



EMPLOYEE POLICY & PROCEDURE MANUAL

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**CITY OF SHARONVILLE EMPLOYEE POLICY MANUAL
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Purpose & Use of this Manual

This is the Employee Policy Manual of the City of Sharonville. In this manual you will find much of the information you need as an employee here. In addition to this manual, you may also need to familiarize yourself with specific workplace rules, regulations, agreements, directives, policies, and procedures. You are also encouraged to speak with your supervisor who can assist you as you seek information related to your employment with the city.

LIMITATIONS OF THIS EMPLOYEE POLICY MANUAL – This manual is not an employment contract between any employee and the city. The policies contained in this manual do not constitute a guarantee of employment or the terms and conditions of your employment, and are not contractual obligations of the City of Sharonville. The city reserves the right to add, amend, modify and/or revoke any of its policies, practices, procedures, and standards as may be summarized in this manual with or without prior notice. Employees will be notified when employment policies are changed.

This manual creates no rights, contractual or otherwise, express or implied, between the City of Sharonville, any prospective or current employee, or any other person. Statements of policy contained in this Manual are not made for the purpose of inducing any person to become or remain an employee of the city, and should not be considered “promises” or granting “property” rights. Nothing contained in this manual shall impair the right of an employee or the city to terminate, with or without notice, the employment relationship in accordance with the applicable provisions of the Ohio Revised Code and the Rules and Regulations of the Sharonville Civil Service Commission. Any verbal statements or promises by any manager, supervisor, director, officer, elected official or other employee of the City of Sharonville which might be construed to alter or impair the right of the city to terminate employment in accordance with the applicable provisions of the Ohio Revised Code and the Rules and Regulations of the Sharonville Civil Service Commission are hereby expressly disavowed and should not be relied upon by any prospective or current employee.

The policies set forth within this manual supersede all previous written and unwritten policies for employees of the City of Sharonville. In the event there is a conflict between the policies set forth in this manual and any applicable law, statute, Collective Bargaining Agreement or the Rules and Regulations of the Sharonville Civil Service Commission, such law, statute, Collective Bargaining Agreement or Civil Service Rule will prevail.

In the event there is a conflict between the policies set forth in this Manual and any policies, procedures, rules, directives, orders, practices, etc., either written or practiced, that are currently or in the future in effect within any department or division within the City of Sharonville, the provisions of this City of Sharonville Employee Policy Manual will prevail.

EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

I hereby acknowledge that I have received and will be responsible for all provisions of this City of Sharonville Employee Policy Manual. I understand and agree that I am responsible for compliance with all provisions of this Manual.

Nothing contained in this Manual or any verbal statement by any supervisor, director, manager, officer, elected official or employee of the City of Sharonville shall impair my right or the right of the city to terminate, with or without notice, the employment relationship in accordance with the applicable provisions of the Ohio Revised Code and the Rules and Regulations of the Sharonville Civil Service Commission.

I further understand and agree that this City of Sharonville Employee Policy Manual is not a contract of employment. I understand and agree that the policies contained in this Employee Policy Manual do not constitute a guarantee of employment or the terms and conditions of employment, and are not contractual obligations of the City of Sharonville. I understand that statements of policy contained in this Manual are not made for the purpose of inducing me to become or remain an employee of the city, and will not be considered "promises" or granting me any "property" rights. I acknowledge that the city may amend, modify and/or revoke any of its policies, practices, procedures and standards as may be summarized in this Manual or otherwise, with or without prior notice.

I further understand and agree that if at any time in the future any questions arise regarding the Employee Policy Manual, or any of its provisions, I will contact a supervisor for clarification.

Completion of the Employee Acknowledgment form is a condition of initial or continued employment.

Employee's Signature

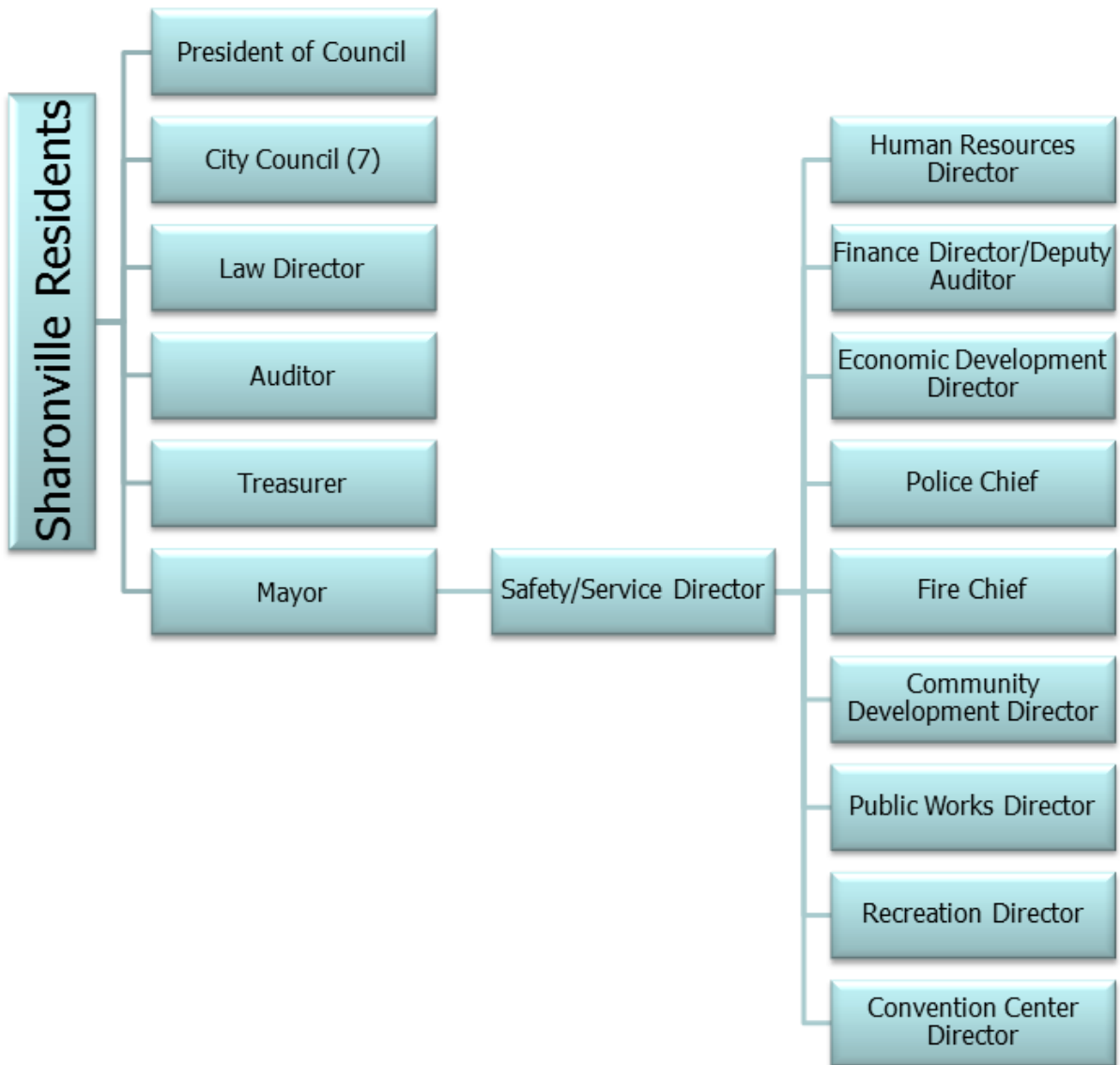
Date

Witness Signature (supervisor or manager)

Date

CITY OF SHARONVILLE ORGANIZATION CHART

Sharonville Organizational Chart



SECTION 1. NEW HIRE POLICIES

- 1.1 [Civil Service Status](#)
- 1.2 [New Appointments](#)
- 1.3 [Pre-Employment Physical Exam](#)
- 1.4 [Pre-Employment Background Check](#)
- 1.5 [Reinstatement](#)
- 1.6 [Equal Employment](#)

1.1 Civil Service Status

The appointment of applicants to classified positions shall be governed by appropriate provisions of the Ohio Revised Code and the Rules and Regulations of the Sharonville Civil Service Commission. Such laws and rules shall prevail over any conflict with the contents of this manual.

1.2 New Appointments

1. Classified Positions
 - A. Vacancies in classified positions will be announced in compliance with the appropriate provisions of the Rules and Regulations of the Sharonville Civil Service Commission.
 - B. All appointments to classified positions will be by the Safety/Service Director. Such appointments shall be made from a list of qualified applicants from a certified list provided by the Sharonville Civil Service Commission.
2. Unclassified Positions

Appointments to unclassified positions will be made by the Mayor.
3. Probationary Periods
 - A. All newly hired classified and unclassified employees must successfully complete a probationary period of 365 calendar days.
 - B. No promotion shall be final until the employee has satisfactorily served a six month (180 days) promotional probationary period.
 - C. Service as a temporary employee in the same or similar class shall not be included in the probationary period.
 - D. If the service of a probationary employee is unsatisfactory, the employee may be removed or returned to the prior position at any time during the probationary period without right of appeal.

1.3 Pre-Employment Physical Exam

1. Newly appointed full-time and part-time employees must successfully pass all required pre-employment procedures, including a drug/alcohol screening and physical, before commencing work.
2. Exceptions are as follows:
 - A. Reinstated employees restored within 365 days following resignation are not required to take a medical examination.
 - B. Seasonal, non-benefits-eligible part-time, temporary, personal services contract employees, or employees not in permanent service are not required to take a physical, but will be required to submit to a drug/alcohol screening in accordance with the city's Drug-Free Workplace Program.

1.4 Pre-Employment Background Check

As a condition of employment for all full and part-time employees, the prospective employee must consent to a background check that will be conducted prior to the start of employment. Exceptions may be granted at the discretion and judgment of the Safety/Service Director or Human Resources Director.

1.5 Reinstatement

1. Following voluntary resignation

A former employee who has resigned in good standing may, at the discretion of the Safety/Service Director, be reinstated within 365 calendar days of resignation pursuant to the applicable provisions of the Rules and Regulations of the Sharonville Civil Service Commission. No pre-employment physical examination would be required.

2. Rights and benefits

A. Reinstated employees will retain certain rights and benefits but must forfeit certain rights and benefits depending on the reason for reinstatement.

B. Vacation credit

Full-time employees will be credited with prior employment time for vacation purposes pursuant to the applicable provisions of the Ohio Revised Code or as approved specifically by City Council ordinance.

C. Longevity pay seniority

All years of full-time service with the city shall be credited toward calculating longevity pay unless otherwise prohibited by the appropriate provisions of the Ohio Revised Code or the Rules and Regulations of the Sharonville Civil Service Commission.

D. Pay step

Salary may be at the same step that the employee was receiving at the time of resignation or separation for medical reasons as determined by the Safety/Service Director. An employee being recalled from layoff is placed on the same salary step that he/she was on at the time of the layoff.

E. Sick leave credit

Full-time employees will be credited with previously accrued, but unused, sick leave balance, provided that such accrued, but unused, sick leave was not paid out at the time of separation from employment.

F. Probationary period

No new probationary period is required, unless the employee is reinstated in a different classification.

1.6 Equal Employment

1. It is the city's policy to assure equal employment opportunity. Violations of this policy by any employee of the city will be considered failure of good behavior and may result in the appropriate disciplinary action including termination of employment.

2. It shall be the policy of the city to:

A. Recruit and employ applicants on the basis of fitness, diligence, and qualification without discrimination on the basis of age, race, color, religion, sex, sexual orientation, national origin, non-job related mental or physical disability, or any other protected status as provided for within the appropriate federal and state laws.

B. Utilize and/or develop the skills of present employees to the fullest extent to include, but not limited to, transfer and promotion consistent with applicable regulations.

C. Provide a prompt, effective system for processing complaints of discrimination because of age, race, color, religion, sex, sexual orientation, national origin, non-job related mental or physical disability, or any other protected status as provided for within the appropriate federal and state laws.

