to, the vendor or merchant name and the date, time and details of the transaction, including dollar amount of the transaction. The Finance Director shall investigate the denial.

**10. Procedure for submitting itemized receipts to the Finance Director.** Documentation detailing the goods or services purchased with Village credit cards shall be required for all transactions. At no time shall the Village approve payment of credit card invoices without adequate documentation. Any official or employee who uses a credit card must obtain an itemized receipt for each transaction. The itemized receipt shall detail the goods or services purchased, the costs of the goods or services purchased, the date of the purchase and the official business for which the goods or services were purchased. Adequate documentation shall consist of, but not be limited to, original sales receipts, credit slips, etc. All documentation of credit card purchases shall be submitted to the Finance Director.

**11. Procedure for using credit cards.** Credit card transactions are hereby authorized for the following methods of acquisition:

- a. In person: the official or employee shall present the credit card for the purchase of goods or services. The official or employee shall obtain a receipt for all purchases and credits and shall submit the receipt to the Finance Director for reconciliation with the previously submitted purchase requisition/purchase order.
- b. Via telephone or mail order: the employee shall provide the vendor or merchant with the credit card number, expiration date and other pertinent data necessary to complete the transaction. The employee shall take necessary precautions to ensure that the transaction is valid prior to providing pertinent credit card data. The employee shall properly document the transaction with a purchase requisition/purchase order and submit this documentation to the Finance Director for reconciliation with the credit card invoice.
- c. Via the internet: the employee shall provide the vendor or merchant with the credit card number, expiration date, and other pertinent data necessary to complete the transaction. The employee shall take necessary precautions to ensure that the transaction is valid prior to providing pertinent credit card data. The employee shall properly document the transaction with a purchase

requisition/purchase order and submit this documentation to the Finance Director for reconciliation with the credit card invoice.

**12. Unauthorized expenses.** Village credit cards shall be used only for authorized purchases for the benefit of the Village. Village credit cards shall not be used for personal purchases, cash advances of any type or other merchant category exclusions. Merchant category exclusions include, but are not limited to:

- a) Alcohol and tobacco
- b) Entertainment that is not authorized in advance and/or does not have a business purpose benefitting the Village
- c) Controlled substances requiring a DEA license
- d) Employee relocation and relocation-related expenses
- e) Purchases that involve signing an agreement, license, or contract including, but not limited to, leases
- f) Long term rentals (1 year or longer).
- g) Contracted or personal service providers - specific to unincorporated 1099 service providers (e.g., photographic studios, dry cleaners, physicians, medical labs, auto towing or repair, etc.).
- h) Weapons or ammunition
- i) Donations
- j) Fuel for a privately-owned vehicle or aircraft

**13. Credit card benefits.** All rewards or benefits derived from the use of Village credit cards shall be the property of the Village.

**14. Actions or omissions that qualify as misuse of a credit card.** The following constitutes misuse of a credit card:

- 1. The use of a credit for any Unauthorized Expense described in Section 12 hereinabove or elsewhere in this policy.
- 2. Failure to obtain a purchase order before the card is utilized.
- 3. Use of a credit card by an individual other than those described in Section 2 of this policy or their designees.
- 4. Failure to present itemized receipts to the Finance Director in accordance with Section 10 of this policy.

5. Use of credit card to receive cash advances.
6. Use of cash back or in-store credits for any refunds or exchanges for personal use. Such amounts must be credited to the credit card account. If a supplier mistakenly issues a refund check, it must be submitted to the Finance Director within five days of receipt.
7. Purchases that violate Village policy restricting business transactions that may be perceived as a conflict of interest, for example purchases from a business in which the official or employee using the card has a financial or other interest posing a conflict under State or local law.

**15. Disciplinary action/liability for failing to present itemized receipts.** Any employee of the Village who violates the provisions of the Credit Card Policy shall be subject to disciplinary action up to and including discharge and/or civil or criminal action. Any officer or employee who fails to provide itemized receipts for purchases on any Village credit card is liable in person and upon any bond he or she has given to reimburse the Village for which itemized receipts are not presented.

