

# ***CITY OF BAY VILLAGE***



## ***Employee Handbook***

## ACKNOWLEDGEMENT

I have been presented with the City of Bay Village Employee Handbook. I have read and reviewed and generally understand the policies and procedures contained in this Handbook, and further understand that the provisions contained in this Handbook are subject to change without notice. I also understand that this Handbook is not to be viewed as an employee/employer contract. The City reserves the right to exercise management rights in administering the rules, policies and procedures contained in this Handbook. As changes occur, the Human Resources Administrator will maintain the Handbook, and will distribute updates and clarifications as needed to ensure that the Handbook remains current and accurate, and consistent with various local, state and federal laws.

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EMPLOYEE SIGNATURE

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EMPLOYEE NAME (PLEASE PRINT)

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DATE

This handbook does not create a contract, either expressed or implied, between the City of Bay Village and any or all of its employees. Its purpose is for general information and guidance of its employees. Provisions of this handbook are subject to change due to union negotiations, charter revisions, et cetera.

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Dear Employee:

Whether you are a new or more experienced Bay Village team member, our employees are our most important assets. We all work together to provide critical services for our 16,000 residents. The mission of the City of Bay Village is to continue our heritage as a desirable lakefront community by preserving and enhancing our quality of life, natural surroundings and residential character, strengthening our business environment, and striving to provide superior services in a fiscally responsible manner.

Our Vision Statement is:

To preserve and maintain Cahoon Park and Bay Village's unique history.

To protect and serve our residents through highly trained and professional safety forces.

To continue to upgrade our commercial districts and office buildings to better serve our residents while strengthening the tax base.

To encourage diverse housing options to meet the demands of a changing population.

To maintain and improve the city's pedestrian-friendly infrastructure and parks.

To support our high-quality schools, both public and private.

To enhance the quality of life for our residents through programs and facilities designed for residents of all ages.

To preserve and enhance recreational access to Lake Erie.

To look for partnering opportunities as a means to enhance and supplement our services and programs in a cost effective manner.

To serve our residents to the best of our ability with kindness, courtesy and professionalism and in a transparent, open manner.

Please join me in working together to fulfill our mission and vision statements on behalf of the residents of Bay Village.

I have an open door policy and will make myself available to you, should you have any issues you wish to discuss. I look forward to a long and happy partnership with you in serving the residents of the City of Bay Village.

Sincerely,

Mayor Debbie Sutherland

## HISTORY & BACKGROUND OF THE CITY

The City of Bay Village was first settled by Joseph Cahoon in 1810 as part of the original Dover Township. The Cahoon family barn built in 1882 was converted to a community center and is still in use today. In 1917, the last Cahoon descendant died leaving the family home and 115 acres of land to the City. The home is now the Rose Hill Museum and the land is now the Cahoon Memorial Park. John Huntington, one of the original partners in the Standard Oil Company, donated his summer estate to the Cleveland Metroparks. This park area in the center of town houses the Lake Erie Nature and Science Center, the Huntington Playhouse, Baycrafters and Huntington Beach. The combination of these two park lands located in the center of town provide residents with an abundance of recreational opportunities year round and give Bay Village a truly unique quality of life.

Bay Township split from Dover Township in 1901, becoming the Hamlet of Bay. In 1903, the Village of Bay was incorporated and the first Mayor and Council were elected. The original City Hall was built in 1914 and has since had two additions. Bay Village became a City on January 1, 1950 having reached a population of 6,917 residents. The Mayor and Council now serve a population of over 16,000 residents.

Our City campus is made up of City Hall, home to the offices of the Mayor, the Law, Finance, Building, Planning and Engineering Departments as well as the Clerk of Council. Bayway Cabin is home to the Recreation Department. The Dwyer Memorial Senior Center houses the Department of Community Services as well as all senior programs. The City campus is rounded out with a state of the art playground, ball fields, tennis courts, basketball courts and a new aquatic facility. The Fire and Police Stations are located on Wolf Road just a few blocks from City Hall. Our Service Department is housed at 31300 Naigle Road. The City of Bay Village employs approximately 120 full-time employees.

## **DISCLAIMER**

This Employee Handbook is presented for your general information and guidance only, and contains a summary of current guidelines for employees of the City of Bay Village. These guidelines are supplemented by various local, state and federal regulations, and the employee is strongly urged to seek out those other resources regarding specific provisions as needed for clarification. These policies and procedures update, supercede, replace or supplement any former letters, directives, or memoranda issued by City employees to the extent that those previous directives conflict with any statements contained herein. This handbook is not intended to be an expressed or implied contract of employment. No representative of the City, other than the Mayor, has the authority to enter into any agreement for any specified period of time or to make any promises regarding employment, and such agreements or promises must be in writing and properly signed by the Mayor and/or adopted by City Council, if required, to be valid. The content of this handbook may be changed at any time, for any reason, without any prior notice by the Mayor of the City of Bay Village.

Employees will be provided with a copy of the Employee Handbook and will sign an acknowledgment form to indicate their receipt of the Handbook.

### **PERSONNEL COMMITTEE:**

**Mayor**

**Law Director**

**Finance Director**

**Asst. Finance Director**

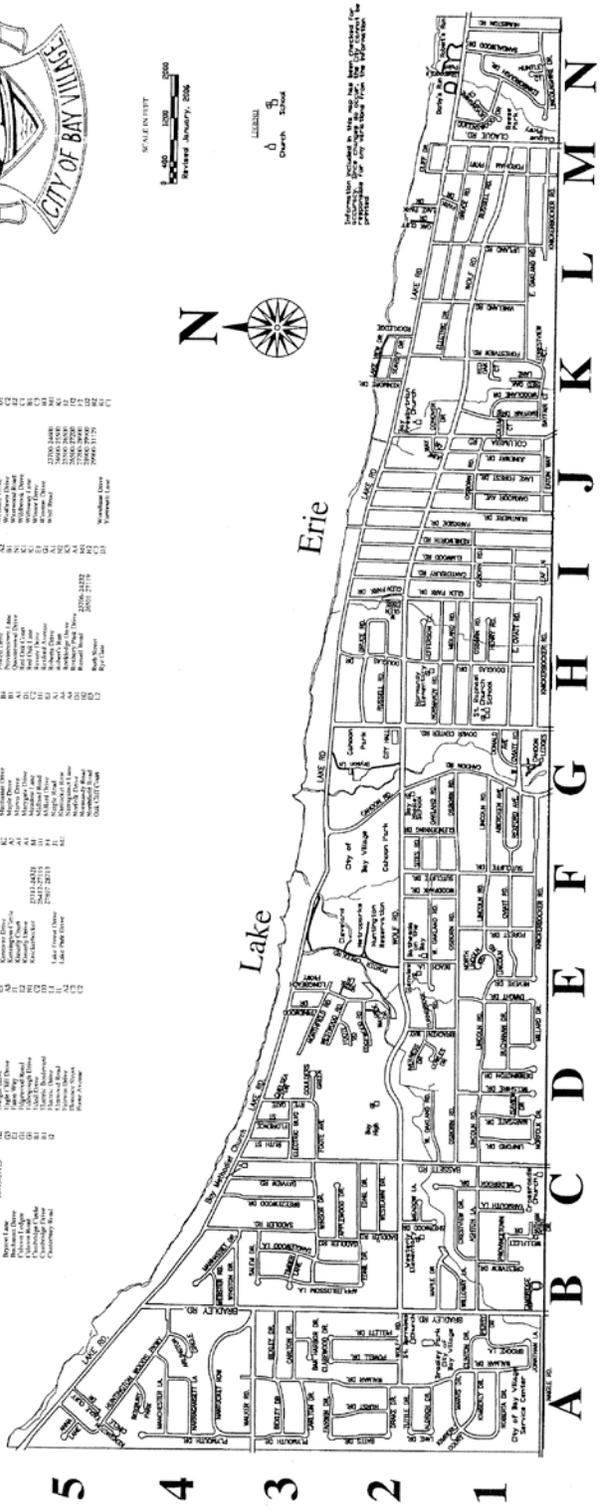
# Street Guide



Section	Address	Section	Address
5	10000 Lakeside Blvd	1	10000 Lakeside Blvd
4	9000 Lakeside Blvd	2	9000 Lakeside Blvd
3	8000 Lakeside Blvd	3	8000 Lakeside Blvd
2	7000 Lakeside Blvd	4	7000 Lakeside Blvd
1	6000 Lakeside Blvd	5	6000 Lakeside Blvd