D. Provide counseling, training, and opportunity for advancement for all employees.

3. Upward and Lateral Mobility

- A. Opportunities for upward and lateral mobility within the city are essential to the staffing of each position with the best qualified employees. Any absence of a conscious effort to identify, train, and promote employees with potential skills fails to provide the city service with the maximum return per dollar expended and perpetuates the employees' frustrations in the work environment.
 - B. In pursuit of providing the fullest employment opportunities at all intervals in the overall range of skills possessed by employees, Department Managers, in concert with the Human Resources Director, will:
 - 1) Conduct a job analysis to identify actual tasks to be performed, and the frequency and importance of specific employee traits or skills needed for the job before filling each position.
 - 2) Endeavor to make available to all employees counseling and training to prepare them for transfers or promotions to available vacancies.
 - 3) Publicize job vacancies and opportunities for promotion so that those employees who possess the requisite skills will be aware of the career opportunities in the city service.
 - 4) Base eligibility for entry, promotion and lateral entry on possession of necessary skills and knowledge for performance of a specific task or group of tasks.
 - 5) Encourage and facilitate supervisory and management development of employees in supervisory positions that will:
 - a) Better qualify them to identify employees with higher skills or potential skills currently being utilized and to take corrective upgrading efforts as deemed necessary.
 - b) Make employees in supervisory positions fully aware of this Equal Employment Policy and motivate them to administer the policy to its fullest extent.
4. Recruitment
- A. A plan to insure a fair process of recruitment, selection, appointment, and placement of minority and female applicants and employees throughout the spectrum of authorized positions and pay levels is the foundation of the Equal Employment Policy.
 - B. In order to further seek out minority and female applicants, the city shall also:
 - 1) Insure that all job announcements are readable, understandable, and clear in the qualification statement, and contain only related or necessary requirements.
 - 2) Publicize employment opportunities in news media received in minority communities.
 - 3) Include in all advertising and recruiting literature the phrase "Equal Opportunity Employer" which may be expressed by the commonly acceptable initials of "EOE."
5. Selection Standards and Procedures
- A. Testing

All initial employment and probationary testing procedures shall be non-discriminatory.
 - B. Interviews
 - 1) Because biased and subjective judgments in personnel interviews can be a major source of discrimination, the Human Resources Director, in concert with Department Managers, shall be responsible to assure the elimination of bias through the following requirements:

- a) Persons conducting pre-employment interviews of applicants will be knowledgeable of the Equal Employment Policy.
 - b) Interviewers shall evaluate each applicant's individual ability and potential, in light of the actual job requirements.
 - c) The same initial questions and procedures shall be used for all applicants. Initial questions may generate subsequent questions that will be specific to the applicant being interviewed.
6. Complaint Procedure
- A. A complaint of discrimination may be initiated by an individual who believes that some action or inaction of the city was based on considerations of age, race, color, religion, sex, sexual orientation, national origin, non-job-related mental or physical handicap, or any other protected status as provided for within the appropriate federal and state laws in such a way that the applicant or employee who believes that they have been adversely affected in the area of employment with the city. The complaint should be filed with the Human Resources Director or the Law Director. In the event the Human Resources Director needs to file a complaint, the complaint should be filed with the Law Director. In the Law Director's absence, the complaint should be filed with the President of Council.
 - B. All employees shall be free from any and all restraint, interference, coercion, or reprisal on the part of co-workers, supervisors, Department Managers and other city employees or designees in making complaints or appeals, in serving as witnesses, or in seeking information. The above principles shall be equally and fairly applied after complaints have been adjudicated.
 - C. If any applicant or employee believes that any provision of this section has been violated, such complaining applicant or employee, their representative(s), or any person affected shall provide documentation concerning such alleged violation to the Human Resources Director so that appropriate action may be taken. Such appropriate action may include the appropriate disciplinary action including the possibility of termination of employment. Complaints of discriminatory actions and practices shall be resolved through an informal process under the guidance of the Human Resources Director. The Human Resources Director must initiate an effort to mediate or conciliate informal complaints. Informal complaints should be resolved generally at the supervisory level with concurrence from the Human Resources Director. If either the accused employee or the complaining employee fails to comply with any obligations or requirements that form any part of such decisions, the decisions may be enforced by a directive of the Safety/Service Director.
 - D. Initiating a complaint through the procedures provided for in this section does not in any way limit the rights of an applicant or employee to file a charge with the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission.

SECTION 2. CONDITIONS OF EMPLOYMENT

- 2.1 [Residency Requirements](#)
- 2.2 [Political Activity](#)
- 2.3 [Employee Conduct](#)
- 2.4 [Federal, State and City Income Taxes](#)
- 2.5 [Employee Record Changes](#)
- 2.6 [Policy Enforcement](#)
- 2.7 [Employee Attire Guidelines](#)
- 2.8 [Resignation](#)

2.1 Residency Requirements

No employee of the City of Sharonville is subject to a residency requirement, (Supreme Court of Ohio, Slip Opinion No. 2009-Ohio-2597).

2.2 Political Activity

1. There are specific aspects of political activity that are permitted and others that are forbidden to employees in the classified service. Political activities and politics are defined as partisan activities, campaigns and elections involving partisan primaries, partisan ballots and/or partisan candidates (O.R.C 124.57 and O.A.C. 123:1-46-02).
 - A. Following is a list of activities permitted to employees in the classified service. Classified employees may not engage in such activities during work hours without obtaining prior permission from their supervisor.
 - 1) Registration and voting.
 - 2) Expressing political opinions, either oral or in writing.
 - 3) Voluntary financial contributions to political candidates or organizations.
 - 4) Circulating nonpartisan petitions or petitions stating views on legislation.
 - 5) Attendance at political rallies.
 - 6) Signing nominating petitions in support of individuals.
 - 7) Displaying political materials in the employee's home or on the employee's property.
 - 8) Wearing political badges or buttons, or displaying political stickers on their private vehicles.
 - 9) Serving as a precinct election official.
 - B. Listed below are prohibited political activities for employees in the classified service:
 - 1) Candidacy for public office in a partisan election.
 - 2) Candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party.
 - 3) Filing of petitions meeting statutory requirements for partisan candidacy to elective office.
 - 4) Circulating official nominating petitions for any candidate participating in a partisan election.
 - 5) Service in an elected or appointed office in any partisan political organization.
 - 6) Accepting a party-sponsored appointment to any office normally filled by partisan election.

- 7) Campaigning by writing for publications, by distributing political material or by making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success.
 - 8) Soliciting, either directly or indirectly, of any assessment, contributions or subscription, either monetary or in-kind, for any political party or political candidate.
 - 9) Soliciting for sale or actual sale of political party tickets.
 - 10) Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues.
 - 11) Service as witness or challenger for any party or partisan committee.
 - 12) Service in political caucuses of a partisan nature.
 - 13) Participation in a political action committee which supports partisan activity.
2. Employees in unclassified positions, who serve at the pleasure of the appointing authority and are not subject to competitive examination, are not prohibited from engaging in political activity unless specifically precluded by federal or state constitutional or statutory provisions.
 3. Service in an appointed or elected position is prohibited when such position is subordinate to or in any way a check upon a position concurrently occupied by a classified or unclassified employee, or when it is physically impossible for one person to discharge the duties of both positions, or if some specific constitutional or statutory bar exists prohibiting a person from serving in both positions.
 4. If any person holding public office or employment is convicted of violating the Revised Code provisions prohibiting abuse of political influence, such office or position shall thereby be rendered vacant.

2.3 Employee Conduct

To assure continued employment in good standing with the city, all employees are required to comply with all rules, regulations, policies, procedures, orders, directives and other work requirements of the City of Sharonville including but not limited to the *Uniform Standards of Conduct for the Employees of the City of Sharonville*, Ohio Ethics Law, Ohio Sunshine Laws and the Electronic Media & Social Networking policies.

2.4 Federal, State and City Income Taxes

Federal law requires each employee to file a form W-4 declaring the number of exemptions, including their Social Security Number. To change the number of exemptions, contact the Finance Department.

2.5 Employee Record Changes

Each employee must provide to the Payroll Clerk within 14 calendar days following the occurrence, a written notice of any change of marital status, address, telephone number, name, dependent status or any other information included in the employee's personnel file.

2.6 Policy Enforcement

There is no expectation of privacy for property owned by the city or for employee's personal property or vehicles possessed, transported, or carried on to the premises of the city, including communication devices and electronic storage media. The city reserves the right at all times for a management employee or designee to conduct searches and inspections of employees on city property, city facilities, or in city owned vehicles or personal vehicles used for employment purposes. Such searches may include personal property and the city property that the employee uses including, but not limited to purses, briefcases, offices, desks, clothing and lunch bags/boxes for the purpose of determining whether the employee is illegally using, possessing, receiving or transporting city property or any items or information that is in violation of any city policy. Searches of the employee's

person and any personal property shall only be conducted upon reasonable suspicion that the search will produce evidence that the employee is guilty of misconduct or a rule violation.

2.7 Employee Attire Guidelines

1. All city employees represent the city when reporting to work and often form the first impression that citizens, visitors and other persons may have of the city. The city's policy is professional business attire which includes casual business attire and formal business attire, dependent on the needs of the department and employee's work environment for the day.
 - A. Due to the specialized nature of service provided by each department, Department Managers shall determine attire guidelines.
 - B. The attire guidelines will be approved by the Safety/Service Director or designee and communicated to the employees.
2. Employees are to dress in an appropriate and professional manner for their particular work environment.
 - A. Clothing should be clean, in good condition and properly fitted.
 - B. Neatness, cleanliness and attention to personal hygiene are required.
 - C. Hair (including sideburns, moustaches and beards) should be clean, combed, neatly trimmed and arranged. Distracting styles will be determined by the Department Manager and Safety/Service Director and may be deemed inappropriate for the workplace.
3. Consideration will be given to accommodate cultural values and will place the burden of demonstrating the need for the variation on the employee. Employees are required to inform their Department Manager of the need for a variation of this policy prior to implementing a deviation from this policy.
4. Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Any work time missed because of failure to comply with this policy will not be compensated. Violations of this policy will result in progressive disciplinary action including the possibility of termination of employment.

2.8 Resignation

1. Employees who intend to resign must submit a written notification to their Department Manager. The employee should give at least a fourteen calendar day notice prior to the last date of employment. Such notification should include the employee's last date of employment, department and position.
2. Employees should contact the Human Resources Director to schedule an exit interview.
3. Employees will be considered to have abandoned their job, and such abandonment will be considered a voluntary resignation, under the following circumstances:
 - A. The employee is on unapproved leave;
 - B. For a period of three work days.

SECTION 3. EMPLOYEE BENEFITS

- 3.1 [Accrual of Employee Benefits](#)
- 3.2 [Health Care Benefits](#)
- 3.3 [Holidays](#)
- 3.4 [Personal Day](#)
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- 3.17 [Benefits-Eligible Part-Time Employees](#)
- 3.18 [Employee Assistance Program \(EAP\)](#)
- 3.19 [Uniform Allowance](#)

3.1 Accrual of Employee Benefits

Employee benefits as outlined in this manual shall accrue when an employee is in active pay status but not while the employee is on any unpaid leave (including unpaid FMLA leave), on lay-off status, or on disciplinary suspension.

3.2 Health Care & Life Insurance Benefits

1. Eligibility
 - A. All full-time employees shall be entitled to enroll in medical and/or dental/optical plans, according to policies or plans provided by the city.
 - B. Elected officials may participate in the Health Care Benefits at a cost of 100% of the city's cost.
2. Life insurance is provided for all eligible employees in an amount equal to the employee's base salary rounded up to the next \$1,000.
3. Application

Eligible employees must properly and timely complete and sign the appropriate forms and provide the completed forms to the Human Resources Department.
4. Effective date of insurance plan

Coverage becomes effective the first day of full-time service.
5. Change in insurance plan eligibility

Any changes in marital status, dependent additions or deletions, school enrollment statuses, etc. must be submitted in writing to the Human Resources Department within 14 calendar days following such change. Appropriate documentation to substantiate such changes must be attached to the written notice.
6. Cost participation

Full-time employees must contribute a portion of the cost of the insurance plans provided by the city. The amount to be contributed by the employee will be determined by City Council.
7. Dependent Coverage in Special Circumstances

The employee may be required to provide a court order or other documentation to the city in order to continue health insurance coverage for dependents.

3.3 Holidays

1. The 11 City recognized holidays are:
 - A. New Year's Day;
 - B. Martin Luther King Jr. Day;
 - C. Presidents' Day;
 - D. Good Friday;
 - E. Memorial Day;
 - F. Independence Day;
 - G. Labor Day;
 - H. Thanksgiving;
 - I. Friday Following Thanksgiving;
 - J. Christmas Eve;
 - K. Christmas Day.
2. All full-time employees except police officers and firefighters shall receive a regular day's pay for city designated holidays during which time the city departments shall be closed.
3. A new full-time employee will not be scheduled to work the first normal work day on a holiday.
4. Two times the regular hourly rate will be paid or granted as compensatory time to non-safety employees called in to work on a city designated holiday.
5. Holiday pay is paid on the city designated holiday, except for 24 hour operations. 24 hour operations are paid on the actual holiday.
6. If the actual holiday falls on a Sunday, the following Monday will usually be considered the holiday. If the actual holiday falls on a Saturday, the preceding Friday will usually be considered the holiday.
7. An employee forfeits holiday pay if he/she does not work their full scheduled shift the day before and/or after the holiday, unless on approved paid time off or the absence is substantiated by an acceptable statement from an approved health care provider. In order to receive holiday pay, the employee must have sick leave available and cannot be under disciplinary suspension.
8. If the holiday falls during an employee's scheduled vacation, that date is designated as a holiday and not a vacation day.
9. Police Department
 - A. Employees working a 4 day on, 2 day off schedule (4&2), shall receive an additional day's pay for city designated holidays.
 - 1) In addition, employees who are required by the normal shift schedule to work on any of the city designated holidays shall receive an additional hour's pay for each hour worked that day.
 - 2) Employees will receive an additional day's pay when their scheduled off day falls on a holiday.
 - B. Employees working a 5 day on, 2 day off schedule (5&2) who are required to work holidays shall receive their regular rate of pay plus two (2) times the hourly rate for work performed during the holiday.
 - C. Police officers not covered under the bargaining unit working a 5 day on, 2 day off schedule (5&2) who may be required to work holidays, with the exception of the Chief of Police, shall be paid an additional day's pay for city designated holidays. They shall receive their regular rate of pay plus two (2) times the hourly rate for work performed during the holiday.

10. Fire Department

- A. Holidays may or may not match the holidays for 40-hour Fire Department employees as determined by the Safety/Service Director.
- B. Part-time Firefighter EMT/Firefighter Paramedics will receive 1.5 times their hourly rate for any holiday hours worked on city designated holidays.