**16. Surrender of credit card.** Employees having possession of Village credit cards shall immediately surrender them upon termination of employment or layoff from active work status.

## **VILLAGE OF OAKWOOD CREDIT CARDHOLDER AGREEMENT**

### **Requirements for use of a Village Credit Card:**

- 1. The credit card is to be used only to make purchases at the request of, and for the legitimate business benefit of the Village of Oakwood, Ohio.**
- 2. The credit card must be used in accordance with the Village's Credit Card Policy.**

**Violations of these requirements may result in revocation of use privileges. Employees found to have inappropriately used the credit card will be required to reimburse the Village for all costs associated with such improper use through direct payment or payroll deduction. Disciplinary action(s) may be taken, up to and including termination of employment. The Village will investigate and commence criminal and/or civil prosecution against any employee found to have misused the credit card or who violates any provision of the Credit Card Policy.**

**Credit Card Account Number:**

**Received by:** \_\_\_\_\_  
**Name of Employee (Please Print)**

**I acknowledge receipt of the Village of Oakwood Credit Card Policy and agree to abide by said Policy.**

**Signature:**

\_\_\_\_\_

**Date:** \_\_\_\_\_

*(For Finance Department Use Only)*

**Credit Card Returned**

**Authorized Signature:**

\_\_\_\_\_

**Date:** \_\_\_\_\_



## **TRAVEL & LODGING POLICY**

### **General**

- It is required that employees/elected officials obtain pre-approval for estimated travel expenses by submitting an authorization form to the Department Head or Council President (in the case of elected officials or the Clerk of Council) first and then forward to the Finance Director. Doing so will help to determine the most appropriate means of payment (e.g., credit card or receipt-based reimbursement). Employees/elected officials should exercise the same care in incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds.
- Employees/elected officials should take full advantage of deadlines and discounts offered for seminars, conferences and travel. Should an employee/elected official fail to register in a timely manner and a price change takes effect, it shall be the responsibility of the employee/elected official to pay difference.
- Employees/elected officials will be held responsible for unauthorized costs and additional expenses incurred for personal preference or convenience. Employees should always ask about an expense before incurring it.
- Employees/elected officials must substantiate travel expenses with original receipts. Employees are responsible for expenses above and beyond any specified per diem allowances.
- A list and corresponding description of any unauthorized expenses (e.g., alcohol, movies, supplemental insurance on rental cars, or fines for traffic violations) shall be submitted with the request for reimbursement. Expenses related to entertaining a guest are sometimes reimbursable with prior approval from the Mayor or President of Council.
- This policy does not intend to address every issue, exception, or contingency that may arise during the course of travel.

### **Transportation**

- **Any full-time, part-time and special employee who is required to use a personal vehicle in the performance of such employee's municipal duties, other than transportation to and from the employee's place of work, shall be reimbursed therefore at the standard mileage rate issued by the Internal Revenue Service in effect on the date of travel, upon submission to the Finance Director of a record indicating the date, time and purpose of such use and the number of miles driven.**

- The use of air, train, bus, or private vehicle shall be selected on the basis of the most reasonable and appropriate method taking into account distance, time, and total costs.
- Government-owned vehicles are to be used in place of private vehicles whenever practical. Employees traveling to the same location in a government-owned vehicle are required to carpool to the same function. Traveling in a vehicle out-of-state should be discussed prior to travel due to liability issues.
- Employees may use a private vehicle only if the owner is insured under a liability policy that complies with the Ohio Revised Code.
- The employee/elected official operating a motor vehicle for travel on Village business must maintain a valid driver's license.
- Employees that use a government vehicle must notify Oakwood Village if they have been cited for any traffic violations or if their driver's license has been suspended, revoked or subjected to any driving restrictions. Additionally, the Village of Oakwood will annually check to determine if new traffic violations (particularly DUI, reckless operation, etc.) have been committed by the employee during the year. Employees or officials operating Village vehicles shall be required to execute any necessary documents consenting to checks of their driving records.
- An employee/elected official is permitted to rent an automobile for travel provided reasonable justification can be given for the use of a rental car. If more than one employee is attending the same event, the employees are required to car pool. Elected officials should be encouraged to do the same if at all possible. Reimbursements for rental cars are authorized only if their use is more economical than any other type of transportation.
  - The mileage for travel should not exceed the cost of one reasonably-priced airline ticket to the destination.
  - Any gasoline, damages, needed service, or repairs to private vehicles are the responsibility of the employee, as these costs are included in their per mile cost reimbursement.
  - Travelers shall be reimbursed for parking or taxi fares.
- Due to ethics laws, employees and elected officials are prohibited from receiving any benefits, such as airlines miles or other rewards, for travel related to Oakwood Village business.