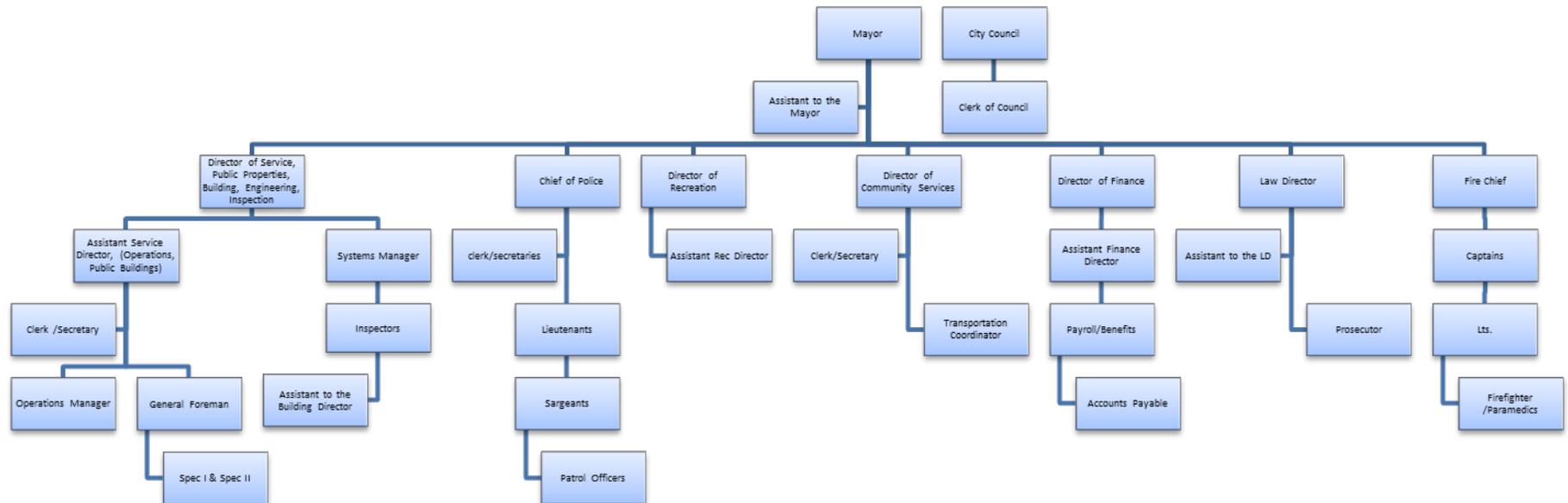


Information published in this map is for general information only. The City of Bay Village is not responsible for any errors or omissions. The City of Bay Village is not responsible for any damages or injuries resulting from the use of this map.



# CITY OF BAY VILLAGE ORGANIZATIONAL CHART

Citizens of Bay Village



## DEFINITIONS

Certain words and phrases used in this handbook may be unfamiliar to a new employee who has not worked in a municipal government setting. Also, this list of definitions includes some standard employment terms that may be helpful to you in understanding your work and position with the City of Bay Village.

Anniversary Date: - The date the employee first reports to work. Anniversary date is used for purposes of calculating entitlement to vacation and longevity.

Appointed Employee: This is an employee who is appointed to their position by the Mayor and whose employment status is at the discretion of the Mayor.

Bargaining Unit Employee: An employee who has a position represented by a bargaining unit, employee association or a labor union.

Charter - The self-governing document first adopted in 1949, which is reviewed every ten (10) years by a Charter commission appointed by City Council, and which sets forth the form and structure of the City's government.

City - Means the City of Bay Village, Ohio.

Classified Employee - This is an employee who is appointed to their position by the Mayor and is covered by the Civil Service Rules and Regulations of the City of Bay Village.

Continuous Service - The uninterrupted service of an employee with the City.

Day - Means a calendar day unless specified otherwise.

Employee, Exempt: An employee who is exempt from the overtime provisions of the Federal Fair Labor Standards Act and is not eligible to receive overtime pay.

Employee, Non-Exempt: An employee who is not exempt from the overtime provisions of the Fair Labor Standards Act and is eligible to receive overtime pay.

Employee, Regular Full-Time - A clerk/secretary employee who works an average of thirty-five (35) hours per week and one thousand eight hundred twenty

hours (1820) annually, and all other employees who work on average forty (40) hours per week and two thousand eighty (2080) hours annually.

Employee, Regular Part-Time - An employee who works less than an average of thirty-five (35) hours per week.

Employee, Seasonal: An employee hired for a defined and temporary period of time.

Excused Absence - Employees should consult their supervisors about specific departmental procedures for reporting an unplanned absence from work. Requests for paid sick leave must be approved by the Safety-Service Director or the Mayor.

Probationary Period: A working test period during which a probationary employee is required to demonstrate his/her fitness for the duties to which he/she is appointed by actual performance of the duties of the position. Probationary periods vary in length of time across departments and are set by the collective bargaining agreement or by administrative decision.

Seniority Date: The actual hire date of the employee for those employees in bargaining units.

## GENERAL EMPLOYMENT POLICIES

### **EQUAL EMPLOYMENT OPPORTUNITY**

In accordance with Chapter 151.16 of the City's Codified Ordinance, the City of Bay Village is an equal opportunity employer. The City's Equal Employment Opportunity policy was established to insure that all actions taken regarding employees, including but not limited to recruitment, placement, promotion, compensation, benefits, training, transfers, layoffs, and recalls are non-discriminatory and are based upon individual merit, ability, and performance. All personnel actions and conditions of employment are administered without regard to race, color, religion, national origin, age, sex, disability, veteran status, citizenship status, or sexual orientation.

The Mayor has responsibility for administration of this policy. Any employee who has a concern regarding the City's equal opportunity practices should immediately contact his/her supervisor or the Mayor's office, even if the employee has directly confronted the parties involved. If a bargaining unit represents the employee, the employee should also contact his/her union representative. The employee should provide as much information as possible regarding the complaint, including dates, times, persons involved and the specific nature of the incident. The employee is strongly urged to present the complaint in writing.

The City will investigate all complaints of any discrimination and the results of the investigation will be reported to the complaining party. Investigation of a discrimination complaint may include interviewing relevant parties to the complaint, including other employees, customers, citizens and contractors. The City will make every effort to be sensitive to privacy issues; however, it may be necessary in the course of the investigation to discuss relevant information with appropriate parties on a need-to-know basis.

The City strictly prohibits retaliation against an employee who complains of any discrimination. The City is committed to investigating and correcting any form of discrimination taking place in the workplace, and will make every effort to maintain a working environment that is free of discrimination.

#### **SEXUAL AND OTHER UNLAWFUL HARASSMENT**

The City is committed to providing a productive work environment that is free of discrimination and unlawful harassment, and will not permit verbal or physical conduct by any employee that harasses, disrupts or interferes with another's work performance, or job opportunities or that creates an intimidating, offensive or hostile environment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age,

disability, religion, or any other legally protected characteristic is prohibited and will not be tolerated. 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.

Supervisors have a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. Supervisors are strictly prohibited from threatening or insinuating, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.

Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, nonsupervisory employees, or nonemployees, is also prohibited. This conduct includes:

- (1) Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
- (2) Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
- (3) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's personal appearance;
- (4) The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs;
- (5) Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact that person's supervisor or any member of the personnel committee.

Employees can raise concerns and make reports without fear of reprisal. The City prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment. However, if an investigation of a complaint shows that the complaint or information was false, the individual who knowingly provided the false information will be subject to disciplinary action, up to and including termination.

Any supervisor who becomes aware of possible sexual or other unlawful harassment should promptly advise his or her supervisor or any member of the Personnel Committee who shall handle the matter in a timely, impartial and confidential manner. Employees are required to cooperate in any investigation. A timely resolution of each complaint will be reached and communicated to the parties involved.

#### **AMERICANS WITH DISABILITIES ACT**

As a part of the City's policy to comply with all federal and state laws concerning the employment of persons with disabilities, the City has developed the following policy to reasonably accommodate qualified individuals with disabilities. A disability is defined as a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such an impairment, has a record of such an impairment, or is regarded as having such an impairment is defined as a "disabled individual" under the Americans with Disabilities Act of 1990. A qualified individual with a disability means an individual with a disability who, with or without

reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for. It is the City's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions and privileges of employment with the City.