3.4 Personal Day

- 1. Full-time employees shall be entitled to one personal day off with pay during each calendar year, subject to scheduling approval of the Department Manager. Such personal day will be lost if it is not taken during the calendar year in which it is earned.
- 2. Newly hired full-time employees who begin employment on or after July 1st are not entitled to a personal day for that calendar year.

3.5 Vacation

- 1. For newly hired employees, the Safety/Service Director shall have the authority to grant up to 10 years of service credit for vacation accrual purposes. The Mayor shall have authority to grant service credit for vacation accrual purposes in excess of 10 years.
- 2. Accrual
 - A. Full-time employees, after 1 year of service
 - 1) Schedule A: All full-time employees in any position shall be entitled to vacation as listed in Schedule A or as approved specifically by City Council ordinance.
 - 2) Schedule B: Police Department employees assigned to a "4&2" schedule shall be entitled to vacation as listed in Schedule B below.
 - 3) Chart 3.5 sets forth the number of hours of vacation available in either work schedule the January after an employee completes a full year of service with the city. The hours will be determined by the employee's actual shift assignment during the year that the vacation is scheduled.
 - 4) Any necessary prorating will be calculated on a per hour basis. The prorated vacation hours will be determined by dividing the appropriate hours from the table below by the employee's annual base schedule hours, multiplied by the employee's actual base schedule hours worked.

Chart 3.5		
	Schedule A	Schedule B
Year(s)	Hours	Hours
1	Prorated	Prorated
2	80	85
3	80	85
4	88	93.5
5	96	102
6	104	110.5
7	112	119
8	120	127.5
9	128	136
10	136	144.5
11	144	153
12	152	161.5
13	160	170
14	168	178.5
15	176	187

16	184	195.5
17	192	204
18 +	200	212.5

- B. New full-time employees, with less than 1 year of service
 - 1) New employees shall not be entitled to vacation in their first calendar year of employment. Earned vacation may be taken the January 1 following the employee's hire date.
 - 2) Any necessary prorating will be calculated on a per hour basis. The prorated vacation hours will be determined by dividing the appropriate hours from the table above by the employee's annual base schedule hours, multiplied by the employee's actual base schedule hours worked.
- C. Payroll posting of vacation
 - 1) Vacation is earned from January to December and is pro-rated for the first full year of employment. Vacation is posted each January for the portion earned in the previous year.
 - 2) When an employee terminates employment, their previously posted vacation is payable if not taken, and they may be paid for any pro-rated vacation earned in the current year, which has not been posted. Proration will be computed to the last full calendar month of service.
- D. Usage
 - 1) Vacation must be used in 15 minute increments.
 - 2) When a holiday falls during the employee's vacation period, which would otherwise have been a work day, the employee will not be charged a vacation day.
 - 3) No vacation shall be scheduled without the approval of the Department Manager or Human Resources Director and will be dependent upon the needs of the department or city. All employees must submit vacation requests as far in advance as possible on official city leave form. Failure to submit vacation requests as far in advance as possible may result in the denial of vacation leave.
- 3. Vacation accumulation and carryover
 - A. 40-hour employees
 - 1) When vacation entitlement is over 80 hours, and 80 hours have been used in the current year, time may be accumulated up to a maximum of 40 hours per year to be used during the following calendar year.
 - 2) No more than 40 vacation hours may ever be accumulated and carried forward to the following year, regardless of the number of otherwise unused vacation hours. Employees lose all vacation time not used during the calendar year other than the maximum of 40 "carry-over" hours.
 - B. 24-hour employees
 - 1) When vacation entitlement is over 120 hours, and 120 hours have been used in the current year, time may be accumulated up to a maximum of 24 hours per year to be used during the following calendar year.
 - 2) No more than 24 vacation hours may ever be accumulated and carried forward to the following year, regardless of the number of otherwise unused vacation hours. Employees lose all vacation time not used during the calendar year other than the maximum of 24 "carry-over" hours.
 - C. "4&2" schedule employees

- 1) When vacation entitlement is over 85 hours, and 85 hours have been used in the current year, time may be accumulated up to the maximum of 42.5 hours per year to be used during the following calendar year.
 - 2) No more than 42.5 vacation hours may ever be accumulated and carried forward to the following year, regardless of the number of otherwise unused vacation hours. Employees lose all vacation time not used during the calendar year other than the maximum of 42.5 "carry-over" hours.
4. Pay in lieu of vacation
- A. To receive pay in lieu of vacation, employees must complete the required form during the prior year's budget process. Payout will occur once per year in January or June, at the employee's election. Exceptions to the form deadline and payout month may be made by the Safety/Service Director.
 - B. When an employee from Schedule A has a balance of over 80 hours, the employee has the option of receiving an hour's pay for each hour accumulated in excess of 80 hours.
 - C. When an employee from Schedule B has a balance of over 85 hours, the employee has the option of receiving an hour's pay for each hour accumulated in excess of 85 hours.

3.6 Longevity

1. In addition to the hourly rates set forth, all full-time employees shall be paid the following longevity amounts, based on the hourly rate as of December 31 of the previous year times 2,088 hours.
2. All prior years of full-time active service with the city, regardless of whether or not a break in service has occurred, shall be credited toward calculating longevity pay.

A. 5 through 9 years of service	1 ½ %
B. 10 through 19 years of service	2 ½ %
C. 20 years plus	3 ½ %
3. If an employee's anniversary date is January 1 to June 30, longevity will be paid in the month of June. If the anniversary date is July 1 to December 31, longevity will be paid in the month of December.

3.7 Sick Leave

1. No sick leave shall accrue while an employee is in overtime status.
2. An employee may request use of sick leave for absence due to illness, injury, and/or exposure to contagious diseases, and illness or injury of individuals for which the employee is the primary caregiver, or death in the employee's immediate family.
3. The Department Manager shall investigate each request for use of sick leave and determine the call in procedure. Sick leave use can be denied when such investigation indicates that the request is not in compliance with this section, or when sick leave use is abusive, repetitive, or excessive as determined in the Department Manager's sole judgment and discretion.
4. While on sick leave, the employee must not participate in any outside employment or volunteer activities.
5. Unused sick leave shall be cumulative on an unlimited basis. Transferred sick leave from a qualified "public service employment" entity shall be accepted according to state law.
6. 40-hour employees
 - A. 40-hour employees shall accrue 10 hours of sick leave for each completed month of service. Partial service months will be prorated.
 - B. Sick leave credit shall not exceed 10 hours per calendar month or 120 hours per calendar year.
7. "4&2" schedule employees

- A. "4&2" schedule employees shall accrue 10.625 hours of sick leave for each completed month of service. Partial service months will be prorated.
 - B. Sick leave credit shall not exceed 10.625 hours per calendar month or 127.5 hours per calendar year.
8. Leave for full-time and benefits-eligible part-time employees
- A. With Pay
 - 1. Use of sick leave shall not be authorized unless the employee has properly reported and fully justified the absence at the sole discretion of the Department Manager.
 - 2. The employee's entire attendance record, determined by the Department Manager's judgment and discretion, will dictate if and when an acceptable statement from the employee's health care provider is required. Employees with excellent attendance records may not need to prove medical related absences, while employees with unacceptable attendance records may be required to provide an acceptable statement from the employee's health care provider for each absence. Generally, employees with four (4) or more separate absences during the preceding 365 calendar days will be asked to submit an acceptable statement from a health care provider. Absences covered by the Family and Medical Leave Act (FMLA) may require other provisions.
 - 3. Attendance records
Department Managers or designee will keep accurate records of sick leave usage and attendance. This information will be included in the employee's personnel file.
 - 4. Sick leave with pay for family
 - a. Sick leave with pay to care for a medical condition of the employee's spouse, child, parent or permanent member of the employee's household may be granted for the following reasons:
 - 1. Official quarantine - for the duration of the quarantine.
 - 2. To care for and make arrangements for a sick spouse, child, parent or permanent member of the employee's household - up to one day; however, additional leave may be granted by the Department Manager.
 - 3. Serious accidents, major or minor surgery, critical or sudden illness for a spouse, child, parent or permanent member of the employee's household - up to one day; however, additional leave may be granted by the Department Manager.
 - 4. The Safety/Service Director shall have the authority to make exceptions in extraordinary circumstances.
 - 5. Sick leave with pay for death
 - a. Length of leave depends on the following:
 - 1. Death in the immediate family - up to five (5) consecutive work days may be taken for each occurrence of immediate family member death near the death or burial date.
 - 2. Death of any relative outside of the immediate family - one (1) day to attend the funeral. A maximum of five (5)

non-consecutive days in a calendar year can be used to attend funerals of relatives not in the immediate family.

- b. Proof of death and/or funeral attendance may be required at the discretion of management. Additional leave may be recommended by the Department Manager and granted by the Safety/Service Director.
- 6. Family Medical Leave Act (FMLA)
 - a. The city may require that any absence which qualifies for FMLA coverage be substantiated with a properly completed Certification of Health Care Provider form. Accrued but unused vacation, personal and/or sick leave must be used during any FMLA qualified absence. See Policies Appendix E for the FMLA policy.
 - b. An acceptable return to work statement from the employee's health care provider clearly stating the employee is physically able to safely perform the essential functions of the job will be required before the employee can return to work. The city also may require a return to work statement from a health care provider selected and paid by the city.
- B. Without pay
 - 1. Sick leave without pay may be granted at the sole discretion and judgment of the Safety/Service Director or designee when employees are sick or injured but do not have a sick leave balance. Before an employee is eligible to use unpaid sick time, he or she must use all accrued but unused personal, sick time, vacation time and compensatory time.
 - 2. Employees must follow proper reporting procedure and provide an acceptable statement from a health care provider. Failure to do so may result in disciplinary action.
 - 3. When employees are in "inactive pay status", sick leave, vacation, and/or holiday pay do not accumulate.
 - 4. FMLA: See Policies Appendix E for the FMLA policy.

3.8 Borrowed sick leave for full-time employees

- 1. Sick leave may be borrowed by full-time city employees under the following criteria:
 - A. Before an employee is eligible to borrow sick time, he or she must use all accrued but unused personal, sick time, vacation time and compensatory time prior to being eligible to borrow sick leave.
 - B. Employees may only borrow sick leave from the city. A one-time borrow of sick leave is only available during the first 4 years of employment with the city and/or for employees who have accumulated less than 60 days of sick leave. An employee may borrow sick leave to create a maximum of 60 days in a calendar year of leave.
 - C. The employee must request permission from the Department Manager in writing. Permission may be granted as long as the employee is not currently on disciplinary suspension or facing a suspension or termination. In addition to the employee's Department Manager, the Safety/Service Director or designee must approve the request.
 - D. While on sick leave, the employee must not participate in any outside employment or volunteer activities.

- E. Upon returning to work, the employee will repay the borrowed sick leave hours by having ½ of their monthly sick leave accumulation credited back to the city.
 - F. The employee may be required to furnish an acceptable statement from the employee's health care provider to substantiate that the absence was caused by a medical condition or a non-work related injury. Such statement shall include a description of the illness or injury, the treatment given, and the estimated return-to-work date.
 - G. Upon termination, retirement or voluntary separation, any unreimbursed sick leave which has been borrowed by an employee must be repaid to the city, either in cash or as a deduction from any retirement/separation benefits. The city is authorized to offset any payments owed to retiring, terminated or voluntarily separating employees out of any funds owed to the employee.
2. All Department Managers or designees are responsible to maintain an accurate record of sick leave hours that have been borrowed, and an accurate record of the repayment procedure. Such records shall be forwarded to the Finance Department each pay period.

3.9 Donated sick leave

1. Eligibility

- A. Full time and benefits-eligible part-time employees may donate sick leave to any other individual employee earning at the same sick leave accrual rate to those who are in need of additional sick leave and have used all of their paid time off. The Safety/Service Director shall have the authority to make exceptions in extraordinary circumstances.
 - B. Employees must have exhausted sick, personal, vacation and compensatory time to be eligible for a sick time donation.
 - C. An employee to whom such sick leave hours have been donated will not be permitted to participate in any outside employment or volunteer activities.
 - D. No employee shall be eligible to receive donated sick leave hours if he/she is on disciplinary suspension or is facing disciplinary suspension or termination.
 - E. Donated sick leave hours cannot be used by the recipient employee to receive payment upon retirement.
2. Donation of sick leave must be requested in writing by the employee who will receive the donated sick leave. The Department Manager of the employee and the Safety/Service Director must approve the request.
3. Employees may not donate more than 40 hours to any other employee during each calendar year. An employee who donates sick leave to other employees must do so on a voluntary basis. Only the sick leave actually used by the recipient will be charged against the donor's sick leave balance.
4. Any donated sick leave hours shall be usable by the recipient employee at the exact same number of hours, regardless of any pay differential or seniority differential between the two employees.
5. The employee may be required to furnish an acceptable statement from the employee's health care provider to substantiate that the absence was caused by an illness or a non-work related injury. Such statement shall include a description of the illness or injury, the treatment given, and the estimated return-to-work date.
6. Abuse of sick leave is subject to appropriate disciplinary action including termination of employment.

3.10 Sick Time Buy-Back Program

For employees who commenced full-time employment with the City on or after January 1, 2014:

1. An employee may elect, at the time of retirement from active service, and with ten (10) or more years of service with the state or any of its political subdivisions, to be paid in cash for one-fourth the value of the employee's accrued but unused sick leave credit. The payment should be based on the employee's rate of pay at the time of retirement and eliminates all sick leave credit accrued but unused by the employee. The sick leave credit that is paid shall not exceed the value of 240 hours of sick leave. Such payment shall only be paid once to an employee, even if he or she is subsequently employed by the City following retirement.
2. There shall be no annual sick buy-back program.
3. Employees whose separation from the City is the result of resignation (other than for retirement) or dismissal proceedings shall not be eligible for payment of accumulated but unused sick leave.