## **Lodging**

- Overnight lodging is only reimbursable outside 100 miles or 2 hours' travel time from the employee's residence or Village Hall.

- Travelers should request and accept a single room at the government rate, if available.
- Oakwood Village shall pay for the cost of lodging in the motel/hotel for the days necessary to conduct Village business only. Should extensive travel time be required Oakwood Village will reimburse the employee for the cost of the evening prior to the day of the event. Whenever the lodging is at the discretion of the official or employee and a choice of hotels is given, the Finance Director, prior to registration, shall approve the lodging. If a seminar is held at a hotel, the employee/elected official should make all attempts to reserve a room within that same hotel or a hotel within walking distance.
- Provisions detailing the types of reasonable miscellaneous expenses that will be required during extended period of travel (e.g. not reimbursable are dry cleaning, laundry services, and personal telephone calls) should be reviewed by the Finance Department prior to travel. Receipts are required for miscellaneous expenses in excess of \$1.00.
- Due to ethics requirements, employees and elected officials are prohibited from receiving rewards, such as points or frequent visitor stays, as a result of hotel rooms used during official Village travel.

### **Meals**

- Employees are only entitled to reimbursement for reasonable meal expenses incurred during an overnight stay or on official business 20 miles or more outside Oakwood Village limits, and such reimbursement requires receipts.
- Allowance for meals shall be based on per diem rate as provided for by the appropriate Internal Revenue Service (IRS) Rule or Regulation. If a seminar/conference includes meals (i.e., lunch) the per diem meal rate will be reduced accordingly. Meal payments are limited to breakfast, lunch and dinner.
- Gratuities allowance is 15 percent of the purchase meal. Anything over and above shall be the employees/elected officials responsibility.
- Alcohol expenditures will not be reimbursed.

### **Travel and Lodging Reservations**

- Authorized hotel and travel accommodations shall be paid for by Oakwood Village.

### **Travel Expense Report**

- Employees/elected officials are responsible for completing an expense voucher which should be obtained prior to attending a conference. Officials and employees must list all expenses incurred. Meals and miscellaneous expenses shall be the responsibility of the employee/elected official and shall be reimbursed provided all receipts are presented within

30 days upon return of seminar/conference. Reimbursements shall be based on the *IRS Publication 1542 Per Diem Rates* (within the Continental United States) for travel, meals and incidentals.

- All expenses claimed must be documented by receipts. Employees/elected officials shall not be permitted to register for future conferences they have submitted expense vouchers.

### **Seminar/Conference & Travel Assignment; Cancellations**

- When making reservations for a conference, please review cancellation policy thoroughly.
  - Understanding a cancellation policy is extremely important in the event unforeseen circumstances arise that requires an employee/elected official to cancel. Not understanding the cancellation terms could result in denial of a refund. If the employee/elected official fails to take proper steps to cancel a seminar/conference in a timely matter, and Oakwood Village is denied a refund, the employee must refund Oakwood Village the entire unrefunded cost for the seminar, lodging, travel and other expenses. Therefore, to prevent conflict in scheduling, plan ahead. Emergency cancellations made after cancellation deadline shall be reviewed on case by case basis.
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## **EMPLOYMENT TERMINATION**

- Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. While your employment shall at all times be and remain at will, meaning that either you or Oakwood Village are free to terminate the employment relationship at any time or for any reason with or without cause or prior notice, below are examples of some of the most common circumstances under which employment is terminated:

**Resignation** – voluntary employment termination initiated by an employee.

**Discharge** – involuntary employment termination initiated by Oakwood Village.

**Retirement** - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from Oakwood Village.

- Oakwood Village will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity for discussion of issues such as employee benefits, conversion privileges, repayment of outstanding debts to Oakwood Village, or return of Oakwood Village owned property. Suggestions, complaints, and questions may also be voiced.
- Since employment with Oakwood Village is based on mutual consent, both the employee and Oakwood Village have the right to terminate employment at any time, with or without cause,

consistent with applicable laws. All employees will receive their final pay in accordance with applicable state law and Village ordinance.

- Employee benefits will be affected by employment termination in the following manner:
  - All accrued, vested benefits that are due and payable at termination will be paid as provided by law.
  - Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

### **Resignation Procedure**

- Although advance notice of resignation is not required, Oakwood Village requests written notice of resignation from nonexempt employees to be given at least two weeks before the effective date of resignation (excluding leave days). Oakwood Village requests that exempt employees give written notice of resignation at least four weeks before the effective date of resignation (excluding leave days).
  - If an employee does not provide advance notice as requested, the employee may be considered ineligible for rehire.
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## **SECURITY INSPECTIONS**

- Oakwood Village wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other illicit materials. To this end, Oakwood Village prohibits the possession, transfer, sale, or use of such materials on its premises. Oakwood Village requires the cooperation of all employees in administering this policy.
  - In accordance with state law, employees with a valid state issued concealed carry permit are permitted to store weapons or ammunition in their personal vehicles. Such items must be stored in a locked compartment in accordance with state law, and are not to be removed from the employee's vehicle while on Oakwood Village's premises. Firearms may not be stored or carried in Oakwood Village owned vehicles, or carried by employees in the course of their duties unless specifically authorized by the Mayor.
  - Desks, lockers, credenzas and other storage devices may be provided for the convenience of employees but remain the sole property of Oakwood Village. Accordingly, they, as well as any articles found within them, may be inspected by any agent or representative of Oakwood Village at any time, either with or without prior notice.
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## DRUG AND ALCOHOL USE

- It is Oakwood Village's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.
- While on Oakwood Village premises and while conducting business-related activities off Oakwood Village premises, no employee may use, manufacture, possess, distribute, dispense, sell, or be under the influence of alcohol or illegal drugs. The illegal use of drugs includes the use of legally prescribed drugs in any manner other than pursuant to and consistent with a valid prescription issued to that individual by a licensed care provider. Adherence to the provisions of this section of this handbook is an express condition to employment with Oakwood Village. Any violation of this policy will lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation of treatment program.
- Any employee who, during the time of his or her employment with Oakwood Village, is convicted of a criminal statute or ordinance of any jurisdiction relating to drugs or alcohol is obligated to notify his or her Department Head of the conviction no later than 5 days after having been convicted. Such employee shall be required to successfully undergo substance abuse treatment within 30 days of the conviction and may be subject to other sanctions and disciplinary action, up to and including termination of employment. For purposes of this policy, "conviction" means a finding of guilt (including after a plea of *nolo contendere*) by any judicial body charged with the responsibility to determine violations of Federal or State criminal drug statutes.
- The legal use of over-the-counter and prescribed drugs is permitted on the job only if it does not impair an employee's judgment, behavior, safety or ability to perform the essential functions of the job effectively and in a manner that does not endanger other individuals in the workplace. It is the employee's responsibility to immediately inform his or her Department Head in writing when the employee begins to use a prescribed medication which may cause such impairment. For the safety of all employees, the Department Head shall consult with the Mayor, the employee and the employee's physician to determine whether a temporary reassignment of duties is warranted. The Mayor will attempt to accommodate the employee's needs through appropriate reassignment, if necessary. In the event an appropriate reassignment is not possible, the employee will be allowed to use his or her sick leave or, if the employee has no available sick leave, he or she will be allowed unpaid medical leave. The employee's physician must determine that the employee is fit for duty either with or without a reasonable accommodation before the employee will be allowed to return to work.
- Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid medical leave to participate in a rehabilitation or treatment program. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all Oakwood Village policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not