The City will make reasonable accommodations to accommodate qualified individuals with a temporary or long-term disability so they can perform the essential functions of a job. Essential functions are defined as those activities of a job that are the core to performing that job, and for which the job exists to perform, and which cannot be modified. These functions are identified in the City's job descriptions. A request for reasonable accommodation should be presented to the Human Resources Administrator. A reasonable accommodation may include, but not be limited to, making existing facilities readily accessible to disabled individuals, reassignment to a vacant position or modification of work schedule or other work-related accommodation. A reasonable accommodation will be evaluated by the Human Resources Administrator, the Finance Director, the Safety-Service Director, and the Mayor, and will be made in compliance with any relevant collective bargaining agreement which applies to the employee or the work involved. An individual who can be reasonably accommodated for a job, without undue hardship to the City, will be given the same consideration for that position as any other applicant.

All City employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace will not be considered qualified for any position in the City, and such employees will not be hired or promoted. Direct threat to safety is defined as a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation. Current employees who pose a direct threat to the health or safety of other individuals in the workplace will be placed on leave until the City determines an appropriate resolution to the situation.

## DRUG FREE WORKPLACE

The City of Bay Village is committed to preserving a safe work environment for all employees of the City by maintaining a workplace free from the presence or influence of drugs and alcohol.

The use, misuse, possession, sale or transfer of alcohol, drugs, controlled substances, drug paraphernalia or any combination thereof on City premises, property or work sites including parking lots and also including City vehicles during working or non-working hours is prohibited and constitutes grounds for termination.

Furthermore, we are a “zero tolerance” City, and any employee under the influence of alcohol, drugs or controlled substances whether legal, or illegal while on City premises, property or work sites including parking lots and also including City vehicles during work or non-working hours is subject to disciplinary action up to and including termination. “Under the influence” is defined as being unable to perform work in safe and productive manner or being in a physical or mental condition which creates a risk to the safety and well-being of the individual, other employees, the public or City property, or testing positive through any breath, blood or other medical means of testing for alcohol or illegal drugs.

*Treatment and Leaves of Absence:* The City strongly encourages employees to seek treatment for substance abuse. Treatment for substance abuse qualifies as a serious health condition under the Family & Medical Leave Act. Therefore, employees will be required to use accrued sick leave/vacation, if available, for treatment for substance abuse. All requests for substance abuse rehabilitation leaves and any related paperwork will be handled in the strictest confidence unless otherwise required by law.

The terms of leave including length and extent of benefit coverage, if any, will be determined by the City policy for non-union employees and by the applicable collective bargaining agreement for union employees.

An employee's career advancement or job security will not be jeopardized by his or her request for such a leave of absence.

*Testing:* Employees must remain free of alcohol and drugs as a condition of continued employment. To accomplish this goal, reasonable suspicion of drug use shall be used as an instrument of each Director so as to keep the City of Bay Village a drug free work place. All initial drug tests shall be paid for by the City, but if a test is found to be positive all other follow-up tests shall be absorbed by the employee. The City will also pay for random drug tests where required (i.e., positions requiring a Commercial Driver's License). Testing of employees in bargaining units will be controlled by the applicable collective bargaining agreement.

Failure to provide an adequate amount of breath or urine at the collection site shall cause said individual to be examined and evaluated by a physician recommended by the City's Medical Review Officer (MRO). If the physician determines that there was a health related reason for the lack of breath or urine, said documentation shall be forwarded to the City and the test shall be cancelled. In the event the physician cannot find a health related reason for the lack of breath or urine, the test shall be considered a refusal and a positive test. In the event of a positive test, the employee will (1) be referred to the City's contractual Employee Assistance Professional (EAP) for review, and (2) be directed by the EAP to a Substance Abuse Professional (SAP) for evaluation, and (3) be required to complete a program of treatment if recommended by the SAP.

Following a review of the medical findings of a cancelled test or of a refusal, the City shall have the right to perform a hair and/or blood sample test of the individual in order to meet all policy requirements.

Following a medical release to return to work, agreement to periodic breath alcohol and urine drug testing is a condition of reinstatement at the workplace. Follow-up testing, including hair and blood if needed, shall be done for a two (2) year period and reported to the appropriate department head. However, if the employee fails to respond to treatment, disciplinary action will be implemented up to and including termination of employment.

#### **CODE OF ETHICS**

As an employee of the City of Bay Village, it is important to remember that the compensation of employees is paid through public taxes, and each City employee assumes the responsibility to serve the public in an honest, effective and pleasant manner. As a City employee, you are a public official as defined by Ohio Revised Code Section 2921.01 and as such, you are subject to a number of the provisions of Ohio's Code of Ethics laws. The provisions of Chapter 525 of the City of Bay Village's Codified Ordinances shall also apply to City employees. This includes a specific policy regarding gift taking which prohibits the acceptance of gifts by any City employee or department for any reason regardless of value. In cases where there is question, the employee must use his/her best judgment, and if in doubt, refuse the gift. Failure to properly follow this policy can result in discipline, up to and including termination of employment.

Please reference Chapter 525 of the City of Bay Village's Codified Ordinances regarding Ethics. Your documented receipt of this handbook indicates that you have received and understand this policy. The City expects that you will read and understand your obligations and rights as a public official and a City employee.

## **CONFLICT OF INTEREST**

As a City of Bay Village employee, you are also subject to a number of provisions of local and state law, and the City Charter.

The Charter of the City of Bay Village Article XIII, Section 13.3 reads as follows:

Any City officer or employee who has a financial interest, direct or indirect or by reason of ownership of stock in any corporation, in any contract with the City or in the sale of any land, material, supplies or services to the City or to a contractor supplying the City, shall make known that interest and shall refrain from voting upon or otherwise participating in his capacity as a City officer or employee in the making of such sale or in the making or performance of any contract. Any City officer or employee who willfully conceals such a financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit his office or position. Violation of this section with the knowledge express or implied of the person or corporation contracting with or making a sale to the City, shall render the contract or sale voidable by the Council.

Please reference Chapter 151 of the City of Bay Village Codified Ordinances for employment provisions.

## **NEPOTISM POLICY**

In keeping with good personnel management procedures and to guarantee equal employment opportunities to all, no public official employee shall use the authority or influence of their office to secure employment (authorization of any public contract) for any member of his immediate family (blood or marital relationship) within the political

subdivision with which they serve. Immediate family for purposes of this policy is defined as: parents, grandparents, children (natural or adopted), grandchildren, spouse, and siblings. Also included are any other persons related to the public official by blood or by marriage and residing in the same household with the official.

The Ohio Ethics Commission clarified the nepotism prohibition in a release February 4, 1997 by stating: "The nepotism prohibition is not a 'no-relatives' standard, but it does prohibit a public servant from using or abusing his public position to get public jobs for family members. The purpose of the law is not to prevent families from working together, but to prevent the possibility that a public servant may show favoritism towards his family in the exercise of his discretionary authority on behalf of the public to hire qualified public employees."

The basic criteria for appointment and promotion of all municipal employees will be appropriate qualifications and performance. Relationship by family or marriage will constitute neither an advantage nor a deterrent to appointment provided the individual meets and fulfills the appropriate appointment standards. Applicants may not be hired for or promoted into positions in which they would supervise or be subject to the immediate supervision of a member of their immediate family. The selection of personnel will be on the basis of job-related qualifications.

Members of the same immediate family whose qualifications rank each of them first for the positions under consideration may be employed (full-time or part-time) so long as neither family member is immediately responsible for the decision to hire, or the supervision, direction, evaluation, or salary recommendation of the other.

All employees are required to complete a Personal Information Sheet upon initial employment which asks for name(s) of any relative(s) employed within the municipality. The Finance Department is responsible for monitoring this information and notifying the Director or Mayor of a prohibited relationship.

Any employee who violates this policy, whether by knowingly permitting or knowingly accepting employment in violation of this policy, is subject to disciplinary action up to and including dismissal from employment.

## EMPLOYMENT CATEGORIES

### **CIVIL SERVICE**

Civil Service positions with the City of Bay Village (the "City") are filled through competitive examinations. These positions are: Police, Fire, Clerk Secretary, and Building Inspector. Examinations are constructed to measure abilities necessary for successful job performance. After taking a Civil Service Examination and obtaining a passing score, an applicant's name is placed on an eligibility list in grade order. These lists are effective for two years and are used to fill vacancies when they occur.

### **APPOINTMENTS**

Some employees with the City are appointed to their positions. They are not required to take Civil Service examinations and do not have Civil Service tenure. These employees serve at the pleasure of the appointing authority (the Mayor, and/or Council).