For employees who commenced full-time employment with the City prior to January 1, 2014:

1. Participation
 - A. A Sick Time Buy-Back request form will be provided to employees annually. Compensation for the unused eligible sick leave will be based on the employee's December 31st hourly rate and paid in the month of January the following year.
 - B. Eligible employees will have the option of selling excess eligible hours to the city at the prescribed formula.
 - C. There is no maximum number of years over which the employee may exercise this employee benefit as long as he or she remains qualified pursuant to the eligibility provisions.
 - D. If an individual participates in the buy back program, it will not affect his or her family's rights in the event that the employee dies after the employee sells certain sick time hours to the city. Unsold sick time hours will continue to be reimbursed pursuant to Section 3.15, Retirement.
2. General Eligibility
 - A. Eligible hours include all sick leave accrued while employed at the city. Up to a maximum of 360 sick hours transferred from a qualifying "public service employment" entity are eligible for the buy back program when the employee has less than 8 years of service with the city. After 8 years of service with the city, all sick hours qualify.
 - B. In order for an employee to be eligible for the Sick Time Buy Back program, disciplinary action must not be pending which could result in employment termination.
 - C. An employee who elects to participate in the program in the upcoming calendar year must remain employed by the city through December 31st of the election year. If employment should, for whatever reason, terminate prior to December 31st the employee will not be eligible for this program.
3. Program Provisions, Option A
 - A. The city will purchase any of the eligible hours in excess of 960 which the employee elects to sell back, up to a maximum of 240 hours per calendar year. Employees will be required to maintain a balance of 960 hours of eligible sick

- leave “on the books” in order to remain eligible for participation in the program, i.e. the sale of hours may not decrease the sick balance below 960 hours.
- B. The employee may sell up to 240 hours per year, for which the city will pay up to 120 hours at the pay rate of the employee, calculated at the end of the prior calendar year (2 for 1).
 - C. The use of Injured on Duty (IOD) time will reduce the employee’s level of participation accordingly, regardless of the employee’s sick leave accumulation, i.e., 64 hours of IOD would reduce the employee’s participation by 64 hours.
4. Program Provisions, Option B
- A. All full-time employees with 25 years or more of public service employment are authorized to participate in the following sick time buy back provisions:
 - 1) The 25 years of service credit must be obtained by December 31 of the year prior to the January payout. The employee must provide documentation from an eligible pension system documenting 25 years or more of qualified “public service employment.”
 - 2) There is no minimum balance required to participate in this special buy back program.
 - B. The format will involve the following:
 - 1) The city will purchase a maximum number of hours at the rate of one hour paid for one hour sold (1 for 1) in the amount of 1,440 eligible hours during the entire time when the employee is eligible to participate in this special buy back program.
 - 2) The city will purchase at the rate of one hour paid for one hour sold (1 for 1) up to a maximum of 720 eligible hours per calendar year during each year that the employee elects to sell such hours under this program at the qualifying hourly rate.
 - 3) Once the employee has sold 1,440 sick time hours the employee may sell up to 240 hours per year, for which the city will pay up to 120 hours (2 for 1) at the pay rate of the employee, calculated at the end of the prior calendar year. A maximum of 480 hours may be sold in the calendar year of retirement, for which the city will pay up to 240 hours at the pay rate equal to the last day of service. In the event that an individual retires more than once from the city, the payment provided for herein shall only be made once upon the first retirement, and thereafter the benefit provided for herein shall not be available.

3.11 Maternity/Paternity

- 1. Full time and benefits-eligible part-time employees not eligible for FMLA
 - A. Employees not eligible for FMLA due to insufficient length of service may take a 6 week maternity/paternity leave. Paid leave available to the employee, i.e., accrued vacation, personal, comp, medical and/or sick leave will run concurrent with the 6-week maximum leave period. The Safety/Service Director or designee, in his/her judgment and discretion, may grant additional leave based upon medical necessity.
 - B. Before returning to work after a maternity leave, as with any other medical-related leave, the employee will be required to present evidence from her doctor stating that she is physically able to safely perform the essential functions of the job and may therefore return to work.
 - C. Upon return from maternity/paternity leave, the employee will generally be returned to the same position he/she held when the leave began or, depending

upon the needs of the city in its sole judgment and discretion, to another position with equivalent status, pay, benefits and other employment terms.

3.12 Deferred Compensation

1. All full-time employees in any position, benefits-eligible part-time employees, and elected officials are entitled to participate in either of the city's Deferred Compensation Plans. The plans are authorized by Section 457 of the Internal Revenue Code.
2. A portion of bi-weekly pay is deferred to the plan and is invested until the employee retires. Pay is deferred after city income tax, OPERS and OP&F are withheld. Deferred pay is exempt from federal and state income tax until it is paid out at retirement. Deferred compensation can be used for pension buyback for prior service from PERS and OP&F.

3.13 Court Leave

1. Jury Duty
 - A. Permanent or probationary full-time employees called for jury duty are granted leave and receive regular pay up to a maximum of 21 days per calendar year.
 - 1) Employees must provide acceptable court documentation for each day of absence to be eligible for the leave and to receive regular pay.
 - 2) Jury duty leave shall not be factored into overtime calculations. No jury duty leave is granted when jury duty occurs outside of the employee's scheduled hours.
 - B. Employees are excused each day for time spent in jury duty and are expected to be at work otherwise, allowing for reasonable travel time. Department Managers have discretion over the employee's schedule while on jury duty leave and will schedule according to the needs of the department.
 - C. Payment received for jury duty service may be retained by the employee. The city will not reimburse parking fees.
2. Witness In Court
 - A. Employees required to testify in a case arising from city employment, or who are required by subpoena to appear in court as a witness on a case not arising out of city employment, will be granted a leave of absence for the time spent as a witness and will be compensated accordingly. Employees are excused each day only for the time spent as a witness and are expected to be at work at all other times. Employees who are called to testify as a witness as a result of job responsibilities shall deposit witness fees with the City Treasurer.
 - B. Employees who voluntarily appear in court as a witness or defendant, or who voluntarily appear in court as a plaintiff for a legal action that is not related to employment with the city must use accrued but unused vacation time for such appearances.

3.14 Military Leave

1. General Provisions

The city is committed to protecting the job rights of employees absent from work for military duty. In accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), it is the city's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the armed forces of the United States or the National Guard. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised their rights under this policy.

2. Request for Leave

Military leave shall be granted after notice by the employee of an acceptable duty requirement. The employee shall be responsible for forwarding a copy of the orders for the training or active duty assignment to the Department Manager as soon as possible upon receipt of those orders unless the employee is prevented from doing so by military necessity. If possible, notice should be given 30 calendar days before the date of military service.

3. Military Leave with Pay

A. Full-time employees of the city shall be entitled to military leave with pay as specified in this policy. Those employees serving in a reserve component of the armed forces or with the National Guard shall receive differential pay when away for military training or active duty assignments. Military leave pay will be the difference between the employee's gross military pay (excluding weekends, holidays, and allowances for travel, food, and housing) for each day of service and the regular day's pay that the employee would have received through employment with the city.

B. Types and Amounts of Leave with Pay

1) Military Leave with Pay for Training

A full time employee who is a member of a reserve component of the armed forces or the National Guard shall be entitled to a period not to exceed 30 calendar days (240 hours) of paid military training leave per calendar year. These hours may be taken as needed to comply with provisions of the Uniformed Services Employment and Reemployment Rights Act.

2) Military Leave with Pay for Active Duty

A full time employee who is a member of a reserve component of the armed forces or the National Guard shall be entitled to a period not to exceed 90 calendar days (720 hours) of paid leave in a calendar year for any active duty call up which results from a Presidential order or a call to duty by a Governor of a state. Upon completion of the paid hours of leave, the employee may use any other leave balances that are available, including vacation and compensatory time, to continue receiving pay. Upon exhausting these balances, the employee will be on unpaid military leave as detailed below.

4. Military Leave without Pay

Any employee of the city who is a member of a reserve component of the armed forces or the National Guard shall be entitled to military leave without pay for up to 5 years (1,827 calendar days) while on active duty orders. Any portion of this unpaid leave may be offset by paid leave that the employee is entitled to, which includes vacation and compensatory time. Military leave without pay for full time employees shall commence after use of any paid military leave for which the employee is entitled.

5. Benefits during Leave

A. All benefits as provided in USERRA shall be available to the employee, including the continuation of health insurance while on unpaid leave for the USERRA specified time period. If the employee elects to continue health insurance coverage during the USERRA specified time period of unpaid leave, the total cost of the monthly premium must be paid by the employee and received in the Finance Department by the first day of the month for which coverage is extended. If the payment is more than 30 calendar days late, the employee's health care coverage may be dropped for the duration of the leave. The city will provide 15 calendar days' notification prior to the employee's loss of coverage.

Life insurance and any disability coverage that the employee has elected will be terminated upon the start of military leave without pay.

- B. Vacation and sick leave will only accrue while the employee is in paid status. If the employee is eligible for longevity pay, that pay will be awarded according to the longevity policy.

6. Reemployment Following Active Duty

- A. An employee who intends to return to work following a military duty obligation must submit notice to the employee's Department Manager of that intent for reemployment within the following timeframe:

- 1) For service less than 31 calendar days
The employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of military service and the expiration of eight hours after a time for transit back to the employee's residence.
- 2) For service of 31 calendar days or more but less than 180 calendar days
The employee must submit notice of reemployment intent to the employee's Department Manager no later than 14 calendar days following the completion of service.
- 3) For service of more than 180 calendar days
The employee must submit notice of reemployment intent to the employee's Department Manager no later than 90 calendar days following the completion of service.
- 4) Employee who is hospitalized or convalescing from a service-connected injury
The employee must submit notice of reemployment intent to the employee's Department Manager no later than two years (731 calendar days) following completion of service.

- B. An employee who returns from a military service obligation shall be reinstated promptly following receipt of the employee's notice of intent for reemployment. Such reinstatement shall be pursuant to the applicable provisions of federal and state law as well as the Rules and Regulations of the Sharonville Civil Service Commission. As part of this notice, the employee should provide a copy of the military discharge documentation. When reinstated, the employee, if qualified, shall be placed in a position that the employee would have attained if employment had not been interrupted by military service. Otherwise, the employee will be placed in a position of like seniority, status and pay, the duties of which the employee is qualified to perform. The city will make every effort to accommodate a service-connected disability when reinstating an employee.

- C. Reemployment may be denied if the employee fails to notify the city of intent to be reemployed within the time periods specified in this policy or within applicable laws. Reemployment may be denied if the employee was not honorably discharged from military service, if the city's circumstances have so changed to make reemployment impossible or unreasonable, or if the employee's employment prior to military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period.

7. Benefits upon Reemployment

An employee who returns from military leave shall be entitled to all benefits that the employee held prior to that leave pursuant to the applicable provisions of USERRA. In addition, the employee will receive seniority credit and any seniority based benefits that

the employee would have attained, had the employee remained continuously employed with the city. The employee may also be entitled to pension credit for time served on military duty, and it shall be the employee's responsibility to contact and submit the necessary information to the pension system.

3.15 Retirement

1. An employee who is planning to retire should notify the Department Manager and the Human Resources Director in writing as soon as possible, but no less than one month (30 calendar days) prior to the last day of work. Failure to provide adequate notice may result in delay in the payment of final earnings and benefits.
2. Lump sum final payment
 - A. This payment is based on the employee's basic rate of pay as of the last day in active pay status. The lump sum is included as earnings for pension purposes, if applicable.
 - B. The lump sum payment is subject to all normal taxes and other applicable deductions, and consists of the items listed below.
 - 1) Holiday time - Police will be paid for any holiday worked.
 - 2) Vacation pay - Any unused vacation, including pro-rated for the current year, shall be paid.
 - 3) Compensatory time - Any unused balance is included in the lump sum payment.
 - 4) Longevity pay - See Section 3.6.
 - 5) Sick leave - Any employee who has accumulated sick leave will receive up to a maximum of 1,440 hours at 1 for 1 at death or separation which results in receipt of payments from a state retirement system. A maximum of 240 hours at 2 for 1 is payable at death or separation which results in receipt of payments from a state retirement system. Employees may participate in the elective Sick Time Buy Back program which affects the maximum payout aforementioned. (see Section 3.10)
3. Death of employee
 - A. Within 60 calendar days following the date of death, a lump sum payment will be made to the employee's designated beneficiary at the rate of pay in effect on the employee's last day in active pay status.
 - B. If no beneficiary has been designated or if the designated beneficiary cannot for any reason (e.g., prior death) receive this payment, it shall be made to the employee's estate.
 - C. For employees who commenced full-time employment with the city prior to January 1, 2014, this payment includes the unused balance of vacation, prorated current-year vacation, compensatory time and holiday time to the date of death and unused sick leave up to 1440 hours and all other benefits as per ordinance. For employees who commenced their full-time employment with the city on or after January 1, 2014, up to 1,440 sick time hours shall be paid on a 1 for 1 basis at the rate of pay in effect on the employee's last day in active pay status. Only sick time accrued during the City of Sharonville's employment will be considered. No payout will be provided if death is as a result of suicide.
4. Forced retirement

An employee who is forced to retire because of specific illness and/or injury may elect one of the following options upon the receipt of acceptable certification by a physician that such illness and/or injury was the cause of retirement.