cause Oakwood Village undue hardship. Within one year after being reinstated after the unpaid medical leave, the employee will be subject to three tests for drugs and/or alcohol without prior notice. Two of the three tests shall occur within the first six months after the employee returns to employment, and the third will occur in the second six month period. A positive test result or a refusal to submit to testing shall result in discipline of the employee, up to and including termination.

- Employees with questions or concerns about substance dependency or abuse may wish to discuss these matters with their Department Head or the Mayor to receive assistance or referrals to appropriate resources in the community. Employees with questions on this policy or issues related to drug or alcohol use in the workplace may raise their concerns with their Department Head or the Mayor without fear of reprisal.
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### **DRUG TESTING**

- Oakwood Village is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. Therefore employees are prohibited from engaging in the illegal use of drugs or using alcohol while at work.
- To help ensure a safe and healthful working environment, employees may be asked to provide body substance samples (such as urine and/or blood) to determine the illegal use of drugs. This testing shall be conducted where the Department Head, Mayor or other supervisor reasonably suspect the use of alcohol or illegal use of drugs at work. Reasonable suspicion may arise where while on the Village Hall premises or while away from the premises on a business related matter: (a) the employee is involved in a work related accident, (b) the employee causes the destruction of or substantial damage to property of the Village of Oakwood, (c) the employee is involved in a fight or physical altercation, or (d) there exists some other, valid, documented cause to believe that the employee is using unlawful drugs or alcohol at work or that the employee's judgment, behavior, safety or performance is being affected by the influence of drugs or alcohol.
- The employee shall be paid for the time expended during the testing procedure, provided the amount of time is not materially increased because of the employee's lack of cooperation or some other fault of the employee. Refusal to submit to drug testing will result in disciplinary action, up to and including termination of employment.
- It is anticipated that an appropriate, reliable drug test will be administered at the Bedford Medical Center – University Hospitals Health System, with analysis done by a laboratory certified by the National Institute on Drug Abuse. It is anticipated that an appropriate Blood Alcohol Content Test will be administered and analyzed at the same facility. In certain circumstances however, testing may be conducted at any reputable facility capable of administering the test.

- Prior to the giving of the blood, urine, or breath sample, the employee shall execute a consent form and any other form requested by the facility personnel. Although facility personnel will have a right to administer the urine drug and alcohol tests in a manner which will detect tampering or substitution, the employee's right to privacy is assured. If requested by the facility personnel, the employee will provide additional blood, urine, and/or breath samples as requested.
- If a breath sample or blood sample is tested for alcohol and the sample tests in excess of the established limits, the employee shall have the right (1) immediately to have an additional breath sample or blood sample tested at the facility, or (2) within one hour to have a breath sample tested by another accredited testing facility at the employee's cost.
- Copies of the drug testing policy will be provided to all employees. Employees will be asked to sign an acknowledgment form indicating that they have received a copy of the drug testing policy. Questions concerning this policy or its administration shall be addressed, in writing, to the Mayor.
- None of the provisions in this policy or any other policy contained in this handbook is intended to alter the at will employment relationship, consistent with Oakwood Village procedures and applicable laws.



## **THE VILLAGE OF OAKWOOD DRUG POLICY ACKNOWLEDGMENT FORM**

I have received and reviewed the drug and alcohol use policy and the drug testing policy provided by Oakwood Village. I understand that any violation of the policies will result in discipline, up to and including termination of employment. I also understand that Oakwood Village may require that I successfully complete a substance abuse program.

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Employee's Signature

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Date

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Signature of Department Head or Mayor

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Date