### **OTHERS**

Labor positions with the Department of Public Service and Properties are filled through applications and personal interviews, depending on the level of skills required. Other positions that are also filled through an application and personal interview are: School Guards, Matrons, Jailers, etc.

## EMPLOYMENT

## EMPLOYMENT MEDICAL EXAMINATIONS

All applicants for full-time positions and applicants for part-time positions in specific job categories, who are offered employment with the City, are required to submit to a physical examination by a physician designated and paid for by the City before beginning their employment duties. ***This offer of employment shall be contingent upon the results of this physical examination.*** Any employee who refuses to undergo such medical examination may be subject to withdraw of job offer by the City. Should the physical uncover a disability which is suffered by the applicant, such disability cannot be the cause for refusal to hire the individual unless the reason for rejection is job-related and justified by business necessity. If a reasonable accommodation of the employees' disability can be made, it will be. Medical information obtained as a result of the medical examination will be kept separate from other personnel information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

## PROBATIONARY PERIOD

All newly-hired employees will be required to serve a probationary period which varies by department. The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this period to evaluate employee capabilities, work habits, and overall performance. During this period, the employer will have the right to discipline or discharge employees and any action will not be appealable, subject to individual collective bargaining agreements entered into by and between the City and respective bargaining units.

## ORGANIZATIONS

City employees have the right to join or affiliate with any union, employee association, or occupational organization. Dues for union membership may be payroll deducted.

## EMPLOYMENT APPLICATIONS

The City 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 during employment. Any misrepresentations, falsifications or material omissions in any of this information or data may result in your exclusion from further consideration for employment or, if already hired, termination of employment.

## HEALTH AND SAFETY

It is the City's policy to provide a safe and healthful work environment for all employees. Employees are expected to comply with all safety and health requirements whether established by federal, state or local law.

All supervisors shall be constantly alert to protect the safety and health of City employees. The responsibilities of supervisors will include:

- Inspecting their work areas
- Familiarity with all safety and health procedures
- Training employees in matters of safety and health
- Identifying unsafe conditions
- Reporting all accidents

All observed safety and health violations and any accidents resulting in injuries to

employees, or other individuals on City property or work sites, shall be immediately reported to the Finance Department in writing.

## **SMOKING**

According to the laws of Ohio and in keeping with the City's intent to provide a safe and healthful work environment, smoking is expressly prohibited. Employees desiring to smoke on their designated breaks must do so outside city buildings, so as not to allow smoke to enter any building, and/or city owned vehicles. This policy applies equally to all employees and visitors.

Effective August 15, 2012, the City of Bay Village will no longer hire individuals who use tobacco into full-time positions.

## **BUSINESS CASUAL DRESS GUIDELINES**

It is important that the image we portray to the public is professional and businesslike, demonstrated through our attire and our conduct. The guidelines below are intended to provide the minimum requirements and address the more common aspects of business casual dress.

- Generally, clothing that is neat and professional is acceptable. Items such as polo shirts, sweaters and neat casual slacks (e.g. Dockers) are acceptable.
- Items considered inappropriate for business include T-shirts, sweatshirts, sweat pants, shorts, body-hugging fabrics, jeans and athletic shoes.

The nature of the employee's job will also determine appropriate dress, and may require wearing a uniform. Management in each department will provide specific directions

regarding work attire. Directors and supervisors are responsible for addressing questions and issues regarding appropriate dress for work.

## **PERFORMANCE EVALUATION**

Depending upon the department in which you work, your performance may be periodically evaluated for a variety of purposes that include training, development, compensation and promotion. Your department head will provide you with specific information about how your performance will be measured and the procedures for evaluating your performance and providing you with feedback regarding your work.

## **WORKPLACE VIOLENCE**

The City of Bay Village strives to provide a safe work environment for its employees and the citizens of Bay Village, and to that end, does not tolerate violence within its workplaces. The City prohibits any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in any violent activities. The following list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- causing physical injury to another person;
- making threatening remarks;
- aggressive or hostile behavior that creates a reasonable fear of injury to another person, or subjects another individual to emotional distress;
- intentionally damaging City property or facilities, or the property of other City employees;
- possession of a weapon while in City buildings, except for authorized law enforcement officers.
- committing acts motivated by, or related to, sexual harassment or domestic

violence.

Furthermore, City employees are encouraged to exercise good judgment and notify the City's Safety Director or Police Division when they observe a potentially dangerous situation involving behaviors demonstrated by employees or non-employees such as:

- discussing weapons or bringing them into City buildings;
- displaying overt signs of extreme stress, resentment, hostility or anger;
- making threatening remarks;
- sudden or significant deterioration of performance;
- displaying irrational or inappropriate behavior.

Any potentially dangerous situations must be reported immediately to a supervisor or to the Safety Director. Reports can be made anonymously and all reported incidents will be investigated by the Safety Director and the Human Resources Administrator. Reports or incidents warranting confidentiality will be handled appropriately, as confidentially as possible under the law and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be interviewed and the results of the investigation will be discussed with them. The City will actively intervene at any indication of a possibly hostile or violent situation and will respond appropriately.

Aggressive or violent acts of any type will not be tolerated, and an employee determined to have committed such an act will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on the City's premises will be reported to the proper law enforcement authorities and will be escorted from the premises.

## **WORKPLACE SECURITY**

The City strives to provide a secure work environment where employees are comfortable and safe in the performance of their duties. In order to provide as much

protection as possible for the security of the City's employees and to allow the public to have as much access as is reasonably possible to the public servants who work in our facilities, the Safety Committee, consisting of the Mayor, the Service Director, and the Chief of Police, is responsible for developing and implementing security procedures to ensure a secure work environment. Currently, the City restricts access to certain areas and certain items such as keys to buildings and offices, and those items will be issued only to those employees whose responsibilities require them. Loss of keys or other City property should be reported immediately to the Safety-Service Director. Upon leaving employment with the City, any such keys or City property will be returned during the exit interview and final processing of the employee's employment.

The City will periodically review and modify its security practices and will communicate changes in procedures as needed to affected employees.

## **DISCIPLINARY PROCEDURES**

The City of Bay Village utilizes disciplinary processes which promote both consistency and understanding of the City's work regulations and performance expectations. To that end, the City has implemented disciplinary guidelines that apply to non-bargaining unit employees, and bargaining unit employees should refer to their collective bargaining agreements for provisions regarding discipline as well. These guidelines neither delegate nor limit the powers and duties conferred upon the City, its Departments or Appointing Authority by the Ohio Revised Code or City Charter.

In cases of misconduct or violations of City performance standards, the City generally adheres to a procedure of progressive discipline, which may include actions ranging from verbal warnings to termination. Supervisors are provided general guidelines to follow in disciplinary procedures, but are encouraged to apply their management experience and discretion to discipline situations. In all cases, supervisors are

encouraged to apply consistent disciplinary procedures which are intended to ensure fair treatment and focus on future expectations of performance.

In order to clarify acceptable standards of work conduct, the City provides the following specific examples of offenses but the examples provided are illustrative, not inclusive. The City retains the right to evaluate specific incidents of employee behavior in context and reserves the right to identify additional actions that represent unacceptable work conduct. The specific examples are as follows:

- 1) Misuse of, unauthorized removal, or appropriation of property belonging to the City or another employee.
- 2) Falsifying own or another employee's time sheet or any other City record, including falsification of an employment job application regardless of when such falsification or misrepresentation is discovered.
- 2) Violation of any established City policy including but not limited to the Sexual Harassment Policy, Workplace Violence Policy, Code of Ethics, Conflict of Interest Policy and the Drug Free Workplace Policy.
- 4) Unauthorized stopping of work, refusal to perform work assigned, and/or insubordination.
- 5) Sleeping on duty, except members of Fire Department.
- 6) Violation of City Safety and Health Rules and Regulations.
- 7) Violation of departmental rules and regulations.

The above examples are not intended to be all inclusive. Other misconduct or violations of City performance standards may subject employees to other progressive disciplinary actions.