 - A. Option 1 - Employee may remain on the payroll until all accumulated leave time (vacation, sick leave, comp time) has been exhausted.

- B. Option 2 - Employee may receive termination benefits in a lump sum according to the rules established (Note that under this option the employee may not receive 100% of accumulated sick leave, if in excess of ordinance limits).

3.16 Family & Medical Leave (FMLA)

All eligible employees of the City of Sharonville shall be entitled to leave as provided under the Family and Medical Leave Act and its revisions. It shall be the responsibility of the employee to submit any requested support documentation to be eligible for continued use of this leave.

1. Eligibility

Eligible employees are those who:

- A. Have been employed for 12 months (52 weeks); and
- B. Have worked at least 1,250 hours during the 12 months immediately prior to the start of FMLA leave. Neither paid nor unpaid time off will be counted toward eligibility.

2. Eligible Leave

The following types of leave are eligible under this policy:

- A. The birth, adoption or placement for foster care of a child, including leave to care for and bond with the new child, within one year from the birth, adoption or placement;
- B. To care for a spouse, child or parent with a serious health condition;
- C. The serious health condition of an employee;
- D. Qualifying exigency leave for the spouse, child, or parent of an employee who is a member of the Armed Forces, National Guard or Reserves. Qualifying exigencies include:
 - 1) Short notice deployment;
 - 2) Military events and activities;
 - 3) Childcare and school activities;
 - 4) Financial and legal arrangements;
 - 5) Attending counseling;
 - 6) Assisting with the military member's rest and recuperation;
 - 7) Post-deployment activities;
 - 8) Other post-deployment activities as agreed to by the city.
- E. To care for an injured or ill service member or veteran, that is recovering from a serious injury or illness incurred in the line of duty, and who is the employee's child, parent, spouse or next of kin. "Next of kin" means the closest blood relative of the ill or injured service member.

Paid leave taken for a condition that progresses into a serious health condition may be retroactively designated, in whole or part, as Family & Medical Leave under this policy.

3. Amount of Leave & Calculation

A. Regular Leave

Eligible leave types 3.16 (2)(A) - 3.16 (2)(D), above, are eligible for 12 weeks of FMLA leave during a 12 month period. Eligible leave type 3.16 (2)(E), above, is eligible for 26 weeks of leave during a 12 month period. The 12 month period will be measured backward from the date of FMLA leave usage.

B. Combined Spousal Leave

Spouses, concurrently employed by the City, taking eligible leave for the birth of a child and bonding with the newborn; the placement of a child through adoption or foster care and bonding with the child; or care of a parent with a serious health condition are limited to a combined 12 weeks of FMLA leave.

Similarly, spouses, concurrently employed by the City, and taking leave for the care of an ill or injured service member are limited to 26 weeks of FMLA leave.

Combined spousal leave is inapplicable to: an employee's own serious health condition, care for the other spouse or a child with a serious health condition, or leave under 3.16(2)(D).

4. Use of Paid & Unpaid Leave
 - A. Employees must exhaust all paid leave available to them prior to being eligible for unpaid leave.
 - B. Sick leave will run concurrent to FMLA leave if the condition is covered by the city's sick leave policy.
 - C. An employee taking leave for the adoption or foster care of a child must use all paid vacation and personal leave prior to being eligible for unpaid leave.
5. Employee Benefits During Leave
 - A. During FMLA leave, the city will continue the employee's health insurance and other employee benefits at the same level and under the same conditions as if the employee had continued to work.
 - B. During concurrent paid and FMLA leave the city will continue to make payroll deductions to collect the employee's premium share for all applicable benefits. Employees on unpaid FMLA leave are responsible for making full payment of any premium or premium share. Payment of insurance premiums must be received by the Finance Department by the first day of each month for benefits during that month. If the payment is more than 30 days late, the employee's insurance benefits may be terminated. The city will provide 15 calendar days notice of cancellation for health insurance benefits.
 - C. The city may require reimbursement for health insurance premium payments should an employee choose not to return to work. Employees who do not return to work due to the continuation of their serious health condition, or that of a family member, or a circumstance beyond the employees control are exempt from reimbursement.
6. Intermittent Leave or Reduced Work Schedule
 - A. Leave may be taken either intermittently or periodically, as required by an employee's or family member's serious health condition. This may include a reduced work schedule. Whether taken intermittently, or not, the leave may not exceed 12 weeks (or 26 weeks under 3.16.2 (E)) per year. Employees seeking accommodation under the American's with Disabilities Act should consult with the Human Resources Department.
 - B. Scheduling for intermittent leave and/or a reduced work schedule for the birth, adoption, or foster care of a child, must be mutually agreed upon by the city and employee prior to the utilization of such leave. Leave for birth, adoption, or foster care of a child must be taken within one year of the birth or placement of the child.
7. Certification & Recertification
 - A. Certification is Required for the following:
 - 1) An employee's own serious health condition;
 - 2) A family member's serious health condition;
 - 3) A qualify exigency for military family leave; and
 - 4) The serious injury or illness of a covered service member.
 - B. Time for Response
An employee has 15 days to respond to a request for certification, and must use the appropriate certification forms. Failure to properly respond may result in the denial of continuation of leave.

- C. **Employer Communications**
The city, through the Human Resources Department, may directly contact the employee's health care provider for verification, or clarification, of an employee's serious health condition. Prior to such direct contact, the city will notify the employee and provide them an opportunity to provide the necessary verification or clarification. The city will comply with all requirements of HIPAA medical privacy rules. The city may provide the employee's health care provider with their attendance and seek input on whether it is consistent with their FMLA leave needs.
 - D. **Recertification**
Recertification may be requested once every thirty days, provided that, either, the circumstances surrounding the FMLA leave have changed, new information has made the claim for leave suspect, or the employee is seeking an extension of leave. Generally, recertification must be made every six months for continued leave.
 - E. **Additional Medical Opinions & Advice**
The city may seek a second medical opinion, from a provider of its' choosing, should the validity of the certification be in doubt, or should there be confusion regarding whether certification is appropriate. The city shall pay the costs of any second opinion. FMLA leave may be denied should an employee refuse to release relevant medical records to the health care provider designated to provide the additional opinion.
A third medical opinion may be sought to resolve conflict between an initial and secondary medical opinion. The city and employee will mutually select the third medical professional. The third opinion will be considered final.
8. **Requesting FMLA Leave**
- A. All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the employee's Department Manager. Within five business days after the employee has provided this notice, the Department Manager will complete and provide the employee with the FMLA Notice of Eligibility to the Employee.
 - B. When the need for the leave is foreseeable, the employee must provide the City with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the City's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.
9. **Approval & Denial of Leave**
Within five business days after the employee has submitted the appropriate certification form, the employee's Department Manager will complete and provide the employee with a written response to the employee's request for FMLA leave using the FMLA Designation Notice.
10. **Return to Work**
- A. On a basis that does not discriminate against employees on FMLA leave; the City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work. This requirement will be noted to the employee on the FMLA Notice of Eligibility form and will occur no more frequently than every 30 days.
 - B. A fitness for duty clearance from the health care provider may be required before an employee is returned to work. This requirement will be identified in the FMLA Notice of Eligibility to Employee form that is completed by the Department

Manager. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The City may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

11. Outside Employment

Employee will not engage in outside employment while utilizing FMLA leave. The Safety Service Director may approve exemptions to this policy. Requests for exemptions must be in writing and detail the specific activities of the outside employment.

3.17 Benefits-Eligible Part-Time

1. The purpose is to provide holiday, sick and vacation time to part-time employees after one (1) year of employment who work 25-28 hours (maximum of 1,500 hours per calendar year) per seven calendar day work period on a regular schedule on an annualized basis.
2. Criteria
 - A. Benefits-eligible part-time employees are determined by the position, a work schedule of 25-28 hours per week (maximum of 1,500 hours per calendar year) and approval by the Safety/Service Director.
 - B. The criteria for eligibility must be met without interruption unless there is prior approval from the Safety/Service Director.
3. If a benefits-eligible part-time employee changes to a part-time without benefits status, the employee does not accrue additional benefits. Existing earned sick leave will be retained but cannot be used by the employee in the part-time without benefits status. Accrued but unused vacation time will be paid.
4. Upon separation from the city, unused sick time will remain on the books and may be transferred, if permitted by applicable law, to another government entity. Accrued but unused vacation time will be paid.
5. Benefits-eligible part-time employees shall be entitled to the following pay while remaining in a benefits-eligible part-time position, as determined by the Department Manager.
 - A. Holiday
 - 1) Pay for each city holiday at the rate of .003846 hours for each hour of active pay status (up to a maximum of 1500 active pay status hours) in the prior calendar year.
 - 2) In addition, 1.5 times the hourly rate will be paid for hours worked when scheduled to work on a city designated holiday.
 - B. Vacation
 - 1) Pay at the rate of .01923 hours of vacation for each hour of active pay status (up to a maximum of 1500 active pay status hours) in the prior calendar year.
 - 2) Beginning in the third calendar year of employment and for each year of service thereafter, benefits-eligible part-time employees will earn an additional cumulative .003846 hours of vacation for each hour of active pay status up to a maximum of three (3) of the employees' average weeks of vacation. This benefit became effective for calendar years after 1/1/2001.

January 1 after:	
Year 2 (eligible at anniversary of date of hire)	Year 1 Hrs x .019230
Year 3	Year 2 Hrs x .023076
Year 4	Year 3 Hrs x .026922
Year 5	Year 4 Hrs x .030768
Year 6	Year 5 Hrs x .034614
Year 7	Year 6 Hrs x .038460
Year 8	Year 7 Hrs x .042306
Year 9	Year 8 Hrs x .046152
Year 10	Year 9 Hrs x .049998
Year 11	Year 10 Hrs x .053844
Year 12	Year 11 Hrs x .057690

6. If a benefits-eligible part-time employee becomes a full-time employee, the “years of service” as a benefits-eligible part-time employee do not carry over for vacation credit or longevity pay.
 - A. However, the employee would be entitled in the first calendar year of full-time employment to the vacation earned in the prior calendar year of employment as a benefits-eligible part-time employee.
 - B. Vacation will be capped at this level until the “years of service” is met for this level. This higher “years of service” level is applicable only for vacation credit and does not apply to “years of service” credit for longevity pay.
7. Vacation Accumulation

Once a benefits-eligible part-time employee has used two (2) of his or her average weeks of vacation time in the current year, the employee may carry over a maximum of one (1) average week of vacation time to the next calendar year. Vacation will be lost if not used or carried over.
8. Sick Leave
 - A. Sick leave will accrue for the following calendar year(s) at the rate of .0128 for each hour of active pay status (up to a maximum of 1500 active pay status hours).
 - B. If a benefits-eligible part-time employee who is eligible for sick leave becomes a full-time employee, the accrued sick leave will carry over to the full-time status. The sick leave may be paid out upon retirement (based on PERS, OP&F or Social Security criteria), but will not be paid out upon termination of employment.

3.18 Employee Assistance Program (EAP)

1. The city provides a confidential Employee Assistance Program to all full-time and benefits-eligible part-time employees and their IRS eligible dependents. This program is an employee benefit. The service provides a limited number of visits. If longer-term or more intensive therapy is needed, the employee will be referred to an appropriate in-network health care provider.
2. The EAP is strictly confidential. No personally identifiable information will be shared with the city without written consent.
3. If a problem affects the employee’s job performance, the employee’s Department Manager may refer them to the EAP. This may include mandatory compliance as a requirement of continued employment.

3.19 Uniform Allowance

The city may furnish uniforms to designated employees as determined by Safety Service Director. Uniforms and all other items issued by the city remain the property of the city and must be returned when the employee leaves the city's employment. Taxability of fringe benefits will be determined pursuant to guidelines set forth in the Taxable Fringe Benefit Guide issued by the Internal Revenue Service. The city Auditor's office will be responsible for interpretation of those guidelines as applicable to city fringe benefits.

SECTION 4. COMPENSATION

- 4.1 [Salary Schedule](#)
- 4.2 [Scheduling of Hours](#)
- 4.3 [Salary Adjustments Due to Promotion or Reclassification](#)
- 4.4 [Temporary Promotions and Temporary Transfer Pay](#)
- 4.5 [Overtime Pay and Compensatory \(Comp\) Time](#)
- 4.6 [Flexible Schedules](#)
- 4.7 [Meals and Breaks](#)

4.1 Salary Schedule

1. All salaries shall be paid bi-weekly unless otherwise set forth.
2. Direct Deposit
 - A. Employees shall be paid only by direct deposit. Employees shall complete an Authorization for Direct Deposit of pay.
 - B. If an employee changes banks or account numbers, the employee must obtain and complete new authorization forms. Forms are available from the payroll personnel.
 - C. Employees with direct deposit will receive a Payroll Earning Statement on each payday. If any data on the Payroll Earning Statement is incorrect, notify payroll personnel immediately. The city retains the right to provide Payroll Earning Statements electronically in lieu of a paper document.
 - D. Direct deposits are credited to accounts on paydays or the preceding work day if the scheduled payday is a holiday.
 - E. Upon separation from employment, the employee's final earnings may be direct deposited, dependent on return of city property and Department Manager approval. Otherwise, a payroll check will be issued to the employee and retained by the city as permissible pending the return of city property.

4.2 Scheduling of Hours

1. Employees must work their assigned work schedule on a regular basis, as set by the Department Manager, to be designated as a full-time employee. Department Managers may adjust work schedules as necessary to fit the city's staffing needs.
2. Compliance with the Fair Labor Standards Act (FLSA) requires non-exempt employees to adhere to scheduled work hours unless otherwise approved by the Department Manager.
 - A. To accomplish this, an employee should not arrive early or stay late and should not work through lunch hours without prior approval by the Department Manager.
 - B. Time spent in work-related activities outside the established workday may be compensable and may be considered as time worked for the purpose of calculating overtime.

4.3 Salary Adjustments due to Promotion or Reclassification

1. Civil Service classified employees shall receive salary or wage adjustments commensurate with their promoted or reclassified position.
2. Non-classified employees shall receive salary or wage adjustments at the sole discretion of the city administration.
3. Such adjustments in salary or wage will be effective on the date any promotion or reclassification takes effect.

4. See the Rules and Regulations of the Sharonville Civil Service Commission for additional guidance.

4.4 Temporary Promotions and Temporary Transfer Pay

1. Classified employees of the city, who are promoted or transferred temporarily, shall receive compensation for such service at a rate determined by the Safety/Service Director.
2. Should a temporary appointment be required to fill a vacancy in any unclassified position, City Council shall determine the amount of compensation for such temporary service.
3. See the Rules and Regulations of the Sharonville Civil Service Commission for additional guidance.

4.5 Overtime Pay & Compensatory (Comp) Time

1. All FLSA non-exempt employees (other than Police and Fire Department personnel) shall be paid overtime at 1.5 times the hourly rate for hours worked in excess of forty (40) hours in any seven calendar day work period.
2. Overtime and comp time will be worked and paid or earned in 15-minute increments.
3. Eligibility
 - A. Employees who are determined to be “exempt” from the overtime provisions of the FLSA are not eligible for overtime pay. Part-time Fire Department employees are paid overtime per FLSA guidelines.
 - B. Department Managers shall make every effort to minimize the number of hours worked in excess of established work schedules. The Safety/Service Director or designee shall approve such work only if it is necessary to meet the operating requirements of the city.
 - C. All unscheduled or emergency overtime work performed on Sundays by Public Works Department employees will be paid at 2 times the hourly rate. This benefit excludes pay for holidays which occur on a Sunday, which is paid pursuant to Section 3.3.
 - D. A two hour minimum will be paid if a classified employee is called in on an unscheduled work day. Otherwise, the employee is paid overtime only for the actual time worked adjacent to the scheduled shift.
 - E. Such request shall be denied if the employee has used sick, vacation or comp time within the workweek of which overtime or comp time is requested. Exceptions may be granted at the sole discretion and judgment of the Safety/Service Director.
 - 1) Overtime or comp time will not be paid or earned in a 7 day work week in which sick time was used in increments greater or equal to the amount of overtime or comp time requested unless the absence is excused by an acceptable statement from the employee’s treating health care provider.
 - 2) Paid time off taken in the same work week that overtime or comp time would have been earned shall be deemed as flex time, hour for hour. Anything over 40 hours would then be subject to overtime pay or comp time accrual rates. Exception: If the employee scheduled and was approved for comp time prior to the affected 7 day work week, the employee is eligible for overtime or comp time within the same work week as comp time was taken. When a Department Manager orders overtime, vacation taken during the same 7 day work week will be

counted as hours worked and therefore overtime or comp time can be earned.

4. Compensatory (Comp) Time

- A. Comp time is an alternate method of rewarding overtime work. Instead of paying wages at 1.5 times the hourly salary, the employee would earn 1.5 hours of paid time off for each eligible overtime hour worked. The Department Manager may approve compensatory time in lieu of cash payment.
- B. Employees shall not accrue a balance of more than 50 compensatory time hours. Exemptions for special or unusual circumstances may be made on a case by case basis at the sole discretion of the Safety / Service Director.
- C. Comp time should not be confused with “flexible schedules.” See Section 4.6. Comp time strictly refers to compensation for overtime work.
- D. Department Managers have the authority to both:
 - 1) Mandate the use of comp time and/or schedule a date in which comp time balance will be reduced or exhausted.
 - 2) Cash out accumulated comp time by converting the balance to overtime wages.
- D. All unscheduled or emergency overtime work performed on Sundays by non-exempt non-exempt Public Works Department employees will be eligible for comp time at 2 times the hours worked. This benefit excludes pay for holidays which occur on a Sunday. (see Section 3.3)
- E. Upon separation from city employment existing compensatory time shall be paid in cash.

4.6 Flexible Schedules (Flex Time)

- 1. Flexible schedules require pre-approval by the Department Manager. Flexible Schedules (Flex Time) allows for employees to request an adjustment to their regular schedule while still maintaining their standard number of hours in a 7 day work week.
- 2. Departments may use a flextime work schedule, subject to the following conditions:
 - A. The normal pay period schedule of the department shall be approved by the Safety/Service Director. Normal City Hall hours of operation are Monday through Friday, 8:30 a.m. to 5:00 p.m., excluding city designated holidays.
 - B. The Department Manager has the discretion to determine if staffing coverage is adequate and sufficient to meet the operating requirements of the department. Department Managers will be responsible for resolving intradepartmental schedule conflicts and assuring that proper coverage is maintained. An approved recurring flex time schedule must be re-evaluated no later than every three months by the Department Manager.
 - C. The Department Manager has discretion to implement, continue, discontinue or modify flextime work schedules while adhering to the seven calendar day work period approved by the Safety/Service Director.
 - D. No flextime schedule shall be approved requiring more than 40 hours of actual work in a seven calendar day work period. Example: working 45 hours one work period in order to work 35 hours during the following work period.
 - E. The accrual of vacation, overtime, sick leave is the same for employees working flextime as for those working a standard schedule.

4.7 Meals and Breaks

- 1. Department Managers will set the meal and break schedule for the department employees.
- 2. Meal Period – one 30 minute unpaid

- A. Full-time classified employees scheduled for an eight and one half-hour shift are entitled to a half hour unpaid meal period.
- B. All meal periods should begin no earlier than 1 hour after the start of the shift and completed by no later than 1 hour prior to the end of the shift.
- C. Department Managers will determine if employees have either a 30 minute unpaid meal period or a 1 hour meal period, combining the two 15 minute breaks with the 30 minute meal period.
- D. A non-exempt or classified employee cannot skip the meal hour in order to leave one hour or one-half hour early.
- E. Employees will not be compensated for the meal period unless required by their Department Manager to work during a meal period due to operational needs. This shall not be scheduled as a daily occurrence for FLSA non-exempt employees.
- F. Employees are not permitted to work through the meal period without Department Manager approval. Employees who fail to obtain prior approval may be subject to the appropriate disciplinary action.
- G. Employees who are regularly scheduled for a shift of 8 hours or less are not entitled to a half-hour unpaid meal period.
- H. Employees who are involved in law enforcement and law enforcement administration who are required to remain available for a call to duty shall be paid for their thirty minute lunch break, as well as their two 15 minute breaks. The administrative employees must remain on station to be considered on call and eligible for the paid lunch break.
- I. Employees who are involved in fire/medical response and fire/medical response administration who are required to remain available for a call to duty shall be paid for their thirty minute lunch break, as well as their two 15 minute breaks. The administrative employees must remain within a reasonable response perimeter to be considered on call and eligible for the paid lunch break.

3. Breaks – two paid 15 minute

- A. Any deviation of the following must be approved by the Department Manager or designee.
 - 1) Full-time employees are to receive a 15 minute paid break period within every 4 hours of work performed not broken by a meal period.
 - 2) Break periods shall not be scheduled immediately after the start or before the end of a work shift.
 - 3) Part-time employees scheduled to work 5 consecutive hours or more during any workday may receive a break of 15 minutes.
 - 4) Employees scheduled to work eight consecutive hours or more during any workday may receive two 15 minute breaks.
 - 5) Employees are expected to be punctual in starting and ending breaks and will be subject to the appropriate disciplinary action for tardiness.
 - 6) No employee shall leave the premises in any vehicle during the 15 minute break period, unless the breaks are combined with the 30 minute unpaid meal period.
 - 7) If an employee is permitted by the Department Manager to combine breaks with the meal period, the employee is not entitled to additional breaks during the work day.

- 8) Employees who choose not to take breaks are not entitled to leave before the normal quitting time and will not receive extra pay for the time worked.
- 9) Employees on breaks shall not interfere with the performance of other employees who are not on break.

4. Guidelines

- A. Employees must adhere to their regularly scheduled shift. The 8-hour minimum worked per day does not include a meal period, whether or not it is actually taken.
- B. Employees who choose to adjust their regularly scheduled shift with any type of accrued leave time must have prior approval from the Department Manager or designee. Calling in after an employee's start time is not acceptable and may result in the appropriate disciplinary action.
- C. Department Managers must schedule adequate and appropriate staff coverage and ensure there is telephone coverage from 8:30 a.m. until 5:00 p.m.
- D. Department Manager's must ensure that operational needs of the department are met before approving or disapproving requests for work schedule changes.
- E. Abuse of leave, as well as routine or pattern tardiness may result in disciplinary action.

SECTION 5. PERFORMANCE EVALUATIONS

5.1 Purpose of Evaluations

Employees should receive regular and continual feedback and must be formally evaluated at least once each calendar year. The evaluation format will be determined by the Human Resources Director or designee. Each department may add an addendum evaluation specific to their department which will be approved by the Human Resources Director or designee.

SECTION 6. DISCIPLINARY ACTION

6.1 [Disciplinary Standards and Process](#)

6.2 [Hearing Procedure](#)

6.3 [Off the Job Personal Misconduct](#)

6.4 [Appeals to Civil Service](#)

6.1 Disciplinary Standards and Process

1. Employees are subject to the appropriate level of disciplinary action, up to and including termination of employment for:
 - A. Violation of the Uniform Standards of Conduct;
 - B. Violation of Ohio Ethics Law(s) or Ohio Sunshine Laws;
 - C. Incompetency;
 - D. Dishonesty;
 - E. Inefficiency;
 - F. Insubordination;
 - G. Discourteous treatment of the others;
 - H. Alcohol/drug abuse;
 - I. Violation of applicable provisions of the Rules and Regulations of the Sharonville Civil Service Commission and/or the Civil Service provisions of the Ohio Revised Code;
 - J. Conviction of a criminal charge including non-traffic related misdemeanors;
 - K. Other failure of good behavior;
 - L. Accumulation of minor infractions, violations of duty, departmental procedures, rules or regulations;
 - M. Disregard of safety practices and policies;
 - N. Any other act of misfeasance, malfeasance, or nonfeasance;
 - O. Any action that is not in compliance with common sense work and/or safety practices and procedures;
 - P. Any other violation of state and/or federal law.
2. Supervisory personnel are responsible for assuring that assigned employees know and understand the city's standards of conduct and that violations may result in disciplinary action, up to and including termination of employment. The purpose of discipline is corrective rather than punitive; it should encourage employees to correct job behaviors that are jeopardizing their city employment.
3. Disciplinary measures include, but are not limited to:
 - A. Written record of counseling
 - B. Written reprimand
 - C. Suspension without pay
 - D. Demotion or reduction to lower pay step within the employee's pay range
 - E. Dismissal, with Safety/Service Director's approval
4. The foregoing lists of reasons for disciplinary action and types of disciplinary action are not all-inclusive and are provided for illustrative purposes.
5. Discipline should generally progress from step-to-step, however, the order or progression of discipline is not set for any given offense or pattern of conduct. The nature and severity of disciplinary action taken by the city, including termination of

- employment, will be determined on a case-by-case basis in accordance with the principles of just cause and considering mitigating and aggravating circumstances.
6. Administrative Leave with pay may precede disciplinary action, to be determined by the Safety/Service Director or designee.
 - A. At the discretion of the Safety/Service Director, employees may be placed on administrative leave with pay under such circumstances as are determined to be appropriate based upon the safety of the employee or of others whose well-being is entrusted to such employee, for such length of time as shall be determined by the Safety/Service Director.
 - B. Compensation during such Administrative Leave shall equal the employee's base rate of pay.
 7. Employees Under Felony Indictment
 - A. Any employee under felony indictment, but not disciplined or discharged by the city may, at the discretion of the Safety/Service Director, be placed on a leave of absence without pay, until the final resolution of the criminal court proceedings, including any appeals.
 - B. During a leave of absence without pay, there will be no accrual of benefits, but health insurance will remain in effect. An employee may remain in an active status by using accrued, but unused vacation, personal time or compensatory time during the unpaid administrative leave. Employees who use paid time off will continue to accrue benefits while using their accumulated personal time.
 - C. An employee found guilty of a felony may, in the discretion of the Safety/Service Director, be summarily discharged.
 - D. If the employee is found not guilty, the employee may still be subject to the appropriate level of disciplinary action, up to and including termination of employment. In the event the employee is found not guilty, and no discipline is administered, the employee will receive back pay and benefits restored to the date of the original leave without pay.
 8. The city has the sole and exclusive management right to establish additional policies and take other actions as may be deemed necessary in the city's sole judgment and discretion for the orderly and efficient fulfillment of the city's responsibilities. Nothing contained within this policy or this Manual shall be construed to impair the city's authority to discipline or discharge any employee at any time for any reason as permitted by Ohio and City of Sharonville laws and the Rules and Regulations of the Sharonville Civil Service Commission.
 9. All records relating to disciplinary actions will cease to have any force or effect after thirty-six (36) months (1,095 calendar days). Such records may be removed from an employee's personnel file upon receipt of a written request from the employee after thirty-six (36) months (1,095 calendar days) from the date of the disciplinary action provided there has been no other discipline imposed during the intervening time. This 36 month retention period may be extended by a period equal to employee leave(s) of fourteen consecutive days or longer, except for approved periods of vacation leave.