#### **DISCIPLINARY ACTION APPEALS PROCESS**

City employees have various appeal options available to them, depending on the status of their position with the City. Employees who are covered by Civil Service regulations are entitled to pursue an appeal to the Civil Service Commission for certain disciplinary actions by timely filing such appeal with the Commission. Employees whose positions are represented by a bargaining unit may appeal a disciplinary action through the grievance procedures outlined in their collective bargaining agreements. Non-bargaining unit personnel can appeal a disciplinary action through the following procedure:

- 1) Appeals must be presented in writing to the Mayor within ten days of the disciplinary action.
- 2) Within thirty days of the date of receipt of the employee's written timely appeal, the Mayor will schedule a hearing with the employee, the employee's representative if any, the supervisors, and any other parties deemed relevant to the appeal.
- 3) Within a reasonable period of time, the Mayor will prepare a summary report which will set forth findings of fact based upon the evidence presented at the hearing, and will issue a final disposition of the matter.

These procedures are designed to provide a direct, fair and prompt method of resolving a complaint regarding an adverse disciplinary action for non-bargaining unit employees. Other employees wishing to appeal a disciplinary action should refer to their collective bargaining agreement.

#### **HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)**

The City of Bay Village, as a Plan Sponsor of certain health plans, is required by the Health Insurance Portability and Accountability Act (HIPAA) to maintain the privacy of certain confidential health information, known as protected health information (PHI). The City takes its responsibility to protect this information very seriously, and has established appropriate physical, administrative, and technological safeguards to prevent PHI from intentionally or unintentionally being used or disclosed in violation of HIPAA requirements. An employee's confidential health information will not be disclosed to

anyone, except with the employee's authorization or as otherwise permitted by law.

#### **IMMIGRATION REFORM & CONTROL ACT**

In accordance with the provisions of the Immigration Reform and Control Act of 1986, the City shall not knowingly hire or recruit or continue employment of an alien hired after November 6, 1986, without substantiating and documenting that alien's eligibility in accordance with provisions established by this policy.

The City has established an employment verification system and shall retain appropriate records establishing that each employee of the City, hired after November 6, 1986, is lawfully authorized to work in the United States as either a U.S. citizen or as a properly "documented alien".

#### **COMPUTER, E-MAIL AND INTERNET USE**

The City of Bay Village has established the following policy with regard to access to City computers, hardware, software, E-mail, and Internet systems. This policy also pertains to the disclosure of E-mail messages created, sent, or received by City employees using the City's E-mail system and/or the employee's own personal E-mail service provider in any interaction with the City's E-mail system. The City reserves the right to change this policy at any time as may be required under the circumstances.

The City of Bay Village maintains computer, E-mail, and Internet access for conducting City business and not for personal use.

All messages composed, sent or received on the system are the property of the City, and confidentiality should not be assumed. The City may review, audit, intercept, access, and disclose all messages or information created, sent, or received.

The following activities are prohibited in using the City's computer, E-mail and Internet

systems:

- 1) For personal matters, personal commercial gain, to further private causes, or non-job related solicitations.
- 2) Dispersing City data to entities outside the City's network without appropriate authorization.
- 3) Sending or receiving copyrighted materials, trade secrets, proprietary financial information or similar materials without appropriate authorization other than as provided under the Open Records Statute of the State of Ohio.
- 4) Downloading and installing programs from the Internet without prior approval of the employee's supervisor. Only City-owned software shall be installed on City equipment.
- 5) Disrupting electronic services or the system including, but not limited to tampering with hardware, software, or data, introducing or using computer viruses or attempting to gain access to restricted information or networks.
- 6) Accessing inappropriate (offensive, obscene, or pornographic) sites; or using computer or on-line services to facilitate and/or to access materials or messages inconsistent with the City's workplace policies.
- 7) For illegal activities, financial gain, gambling, sports information, entertainment, job information or discriminatory messages based on gender, race, age, sexual orientation, religion, national origin, or disability.
- 8) For creating any offensive or disruptive messages, including those that may contain sexual implications, racial slurs, gender-specific comments,

or any other comment that addresses someone's, age, sexual orientation, religious or political beliefs, national origin, or disability.

Violations of this policy shall be reported to the Mayor.

Misuse of electronic services and/or any violation of the City's computer, E-mail, or Internet policies may result in disciplinary action up to and including termination of employment.

#### **CITY OF BAY VILLAGE IDENTIFICATION CARDS**

Identification Card blanks are available from the Recreation Department. Photographs are taken and cards laminated by the Recreation Department. These cards are used for identification purposes only.

#### **LACTATION POLICY**

As part of our family-friendly policies and benefits, The City of Bay Village supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child. The provisions of this Lactation Policy meet the requirements of the Fair Labor Standards Act as it relates to breaks for nursing mothers.

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her newborn. The City of Bay Village has designated that an employee's private office or the Ladies Lounge located across from the Receptionists' Desk at City Hall for this purpose. A small refrigerator reserved for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the

date of expressing the breast milk. Any non-conforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering. Nursing mothers wishing to use the Lounge must request/reserve the room by contacting the Receptionist at 871-2200. Additional rules for use of the room and refrigerator storage may be posted in the room. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

## **VEHICLE POLICY**

### **Purpose**

The purpose of this policy is to provide clear guidelines for regulating the use of City-owned vehicles by City employees and to avoid any conflicts or misunderstandings regarding their use.

### **Scope**

City-owned vehicles are to be utilized exclusively for City business and matters relating to the provision of services to the Bay Village community and its residents. This policy covers all vehicles owned or leased by the City of Bay Village.

### **Eligibility**

The Mayor shall assign vehicles and accompanying privileges to employees. All City-owned vehicles used by employees shall be operated under the following criteria:

- Due to the essential nature of the duties of certain Administrative officials and employees (exempt employees), it is in the best interest of the City that such exempt employees have access to and the use of City vehicles on a 24-hour-a-day basis so that they may respond to the needs of the community regardless of where such employees may be located at the time such need arises. Such employees are authorized to use City vehicles for personal use in accordance with the policy below. Exempt employees are designated as

1. Mayor/Safety Director

2. Fire Chief

3. Police Chief

4. Service Director

- A City vehicle may be assigned to an employee with daily commuting privileges if the department head to which the vehicle is assigned can provide justification to the Mayor that commuting privileges are necessary for Departmental operations; including but not limited to attendance at City meetings, after work hours and City organized programs. The Mayor/Safety Director, upon the request of the department head, may grant full use or temporary use of City vehicles for commuting purposes when deemed appropriate or necessary, subject to the restrictions set forth herein. Those employees who are on 24-hour call and have commuting privileges are:

1. Service Operations Manager

2. Service General Foreman

3. Detectives

- A City vehicle may be assigned for daily use to an employee. Those with daily use privileges may not use the City vehicle for commuting purposes unless specifically authorized by the Mayor/Safety Director as set forth herein.

#### Use of City Vehicles

#### Personal Use

Personal use of City vehicles by Administrative Officials or employees is permitted where such personal use is de minimis and incidental to his or her use of the City vehicle and does not result in:

- A significant deviation from the course of travel on City business
- Exposure of the City vehicle to substantial additional risk or loss or damage
- Exposure of the City to substantial additional risk of liability

All personal use must be logged. See Logs/Reporting section of this policy.

#### Use by Non-employees

Non-employees are strictly prohibited from driving City vehicles. However, non-

employees are permitted to ride in a City vehicle for business-related reasons such as car-pooling for City business.

Only in emergencies (safety, health, and welfare reasons) would a minor be permitted to ride in a City vehicle. Activities such as routinely dropping children off at school or picking them up from daycare are forbidden.

#### **Use Limitations**

In the interest of efficient emergency response and maintaining the vehicle fleet, an employee using a City vehicle for commuting purposes may not drive the City vehicle further than a radius of twenty-five (25) miles away from the City of Bay Village. Using the vehicle for outside employment or off-duty assignments is prohibited.

#### **Alcohol and Drug Use Prohibited**

No employee while driving, operating, or traveling in a City vehicle shall use, misuse, be under the influence of (or report for duty under the influence of) any of the following:

- Alcohol or any beverage, mixture, of preparation including medication containing alcohol
- Controlled substances as defined by section 3719.01 of the Ohio Revised Code
- Any such legal substance the packaging of which contains a warning to the effect that such substance should not be taken while driving or operating heavy machinery or equipment

“Under the influence” shall be defined as use of drugs and/or alcohol registering at any level. No employee shall use, misuse, possess, sell, or transfer alcohol, drugs, controlled substance, drug paraphernalia or any combination thereof while driving, operating, or traveling in a City vehicle.

#### **Safety**

Seat belts are to be used at all times when driving or riding in a City vehicle.