6.2 Disciplinary Hearing Procedure

Hearings will be conducted in accordance with the Rules and Regulations of the Sharonville Civil Service Commission or applicable collective bargaining agreement.

6.3 Non-Job Related Personal Misconduct

1. Non-job related personal misconduct shall be investigated by the Human Resources Director, or designee. The Human Resources Director shall dispose of the matter independent of any other action taken by any outside legal, administrative and/or law

enforcement agency. Such disposition may include the recommendation of appropriate disciplinary action.

2. Factors to be considered include:
 - A. Ability to satisfactorily perform the job;
 - B. Organizational impact;
 - C. Impact on image of the City;
 - D. Trustworthiness of employee.
3. Consistent with this policy, employees who are arrested, cited, arraigned or indicted for any criminal offense other than a minor traffic violation must notify their supervisor or Department Manager no later than 24 hours after the arrest, citation, arraignment or indictment, or immediately upon reporting to work on the employee's next scheduled work day.
4. An arrest, citation, arraignment or indictment will not necessarily disqualify individuals from continued employment. However, the Human Resources Director or designee shall conduct a reasonable and timely investigation and make a recommendation to the Safety/Service Director of either no discipline or appropriate disciplinary action, up to and including termination of employment.
5. Consistent with the applicable provisions of the Ohio Revised Code and/or the Rules and Regulations of the Sharonville Civil Service Commission, conviction of a criminal offense other than a minor traffic violation may lead to discipline up to and including discharge. Operation of a motor vehicle while impaired is *not* considered a "minor traffic violation" for purposes of this policy.

6.4 Appeals for Classified Employees

1. Employees may accept the recommended disciplinary action or may appeal suspensions of up to 24 hours to the Safety/Service Director. There is no appeal of a Written Record of Counseling or a Written Reprimand.
2. Disciplinary actions that results in suspensions of more than 24 hours, reduction in pay, demotion, or termination may be appealed in accordance with the applicable provisions of the Rules and Regulations of the Sharonville Civil Service Commission or applicable collective bargaining agreement.

SECTION 7. EMPLOYEE INJURIES OR ILLNESSES

7.1 [Eligibility](#)

7.2 [Establishing a Claim](#)

7.3 [Transitional Work Program](#)

7.4 [Safe Working Responsibilities](#)

7.1 Eligibility for Injured/Illness on Duty Pay (IOD)

1. Purpose: To provide continuation of income to IOD full-time and benefits-eligible part-time employees. A full-time or benefits-eligible part-time employee who becomes disabled as the direct result of the lawful and appropriate performance of their work assignment may, on the approval of the Safety/Service Director, receive their base salary for the period of such disability but not to exceed one year (365 calendar days) following the last day worked.
2. An independent medical exam (IME) as provided for by the appropriate Ohio Bureau of Workers Compensation (OBWC) laws must be performed. The purpose of the IME is determining the ability of the injured employee to return to full or restricted duty. Any restricted duty must be approved by the Safety/Service Director or designee.
3. Full day and partial day absence for eligible IOD leave will be considered FMLA leave.
4. No injury with pay benefits will be paid out after 18 months (549 calendar days) following the original date of the injury regardless of the total amount of time the employee has drawn IOD benefits for that injury.
5. In order to be eligible for IOD benefits, the employee must file a claim with OBWC as soon as practicable following the date of work related injury or illness. No IOD benefits shall be payable unless the employee has qualified to receive OBWC benefits.
 - A. The employee will be required to seek and receive immediate medical attention from an appropriate health care provider and file an appropriate workers' compensation claim for the medical treatment.
 - B. Employees who receive IOD benefits must immediately turn over to the city all compensation benefits received by the employee from OBWC (other than those payable for actual medical treatment).
 - C. In the event that the OBWC ultimately determines that the injury or illness is not job-related or that the employee is otherwise ineligible for OBWC compensation benefits, any IOD benefits paid by the city under this policy shall be deducted from the employee's accrued but unused sick leave, vacation time, and/or compensatory time or reimbursed by the employee to the city through a cash payment or through payroll deduction.
6. In determining whether to grant IOD benefits, the city is not bound by any decision of the OBWC granting compensation benefits to the employee.
7. Disability pay or benefits from any other source shall be considered as wages and the employee's city wages will be adjusted accordingly. Disability retirements shall not cause a deduction from the employee's sick leave.
8. If the employee has received IOD benefits in excess of such accrued but unused sick leave, vacation time, and/or compensatory time, the difference shall be reimbursed by the employee to the city through a cash payment or through payroll deduction.
9. While on IOD leave, the employee is prohibited from participating in any outside employment, volunteer activities or activities comparable to those a health care provider has restricted the employee from performing in the workplace. Violation of this policy will result in the appropriate level of discipline action, up to and including termination of employment. The employee will reimburse any IOD benefits paid by the

city. Payment shall be deducted from the employee's accrued but unused sick leave, vacation time, and/or compensatory time or reimbursed by the employee to the city through a cash payment or through payroll deduction.

7.2 Establishing an Injured on Duty Claim

1. The city shall consider the medical judgment of a health care provider selected and paid by the city concerning the employee's ability to perform non-restricted or restricted work.
 - A. The city shall determine the nature or availability of restricted work accommodations. Medical decisions provided by a health care provider selected and paid by the city shall be considered an IOD benefits determination.
 - B. If the city and the employee disagree concerning a decision of the city not to pay IOD benefits, the city and employee may jointly choose a second health care provider to conduct an examination, evaluation, and recommendation. The opinion of the second health care provider shall be binding on both the city and the employee. The employee and the city shall equally share the cost of the second health care provider.
2. The injured employee shall furnish to the city Administration the written report of the health care provider fully describing the nature and extent of the employee's injury or illness, the effect of the injury or illness on the employee's ability to perform full or restricted duties, and the anticipated time period for recovery from the injury or illness. The employee shall authorize the treating health care provider to release all requested medical information to city Administration regarding the employee's injury or illness. Failure or refusal of the employee to release such medical information may result in disqualification from IOD benefits.

7.3 Transitional Work Program

1. The city is committed to the safety and health of our employees. It is the policy of city to effectively manage workers' on or off duty injuries while maintaining the working status of each employee. The city will employ strategies to return the injured employee to work as quickly as possible.
2. The Transitional Work Program will benefit city employees by providing an opportunity to build strength and stamina to return to regular job duties. Participants in the program will be paid at the regular hourly rates for the hours worked.
3. Employees participating in the program are prohibited from participating in any outside employment, volunteer activities or activities comparable to those a health care provider has restricted the employee from performing in the workplace. Violation of this policy may result in disciplinary action, up to and including termination of employment.
4. The goals of the program:
 - A. Disability Prevention
Returning the employee back to work efficiently after the injury can prevent further disability.
 - B. Early Intervention
By timely utilization of the Transitional Work Program and medical services, the employee will receive early intervention and efficient resolution of disabilities.
 - C. Proactive Transitional Work Strategies
While participating in the Transitional Work Program, the employee will receive assistance to help them progress back to the original job. Such assistance may take the form of: functional capacity evaluation, job analyses, temporary job assignment and modified duty tasks, job accommodations and safe work practices training.

5. Please see Policies Appendix K for the Transitional Work Program procedure manual.

7.4 Safe Working Responsibilities

1. It is the responsibility of every employee to insure that the workplace is free from hazards that could cause injury or illness to any employee. Therefore, it is the responsibility of every employee to follow all rules, policies, procedures and common sense workplace activities that have been established to reduce the possibility of injury to them self or other employees.
2. Failure or refusal of any employee to comply with paragraph 7.4 (1) above that could result or does result in the injury or illness of the employee or any other employee may be subject to disciplinary action, up to and including termination of employment.

SECTION 8. HARASSMENT

[8.1 Description of Harassment](#)

[8.2 Filing a Harassment Claim](#)

[8.3 Computer Harassment](#)

8.1 Description of Harassment

1. Purpose: It is the policy of the city to maintain a working environment free from all forms of harassment, bullying, intimidation, and/or a hostile work environment.
2. Definition
 - A. Harassment, intimidation or bullying : Any conduct, verbal, written or physical, that has the intent or effect of both:
 - 1) Causing mental or physical harm to the other employee(s)
 - 2) Is severe, persistent, or pervasive thereby creating an intimidating, threatening, abusive, hostile or offensive work environment
 - B. Sexual Harassment: Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - 1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's initial or continued employment
 - 2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual
 - 3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
 - 4) Sexual harassment also includes offensive or antagonistic language or conduct, which, while not obscene, pornographic or otherwise "sexual" in nature, is based on or directed at an individual because of gender.
 - 5) Harassment on the basis of sex is a violation of Ohio Revised Code 4112.02 and may also violate Title VII of the Civil Rights Act and other federal and state laws.
3. Applicability: This policy pertains to employees, managers, supervisors, officers, elected officials, customers, suppliers and other non-employees.

8.2 Filing a Harassment Claim

1. Individuals subjected to harassment, bullying, intimidation, or a hostile work environment, should file a complaint directly with the Human Resources Director or the Law Director. In the event the Human Resources Director needs to file a complaint, the complaint should be filed with the Law Director. In the Law Director's absence, the complaint should be filed with the President of Council.
2. Submission to harassment will never constitute a condition of initial or continued employment. Anyone violating this policy will be subject to appropriate disciplinary action, up to and including termination.
3. All complaints or reports of harassment will be promptly investigated by the Human Resources Director. Appropriate disciplinary action, up to and including termination of employment, will be taken against anyone found to have violated this policy.
4. Confidentiality will be maintained to the fullest extent possible consistent with a thorough and meaningful investigation into reports or complaints concerning harassment.
5. Retaliation against any employee who reports unlawful harassment or who assists in the investigation of unlawful harassment shall not be tolerated. Such retaliation is itself

a violation of city policy subject to the appropriate disciplinary action up to and including termination of employment.

8.3 Computer Harassment

See paragraph 12.5(4) of this manual.

SECTION 9. USE OF CITY FACILITIES AND EQUIPMENT

9.1 Policy Details

1. City Equipment and Vehicles
 - A. City equipment may be used only for city business, unless it is offered to the citizens of Sharonville generally. Vehicles and equipment assigned to designated personnel subject to 24-hour call-out are exempted. Additional exemptions must be specifically approved by City Council, the Safety/Service Director or designee and the appropriate Department Manager.
2. Electronic Media and Phones
 - A. See Section 12 for Electronic Media and Phone Usage policies.
3. Fringe Benefits
 - A. Taxability of fringe benefits will be determined pursuant to guidelines set forth in the Taxable Fringe Benefit Guide issued by the Internal Revenue Service. The City Auditor's office will be responsible for interpretation of those guidelines as applicable to city fringe benefits.

SECTION 10. EDUCATION ASSISTANCE

- 10.1 [Purpose of Reimbursement](#)
- 10.2 [Employee Eligibility](#)
- 10.3 [Course Eligibility](#)
- 10.4 [Eligible Institutions](#)
- 10.5 [Management Approval](#)
- 10.6 [Reimbursement Schedule](#)
- 10.7 [Obligation of Employment](#)

10.1 Purpose of Reimbursement

Continuing education is important in the personal and career development of employees. To assist and encourage employees' development, the city shall provide limited financial assistance for approved educational courses and required textbooks.

10.2 Employee Eligibility

Education financing assistance shall be available to full-time employees of the city who satisfy all of the following requirements:

- A. Minimum of one year (365 calendar days) of full-time service with the city at the date that the course(s) begins.
- B. Achievement and maintenance of at least an "average" performance evaluation rating in the employee's current position.
- C. The employee must not have used more than ten sick days for the previous twelve months (365 calendar days) excluding sick days which were documented by an acceptable statement from the employee's health care provider, births, deaths in the family or vacation/compensatory time used in lieu of sick time.
- D. With the exception of counseling or a written reprimand, an employee shall not have received any disciplinary action during the past twelve months (365 calendar days) prior to the date that the course(s) begins.

10.3 Course Eligibility

Eligible courses include those that:

- A. Are related to the employee's current position with the city;
- B. Will maintain and/or improve the employee's job performance;
- C. Will contribute to the employee's career development with the city;
- D. Serve to strengthen basic literacy skills such as reading, writing or mathematics; and
- E. Help the employee to fulfill the requirements for attaining a high school diploma or GED certification.

10.4 Eligible Institutions

- 1. Institutions, if applicable, must be accredited by the state or other generally recognized accrediting agency.
- 2. All courses and institutions shall be evaluated by the Department Manager on an individual basis, and approved by the Human Resources Director or designee.

10.5 Management Approval

- 1. In order to be considered for reimbursement and comply with IRS guidelines, prior written approval must be obtained from the employee's Department Manager, and the Human Resources Director or designee.

2. The Department Manager shall be responsible for verifying eligibility of the employee, qualifying courses and the accreditation of the institution, and submitting the recommendations to the Human Resources Director or designee.