Employees operating City vehicles are required to follow all laws and ordinances

including signs and signals as well as lawful full time and attention requirements. Cellular conversation, texting, eating, or liquid consumption while driving a City vehicle is prohibited. Exception shall be made for transmittal/communication devices that are required in the performance of duties. Smoking is prohibited, by State law, in commercial vehicles where more than one individual may be assigned to operate the same commercial vehicle; therefore, smoking in City-owned vehicles at any time is prohibited.

### **Accidents**

In the event of an accident involving a City vehicle colliding with another vehicle, a person, animal, or a stationary object, the employee shall report said collision and any property damage or personal injury immediately to the Police Department for the purpose of completing a Police report. Thereafter, the employee is to report the accident, damage, or injury promptly to their Department Director. Failure to promptly report the details of the accident, damage or injury to the employee's Department Director may result in disciplinary action up to and including termination.

Any employee having frequent accidents in a City vehicle, due to carelessness, shall face disciplinary action up to and including termination.

### **License Information and Insurance**

Operators of City vehicles are required to provide the Director of Finance with the following:

- Proof of appropriate license according to Ohio law and class of vehicle
- Proof of personal automotive insurance
- A completed, signed City of Bay Village "Driver Consent/Release of Information

Any employee who drives any vehicle on behalf of the City must report to the Director of Finance if their driver's license has expired or been revoked, suspended, forfeited, or restricted in any manner. Changes in license status shall be reported within 72 hours after the change in license status occurs even if said change occurs while on vacation or authorized leave.

Also, an employee driving or operating any vehicle on behalf of the city must report to

the Director of Finance when accumulating traffic violation convictions that total 6 points on his or her driving record.

### **Maintenance**

All vehicles owned or leased by the City of Bay Village are to be operated and maintained in a safe and efficient manner. The operator of any such vehicle or equipment shall be responsible for reporting any defect, damage, or unsuitable condition of any city vehicle to his or her Department supervisor or Director.

City-owned gas and other vehicle fluids or parts shall be used in City vehicles only. No employee is permitted to place City-owned gas or other fuel in his or her personal or other private vehicle or equipment under any circumstances. An employee who operates their personal vehicle for City business shall be paid a mileage allowance in accordance with IRS code. If refueling a City vehicle during approved travel, when City-owned fuel cannot be used, employees must use self-service gas pumps and submit a receipt for reimbursement.

### **Logs/Reporting**

Each employee who has access to a City vehicle must maintain a personal use log, as provided, where mileage pertaining to personal use is recorded. Personal use of a City vehicle may not exceed the 25-mile radius from the City of Bay Village (attached).

It is the responsibility of the Department Director to provide, keep, and maintain mileage logs regarding the use of City vehicle in their departments. Department Directors shall forward all logs to the Director of Finance on an annual basis.

Due to IRS regulations, all City employees having City vehicle commuting privileges must report such vehicle use to the Director of Finance of the City of Bay Village.

Also, for those with daily commuting privileges, publication 15-B of the Internal Revenue Service (IRS) entitled "Employer's Tax Guide to Fringe Benefits" (or any similar guide provided by the IRS) which is periodically revised, will be the authority the City uses to determine the taxable amount to employees with a City-provided vehicle. The City of Bay Village utilizes the annual leased value method in determining the value included

on one's annual W-2 form.

### **Violations of Policy**

Any violations of this policy may result in disciplinary action including, but not limited to, verbal warning, written reprimand, time off without pay (suspension), loss of use of the vehicle, or termination.

## **PERSONNEL RECORDS**

### **PERSONNEL FILES**

The City maintains a personnel file for each employee which is retained in the Finance Department and maintained by the Human Resources Administrator. Personnel files and information shall be confidential to the extent as allowable by law. In general, the City's personnel files are public records and the City must permit their inspection. Current law requires that every public office which receives a request for information must provide copies of all public records at cost and within a reasonable amount of time following the request.

The following are some of the documents that are pertinent to the personnel file:

1. Employment Application
2. I-9 Form – Employment Eligibility Verification  
(Social Security Card and state-issued driver's license OR  
state-issued I.D. card must be presented)
3. Federal Withholding Tax Form W-4
4. State Withholding Tax Form IT-4
5. Pension Application
6. Return to Work Release
7. Life Insurance Application (Employee's copy will be issued at time of  
hire.)
8. Health Insurance Application (Employee's Health Benefit Handbook will be

issued at time of hire.)

9. Evaluations

The Ohio Open Records Law also permits employees or their legal or union representatives to review their own personnel file. Please contact the Finance Department to set up an appointment.

**EMPLOYEE'S EARNINGS STATEMENT:**

Deductions that are included on the pay stub include:

1. Federal Tax
2. State Tax
3. Pensions
4. City Tax
5. Medicare, if applicable

Other types of payroll deductions, which you may request or can be mandated by a court are: garnishments, child support, deferred compensation, accident insurance, union dues, credit unions, service credit buy-backs, and Police Labor Rules. Some of the above items are addressed in greater detail later in this handbook.

Each pay stub will also show current and year-to-date figures for gross pay, deductions and net pay. The stub will also reflect vacation and sick time used in the current pay period and the balance thereof. Contact the Finance Department for details.

**PERSONNEL DATA CHANGES**

It is the responsibility of each employee to promptly notify the City of any changes in personnel data. Personal mailing addresses, telephone numbers, number and name of

dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Finance Department.

## **HOURS OF WORK**

City Hall hours are 8:30 a.m. – 4:30 p.m., Monday through Friday. Some City Departments, due to the nature of their work, must operate 24 hours a day to serve the continuous needs of the City. Check individual contracts for specific department hours.

**Punctuality** is essential in every department. Employees are expected to be at their work stations at their required starting times. Excessive tardiness will not be tolerated and may result in disciplinary action.

**Breaks** are administered at the discretion of the Department Head and should not compromise the needs of the public.

**Lunch Breaks** vary with different departments. Check with your Supervisor for your department's procedures.

## **CONDUCT**

### **ATTENDANCE AND PUNCTUALITY**

To maintain a safe and productive work environment, the City 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 the City. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

## COMPENSATION AND RELATED BENEFITS

### COMPENSATION PAYMENT

Employees of the City are paid on Fridays on a bi-weekly basis. Hourly Employees are paid every other Friday for all hours worked during the previous two weeks, with the pay period beginning on Sunday and ending 14 days later on Saturday at Midnight. Salaried Employees and Elected Officials receive appropriate annual compensation on a bi-weekly basis. The payment is to be made on the same date as payment to hourly personnel. The Director of Finance shall adjust the pay period date so that in each calendar year, precise annual compensation is paid regardless of the number of bi-weekly payment dates.

Should a payday fall on a holiday when City Hall is closed, employees will be paid on the day proceeding the holiday.

### OVERTIME

Overtime shall be compensated at time and a half of established rate for hours in excess of the 40 hours per week in their respective departments. For more details, refer to individual contracts and Codified Ordinance 151.

### ADMINISTRATIVE PAY CORRECTIONS

The City takes all reasonable steps to ensure that 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 Finance Director so that corrections can be made as quickly as possible.

### **LONGEVITY PAY**

Full-time employees and those regularly scheduled part-time employees hired prior to 11-15-76 are entitled to longevity pay per labor contracts and codified ordinance.

Longevity pay for full-time employees is paid on the first regular pay date in December. For eligible part-time employees, longevity pay is paid on the first date in January of the following year. (For specific details, please refer to individual contracts or Codified Ordinance 151.)

### **JURY DUTY**

City employees shall receive their regular wages for time lost from work with the City while serving as a member of a municipal, common pleas, or federal court jury panel. In order to qualify for pay, the employee must notify his supervisor of such service in advance and upon completion of jury duty, present proof satisfactory to the Finance Director from the court as to the time spent and the amount of compensation received. Employees covered under codified ordinance and specific labor agreements, may keep any amount received from the court for such services. Of course, employees are expected to report for work whenever the court schedule permits. (Please refer to individual contracts or Codified Ordinance 151.)

Either the City or the employee may request an excuse from jury duty if, in the City's judgment, the employee's absence would create serious operational difficulties. The City will continue to provide health insurance benefits for the full term of the jury duty absence.

#### **MILEAGE**

All employees and elected officials of the City, shall receive, as reimbursement for use of their personal motor vehicles on City business, a sum in accordance with the mileage allowance under the Internal Revenue Regulations, plus parking fees. The Director of Finance shall approve such reimbursements.

#### **EXPENSES**

Reasonable tips and gratuities which are included in any legitimate expense shall be paid for by the employer.

#### **UNIFORMS AND UNIFORM ALLOWANCE**

Employees of the Fire and Police Division, Department of Public Service and Property, Parks, and Department of Building Engineering and Inspection shall receive a uniform allowance pursuant to individual labor contract and Codified Ordinance 151. (For details and dollar amounts please refer to contracts and codified ordinance.)

#### **WORKERS' COMPENSATION INSURANCE**

The City provides workers' compensation benefits through the state insurance fund 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.

Employees who sustain work-related injuries or illness should inform their supervisor immediately. The supervisor shall give written notification to the Finance Department as soon as possible. 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. A post-accident physical may be required of employees who sustain work-related injuries or illness to determine the employees' physical state at the time of the accident. Workers' Compensation claims may be denied by the City for chemical and substance abuse determined by the post-accident physical. A return-to-work release from employee's doctor must be furnished to the Finance Department through employee's Department Head before reporting to duty.

Neither the City nor the state insurance fund 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 the City. Employees will be requested to sign a waiver as a condition precedent to participating in the event and forward to Finance Department.

## **UNEMPLOYMENT COMPENSATION**

The City will pay unemployment compensation to employees who have been separated from City employment and meet the eligibility requirements set by the Ohio Bureau of Employment Services of the State of Ohio.

## **PENSIONS**

**POLICE AND FIRE DISABILITY PENSION SYSTEM.** Employees of the Fire and

Police Division must be members of the Police & Fire Disability Pension System, 140 East Town Street, Columbus, Ohio 43215. Telephone (614) 228-2975. Employees are required to contribute each pay, and the City makes a quarterly contribution based on the employees' earnings. Employees may withdraw their accumulated contributions upon termination from active service in the Police or Fire Division. For further information, including contribution rates, employee should contact the pension board.

**OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM (O.P.E.R.S.)** All municipal employees other than Police and Fire employees must be members of the Public Employees Retirement system of Ohio, 277 East Town Street, Columbus, Ohio 43215. Telephone (614) 466-2085. Employees are required to contribute 10% of each pay to the pension system, and the City makes a quarterly contribution based on the employee's earnings. Employees may withdraw their accumulated contributions upon termination from active service. Please contact OPERS for further information and/or additional requirements. For further information, employee should contact the pension board.

## LEAVE POLICIES

### HOLIDAYS

All salaried officers, employees and regular hourly employees of the City, excluding officers and employees covered under separate labor contract, are entitled to the following holidays:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
President's Day	Veteran's Day
Good Friday	Thanksgiving Day
Memorial Day	Christmas Day

### Independence Day

If a holiday falls on Saturday, the Friday before shall be observed. If a holiday falls on Sunday, the following Monday shall be observed.

Holiday pay for part-time hourly-paid employees hired before 1-1-95 is the average of hours worked the day before the holiday and the day following. If any employee fails to work the scheduled workday before a holiday and the scheduled workday after holiday, holiday benefits will not be paid, unless excused by the Mayor or Department or Division Head.

Part-time employees hired 1-1-95 or after, unless specifically included, shall not receive holiday pay.

Employees in the Fire Division (Please refer to contract.)

Full-time Employees in the Police Division (Please refer to contract.)

### VACATIONS

Full-time employees of the City qualify for an annual vacation with pay in accordance with the schedule set forth below (does not include swimming pool, temporary, seasonal or per diem personnel):

After 1 year – 2 weeks

After 5 years – 3 weeks

After 11 years – 4 weeks

After 18 years – 5 weeks

After 25 years – 6 weeks

Employees shall use their full vacation allowance each year. Vacation time is not cumulative from one year to another. No employee shall be paid salary in lieu of

vacation. (Please refer to individual contracts or Codified Ordinance 151.)

Part-time employees hired prior to 1-1-95 also qualify for annual vacation with pay. Please refer to Codified Ordinance 151 for details.

Part-time employees hired 1-1-95 or after, unless specifically included, shall not receive vacation pay.

### **SICK LEAVE**

All full-time employees and part-time employees hired prior to 1-1-95 are entitled to sick leave, which is defined as an absence with pay caused by 1) illness or injury of the employee; 2) exposure of employee to a contagious disease which could be communicated to another employee; or 3) illness, injury or death in the employee's immediate family. (See Bereavement Leave for breakdown of immediate family).

Any employee who is to be absent from work should notify the department head prior to the start of each work day of the absence.

Sick leave is computed at .0575 hours per hour paid. (Vacation, holidays, and sick leave are included in this computation.) Sick leave can accumulate without limit. When used, one hour of sick leave is deducted for one hour's absence. If an employee wishes to use sick leave to schedule a dental or medical examination, approval of the department head should first be obtained and the time off should be scheduled in advance of the appointment.

In the event that an employee is absent due to a job-related injury, sick leave is not used; instead, Workmen's Compensation shall apply.

Payment of accrued, but unused sick leave at retirement, resignation, or death is based

on a percentage of these hours, but cannot exceed 50% of your annual compensation.

Fire and Police Employees – 40% after 15 years and 50% after 20 years. For more details, refer to contract.

All other Employees – 25% after 10 years, 40% after 15 years and 50% after 20 years. For more details, refer to contracts or ordinances.

## MEDICAL LEAVE

### FAMILY AND MEDICAL LEAVE

Under the Family and Medical Leave Act of 1993 ("FMLA") employees are entitled, during a twelve month period, to 12 weeks of job related leave for certain family and medical reasons. The twelve month period is calculated for each employee on a 12 month basis measured backward from the date an employee uses any FMLA leave.

FMLA leave provides time off from work for any of the following: birth, adoption or foster placement of a child, the serious health condition of employee, or to care for a spouse, child, or parent with a serious health condition. A serious health condition is defined as any illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. For further information on what will qualify as a "serious health condition" or be considered "continuing treatment," contact the Finance Department.

FMLA leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement. In addition, spouses employed by the same employer are jointly entitled to a combined leave of 12 workweeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent who has a

serious health condition.

## **MATERNITY LEAVE**

Maternity leave due to the birth of a child is covered under the FMLA and will be handled as FMLA leave under this policy.

## **INTERMITTENT LEAVE**

The employee may take the FMLA leave intermittently, taking a day at a time, as needed, or using the leave to reduce the work week or work day. In the event of an intermittent leave due to birth, adoption, or foster placement of a child, the employee and the employee's supervisor must agree on the scheduling of the 12 weeks. In the event of leave relating to a serious health condition, the employee will be granted an intermittent leave or reduced work schedule if it is medically necessary.

You may be transferred to an alternative position (with equal pay and benefits) that would better accommodate the intermittent leave schedule.

## **EMPLOYEE ELIGIBILITY**

Employees are eligible to apply if you have been employed at least twelve months, have worked at least 1250 hours in the previous twelve months prior to the start date of the requested leave, and work at or report to a worksite that has 50 or more employees or is within 75 miles of worksites that taken together have a total of 50 or more employees.

## **NOTICE AND CERTIFICATION**

Employees will be required to provide thirty (30) days notice when the leave of absence is foreseeable. If the employee's need for leave is not foreseeable, the employee should give the City as much notice as is practicable. When leave is needed to care for an immediate family member or for the employee's own illness and is for planned medical treatment, the employee must try to schedule treatment so as not to disrupt the City's operations unduly.

For any leave based upon a serious health condition, employees will be required to provide medical confirmation. The City reserves the right to require a second or third opinion (at the City's expense) verifying the medical condition, periodic recertification's of the serious health condition, and, when the leave is due to employee's own medical condition, a medical release stating that the employee is able to return to work.

The City may delay FMLA leave to employees who do not provide proper advance notice of the foreseeable need for leave. Approval of FMLA leave may be denied or delayed for lack of proper medical certification.

#### **BENEFITS DURING FMLA LEAVE**

Employees will be required to use any accrued paid leave and vacation days as part of the 12 week total. Employees will also be required to use any accrued sick leave as part of the 12 week total when the FMLA leave is based on the serious health condition of the employee or the employee's spouse, child or parent. Employees may not use paid leave if he/she is receiving any disability compensation or workers' compensation.

Subject to the terms, conditions and limitations of the applicable plans, The City will continue to provide health insurance benefits for the full period of the FMLA leave. Employees will be required to pay their portion of the medical insurance premium. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage. In some instances, the City may recover premiums it paid to

maintain health coverage for an employee who fails to return to work from FMLA leave.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during any unpaid portion of FMLA leave or during periods employee is receiving workers' compensation or disability benefits, and will resume upon return to active employment.

### **JOB RESTORATION**

Upon return to work the employee will be restored to his or her original position or a position with equivalent pay, benefits and other employment terms and conditions without a loss in continuous employment status. However, an employee on an FMLA leave does not generally have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

If an employee fails to report to work promptly at the end of the approved leave period, the City will assume that the employee has resigned and proceed accordingly.

### **OTHER PROVISIONS**

The FMLA does not affect any federal or state law prohibiting discrimination or greater family or medical leave rights.

Salaried executive, administrative, and professional employees of the City who meet the Fair Labor Standards Act ("FLSA") criteria for exemption from minimum wage and overtime, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemptions extends only to eligible employees' use of leave required by the FMLA.

## **ADDITIONAL INFORMATION**

For more information, employees may contact the Finance Department.

## **WORK DURING APPROVED LEAVE OF ABSENCE**

Employees during an approved leave of absence, are not permitted to work for another employer, with the exception of public service or military leave.

## **BEREAVEMENT LEAVE**

Full-time employees, and part-time employees hired prior to 1-1-95 are entitled to time off with pay (not to be charged to sick leave) to attend the funeral for a member of the employee's immediate family. The time permitted is from the death through the funeral. Please refer to labor contract or codified ordinances for details.

## **MILITARY LEAVE**

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Re-employment Rights Act ("USERRA"). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Annual Training In the event that a full-time employee is on a leave of absence from employment to attend military service, field training, or other activity duty, the City will

pay the difference between what the employee earns while in training or active duty and what would have been received while working for the City during that period. This period is not to exceed 31 days in any one calendar year. (Provisions shall not apply if service, training or active duty is less than seventy-two consecutive hours or longer than 31 consecutive days.) The employee may credit all or any portion of such military leave or absence against regular annual vacation and shall receive regular annual pay without deduction for the pay received for the service, training, or active duty.

The military leave of an employee entering regular duty will be unpaid and may not exceed five (5) years and service performed in excess of four years must be at the request and for the convenience of the Federal Government. The employee may use accumulated sick, vacations or personal time.

Subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible, health insurance benefits will be provided by the City until the end of the first full month after military leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from military leave, benefits will again be provided by the City according to the applicable plans.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during any extended leave in excess of 31 days and will resume upon the employee's return to active employment.

Employees on two-week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

The employee will be restored to the same or comparable position upon satisfactorily completing military duty and advising the City of intent to return to work within 90 days

of release from regular duty, provided the City's circumstances have not changed to the extent that it would be unreasonable to provide reinstatement. Every reasonable effort will be made to return eligible employees to their previous position or a comparable one. The employee will be treated as they he or she was continuously employee for purposes of determining benefits based on length of service, such as the rate of vacation accrual and job seniority rights.

Contact the Finance Department for more information or questions about military leave.

## INSURANCE BENEFITS

### **LIFE INSURANCE**

Full-time employees, and part-time employees hired prior to 1-1-95, are entitled to \$50,000.00 of group term life and accidental death and dismemberment insurance with benefits paid to the beneficiary designated. (Part time, temporary, per diem and seasonal employees are excluded.) Any elected official, upon payment to the City of the individual policy premium, may be included in the insurance coverage provided herein. Upon retirement or resignation, this insurance may be converted to an individual policy at the employee's expense.

### **HOSPITALIZATION AND HEALTH CARE INSURANCE**

All full time and select part time salaried positions are eligible to participate in the City's Health Insurance Coverage. Employees are responsible for annual deductibles and certain out of pocket maximums depending on type of enrollment in the plan. Refer to the Employee Health Benefit Booklet or contact the Finance Department for complete details including deductible amounts.

Employees who have a qualifying event such as marriage or the birth of a child must notify the Finance Department within 30 days of the event in order to make changes

necessary to ensure health coverage for new spouse or dependent. Failure to do so may delay coverage or increase costs to the employee.

Upon retirement or resignation from employment with the City of Bay Village, individuals must attend an exit interview with the Finance Department in order to discuss COBRA insurance, life insurance conversion and approve the computation of their final pay.

### **BENEFITS CONTINUATION (COBRA)**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City's group rates plus an administration fee.

The City's Finance Department provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employee's rights and obligations.

### **ACCIDENT INSURANCE**

The City offers optional Accident Insurance through the Ohio Municipal League at the employee's expense through payroll deduction. For details, contact the Finance

Department.

## OTHER BENEFITS

### CREDIT UNION

Enrollment in the Cleveland Postal Employees Credit Union (CPECU) and Firefighters Community Credit Union are available to full time & regularly scheduled part time employees through payroll deductions.

## RESIGNATION/RETIREMENT

### SEPARATION AND EXIT INTERVIEWS

Should an employee decide to resign or retire from employment with the City, a written resignation should be submitted to the Supervisor at least two weeks prior to the intended date of departure. Employees must attend an Exit Interview with the Finance Department to review severance calculations.

### RESIGNATION

Resignation is a voluntary act initiated by the employee to terminate employment with the City. Although advance notice is not required, the City requests at least two weeks' written resignation notice from all employees.

If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

## RETURN OF PROPERTY

Employees are responsible for items issued to them by the City or in their possession or control, such as the following:

Credit cards	Protective Equipment
Equipment	Vehicles
Keys	Written Materials
Manuals	

Employees must return all City property immediately upon request or upon termination of employment. Where permitted by applicable laws, the City may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The City may also take all action deemed appropriate to recover or protect its property.

## IF YOU HAVE ANY QUESTIONS ABOUT ...

- your paychecks, contact the Finance Department at 899-3431
- your personnel file, contact the Finance Department at 899-3429
- EEO, contact the EEO Officer at 899-3432
- ADA, contact ADA Representative at 899-3409

- Civil Service, contact CSC Secretary at 899-3406
- your health benefits, contact Claims Administrator listed in back of Plan Document and Summary Plan Description Booklet
- your pension: contact the Police & Fire Disability Pension System in Columbus at 614-228-2975; or the Public Employees Retirement System in Columbus at 614-466-2085
- Cleveland Postal Employees Credit Union (CPECU), call 216-443-7290
- Firefighters Community Credit Union,  
2300 St. Clair Avenue, (216) 621-4644  
Cleveland, Ohio 44114 (800) 621-4644
- Personal banking services from: Huntington Bank, (216) 515-0029;  
Key Bank, 440- 892-1950; National City Bank 440- 871-7750;  
Fifth Third 440-871-6311; Charter One 440-871-2000.

## PUBLIC RECORDS DISCLOSURE POLICY

### INTRODUCTION

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

writing, the explanation must also be in writing. Records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules will be updated in accordance with the City of Bay Village's Retention Policy.

## **SECTION 1. PUBLIC RECORDS DEFINITION**

The City, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the City of Bay Village are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

## **SECTION 2. RECORD REQUEST RESPONSE PROTOCOL**

Requests for public records may be made in writing or verbally, and shall be forwarded by the City to the records custodian in care of the Law Department for response in a prompt and reasonable fashion.

### **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 public office 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 requester in revising the request by informing the requester of the manner in which the office keeps its records.

## Section 2.2

It is not mandatory that a request be made in writing and a requester may decline to reveal the requester's identity or intended use.

## 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* and copies must be made available within a *reasonable* period of time. "*Prompt*" and "*reasonable*" take into account the volume of records requested; the effect on the daily operations of the office to gather the records; 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, budgets, forms and permits. 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, these should be made as quickly as the equipment allows.

All requests for public records must either be satisfied or be acknowledged in writing by the City within five 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 2.4d** - Opportunity for the requester to make an appointment for a personal review of the category of records requested.

## **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: 1-10 single-side pages, No Charge; 11 or more single-side pages 10 cents per page retroactive to 1<sup>st</sup> page.

Section 3.2 - The charge for downloaded computer files to a compact disc is \$1.50 per disc. \*Cost may vary depending on volume/outsourcing.

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 REQUESTS AND RESPONSE

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 5. FAILURE TO RESPOND TO A PUBLIC RECORDS REQUEST

The City of Bay Village 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, City's failure to comply with a request may result in a court ordering the City to comply with the law and to pay the requester attorney's fees and damages.

### THE CITY OF BAY VILLAGE

January 14, 2008/

Revised 7/18/2012

Revised 1/2/2013

Date

\_\_\_\_\_  
Mayor Deborah Sutherland