10.6 Reimbursement Schedule

1. The tuition assistance benefit is established as a reimbursement program to help cover the partial cost of tuition and laboratory fees. The maximum amount of educational assistance is limited to two thousand five hundred dollars (\$2,500) per calendar year per employee. Unused tuition assistance is noncumulative, running from January 1 through December 31. Any unused benefit shall be forfeited for that year. At the end of the course, the employee shall submit a grade transcript and a receipt for payment from the institution.
2. Textbooks required for the course(s) are a reimbursable expense. Textbook reimbursement shall be at 100% upon successful completion of the course(s). Request for textbook reimbursement shall be accompanied by a receipt and title of textbook.
3. There shall be no reimbursement for transportation, meals or time spent in the classroom. Request for reimbursement shall be filed within ninety calendar days following successful completion of the course. In the event it becomes necessary to change or modify the program, the appropriate Department Manager shall be notified of the proposed change and the effective date. Any course which is in progress and has been previously approved shall be honored.
4. Tuition reimbursement shall be determined as follows:

A	100%	D/F	0%
B	90%	Audit	0%
C	75%	Withdraw or incomplete	0%
Pass	75%		
5. Course for which no grade is assigned (i.e. - pass/fail) by the institution may be reimbursed at 100% if passed.

10.7 Obligation of Employment

1. To receive reimbursement for a course and textbooks, the recipient shall agree to remain a full-time employee of the city for a period of thirty-six months (1,095 calendar days). Employment credit shall commence on the first day of the month after the completion of the course. If for any reason, other than lay off, the employee fails to complete the thirty-six month obligation, all reimbursement expenses shall be repaid on a pro-rated basis by the employee. Such repayment shall be deducted from the employee's final pay. If the employee's final pay does not cover the financial obligation, the city may make an effort to recover the unpaid amount.
2. Upon termination of employment, the employee shall be required to pay the remainder of the unexpired reimbursement obligation in full or by agreement as may be approved by the Safety/Service Director. The Safety/Service Director shall have the right to waive the reimbursement obligation for employee(s) retiring as a result of a work related disability.

SECTION 11. TOBACCO USE

- 11.1 [Purpose](#)
- 11.2 [Violations](#)
- 11.3 [Testing](#)
- 11.4 [Positive Test Result](#)

11.1 Purpose

To comply with Ohio Revised Code Chapter 3794 and protect the health and safety of employees and the general public, and to reduce damage to facilities owned or occupied by the city, it is necessary to prohibit smoking and the use of tobacco products in all city facilities and vehicles as well as on all city property.

11.2 Violations

Commission of any of the following acts is a violation of this policy:

- 1) Smoking or using tobacco products in any city owned vehicle;
- 2) Smoking or using tobacco products in any personal vehicle while traveling on city business;
- 3) Smoking or using tobacco products while on municipal property.

Employees who violate the provisions of this policy are subject to appropriate disciplinary action, up to and including termination of employment.

11.3 Testing

Employees may be subject to random nicotine screening under the following circumstances:

- 1) The employee is full-time;
- 2) The employee has enrolled for health benefits as a non-tobacco user;
- 3) The employee has signed an affidavit declaring they are a non-tobacco user.

11.4 Positive Test Result

An employee who has signed an affidavit, declaring their non-use of tobacco products, who is found to have a positive screen for tobacco shall be retroactively enrolled in health benefits as a tobacco user for the year during the positive screen. Such employee shall be responsible for paying the tobacco surcharge for the entire year. Such employee may also be subject to disciplinary action, up to and including termination.

SECTION 12. ELECTRONIC MEDIA USE

- 12.1 [Statement of Policy](#)
- 12.2 [Violation of Policy](#)
- 12.3 [Expectation of Privacy](#)
- 12.4 [Usage](#)
- 12.5 [Individual Responsibilities](#)
- 12.6 [Telephone, Fax and Voicemail Use](#)
- 12.7 [Email and Communication Activities](#)
- 12.8 [Software Use](#)
- 12.9 [Investigative Contact](#)
- 12.10 [Responding to Security Issues](#)
- 12.11 [Social Media](#)
- 12.12 [Cell Phone Use](#)

12.1 Statement of Policy

1. The city's telephone system, data network, computer systems and components, tablets, electronic media, data, electronic communications systems, photo copy, and/or similar device and systems are tools provided to facilitate the interest and mission of the city. The following policies apply to all city employees and contractors, as well as members of the community who use or access city information technology resources.
2. Any use of these resources that creates a conflict of interest, violates the Uniform Standards of Conduct, Ohio Ethics Code or any other policy, practice or procedure, is illegal, or is contrary to the city's best interest is strictly prohibited. The city expects ethical and responsible behavior from individuals using these resources.

12.2 Violation of Policy

Violation of these policies by any member of the city (employee, contractor, elected official, family member or guest) shall result in loss of user privileges as well as subject the violator to the appropriate disciplinary action including termination of employment. Violation of these policies may also create civil and criminal liability.

12.3 Expectation of Privacy

1. Employees have no expectation of privacy in any files, documents, data, pictures or information stored on, attached to, or accessible by any electronic system, computer, tablet, network, or any other electronic resource of the city. Any files, documents, data, pictures or information stored on, attached to, or accessible by any electronic system, computer, network, or any other electronic resource may be considered a "public record" as defined by Ohio Public Records Laws.
2. The city retains full proprietary rights, ownership, and interest to all information, files, folders, documents, data, applications and pictures stored on city computers, tablets, servers, networks, and electronic devices.
3. Any confidential information or access gained by an employee or authorized user in the course of employment or association with the city is deemed confidential and may not be disclosed to any unauthorized persons without explicit permission of the employee's Department Manager. The employee shall be held strictly accountable of unauthorized disclosure shall be subject to the appropriate disciplinary action, up to, and including termination of employment. Civil litigation and/or criminal prosecution may also be pursued.
4. Monitoring Tools

The city has the right, to monitor any and all aspects of the city's information systems, including, but not limited to, usage data such as session connection times and end-points, CPU and disk utilization for each user, security audit trails, network loading, data, applications, e-mail, and Internet access, etc., for each city user, computer, tablet and/or network. The Information Technology (IT) office may review these data, software and/or hardware for evidence of violation of law or policy.

5. Blocking of Internet Access
 - A. Access and service levels shall be determined in accordance with the needs of the employee and the nature of work performed.
 - B. The city reserves the absolute right to block access to any services, including Internet sites, at its discretion.

12.4 Usage

1. Appropriate use is always legal, ethical, reflective of honesty, community standards, and shows restraint in the consumption of shared resources.
2. Employees should demonstrate respect for intellectual property; ownership of data; system security mechanisms; and an individual's right to privacy and to freedom from intimidation, harassment, and unwarranted annoyance. Exceptions to system security mechanisms may be made with explicit permission of both the employee's Department Manager and IT office, and only on the course of official duties of the employee.

12.5 Individual Responsibilities

1. Common Courtesy and Respect for Rights of Others
All employees are expected to respect and value the rights of privacy of others, to recognize and respect the diversity of the population and opinions in the community, to behave ethically, and to comply with all legal restrictions regarding the use of information that is the property of others.
2. Privacy of Information
 - A. Files of personal information, including applications and programs, no matter on what medium stored or transmitted, may be subject to the Ohio Public Records Laws if stored on city computers.
 - B. No employee should look at, copy, print, move, alter, or destroy anyone else's personal files without explicit permission from the creator of the files except as otherwise provided by this policy or as required by law.
3. Intellectual Property
Computer users are responsible for attributing and honoring the intellectual property rights of others.
4. Harassment
 - A. No person shall, under any circumstances, use city computers, tablets, phones or networks to libel, slander, bully or harass any other person.
 - B. The following shall constitute computer harassment:
 - 1) Using the device to annoy, harass, bully, intimidate, threaten, offend, or bother another person.
 - 2) Using the device to contact another person with the intent to annoy, harass, bully or bother, whether or not any actual message is communicated, and/or where no purpose of legitimate communication exists and where the recipient has expressed a desire for the communication to cease.
 - 3) Using the device to contact other persons regarding a matter for which one does not have a legal right to communicate, once the recipients have provided reasonable notice for such communication to cease (such as debt collection).

- 4) Using the device to disrupt or damage the pursuits of another.
 - 5) Using the device to invade the privacy of another or threaten the invasion of the privacy of another.
5. Responsible Use of Resources
Employees must refrain from all acts that waste computer, tablet and networked resources, or prevent others from using these resources, or from using them in whatever ways have been proscribed by city policy and state and federal laws.
6. Information Integrity
Employees are responsible for being aware of the potential for manipulating information, especially in electronic form, to understand the changeable nature of electronically stored information and to verify the integrity and completeness of information compiled or used.
7. Use of Computer Systems and Tablets
Employees are responsible for coordinating with the appropriate Department Manager for the security and integrity of city information stored on city-issued computer systems and tablets. Such responsibility includes arranging for the protection of all data important to the city on the device, controlling physical and network access to the computer and immediately reporting to the appropriate Department Manager and the IT office any evidence of viruses or attempted breaches of security.
8. Access to Facilities and Information
 - A. Computer accounts, passwords, and other types of authorization are assigned to individual employees and must not be shared with others.
 - B. An employee may not possess on city property, run or otherwise configure software or hardware to intentionally allow access by unauthorized users.
 - C. Special access to information or other special computing privileges are to be used in performance of official duties only.
9. Termination of Access
When employees are no longer employed by the city, or are assigned new positions and/or responsibilities within the city, access authorizations must be reviewed. Such employees must not use facilities, accounts, access codes, privileges, or information for which they are not authorized in the new circumstances.
10. Attempts to Circumvent Security
Employees are prohibited from attempting to circumvent or subvert any system's security measures. Such attempts may lead to disciplinary action, up to and including termination of employment.
11. Decoding Access Control Information
Employees are prohibited from possessing on city property or using any computer program or device to intercept or decode passwords or similar access control information except as otherwise provided by this policy or required by law.
12. Denial of Service
Deliberate attempts to degrade the performance of a computer system or network or to deprive authorized personnel of resources or access to any city computer system or network are prohibited.
13. Harmful Activities
The following harmful activities are prohibited – creating or propagating viruses; disrupting services; damaging files; and intentional destruction of/or damage to equipment, software, or data belonging to city or other users.
14. Unauthorized Access
Employees may not damage computer systems, obtain unauthorized extra resources, deprive another user of authorized resources, or gain unauthorized access to systems

by using knowledge of a special password, loopholes in computer security systems, another employee's password, or access abilities one used during a previous position at the city.

15. Personal Business and Personal Usage

Employees should not conduct personal business using city equipment or resources that would result in a violation of city policies (see Uniform Standards of Conduct, Standard 15 *Giving a Full Day's Work for a Full Day's Pay*, and Standard 07 *Conflict of Interest* as examples).

16. Public Records Laws

Any employee who wishes to access, copy, print, or release information, records, data, documents, pictures, or files in accordance with the Ohio Public Records Laws, must file an appropriate request for any public records, and receive explicit permission before accessing, copying, printing, or releasing any information.

12.6 Telephone, Fax and Voicemail Use

The city maintains sufficient telephone capacity for business necessity. Personal telephone calls using the city's telephone system must be limited to ensure adequate capacity for city business.

12.7 Email and Communication Activities

E-mail is to facilitate rapid communication with residents, businesses, vendors and other departments. Employees should respect the highly visible nature of e-mail and understand that all messages must be consistent with the city's policies and procedures of ethical conduct, safety and compliance with applicable laws. Employees are expressly prohibited from registering for non-work related services using their city e-mail address.

12.8 Software Use

1. The software and firmware installed on city servers, computers, tablets, peripherals, and other electronic devices is city property. No software can be installed, updated, modified or uninstalled on the city computers, tablets, servers and other electronic devices without explicit permission from the IT Office. Software purchased by the city cannot be installed on personal computers, tablets or electronic devices.
2. The use of file sharing software or services, including, but not limited to, peer-to-peer, torrent, streaming media, and central repository is prohibited. Communication packages, such as instant messaging clients, ICQ, desktop-to-mobile, and mobile-to-mobile are not permitted without explicit permission from the IT Office.

12.9 Investigative Contact

If an employee is contacted by a representative from an external organization (Prosecuting Attorney's Office, FBI, the media, etc.) which is conducting an investigation of an alleged violation involving city computing and networking resources, the employee should refer the requesting agency to the Human Resources Director. The employee should inform the Human Resources Director immediately.

12.10 Responding to Security Issues

Employees have the responsibility to report any discovered unauthorized access attempts or other improper usage of city's computers, tablets, networks, or other information processing equipment. If employees observe a security or abuse problem with any city computer or network facilities, including violations of this policy, such violations should be immediately reported.

12.11 Social Media

1. Only those employees officially designated by the city have the authorization to speak on behalf of the city.

2. Employees must exercise caution while utilizing social media, defined as online technologies and practices that people use to share opinions, insights, experiences, and perspectives with each other.
Social media can take many different forms, including, but not limited to:
 - A. Internet forums, weblogs, social blogs, wikis, podcasts, emails, instant messaging, pictures and video.
 - B. Technologies include: blogs, picture-sharing, vlogs, wall-postings, music-sharing, crowdsourcing, and voice over IP, to name a few.
 - C. Examples of social media applications are Google Groups (reference, social networking), Wikipedia (reference), LinkedIn (professional networking), Facebook (social networking), yelp.com (product reviews), YouTube (social networking and video sharing), Flickr, Snapchat and Instagram (photo sharing), Twitter (social networking and microblogging), and other microblogs.
3. Employees who choose to utilize social media need to understand what is recommended, expected and required when they discuss city-related topics, whether at work or personal time.
 - A. Employees must protect confidential and proprietary information.
 - 1) Employees may not disclose or use city confidential or proprietary information in any online social networking platform.
 - 2) Employees may not comment on confidential city financial information such as the city's future performance, business plans, grant applications, awards, protected safety information, personnel or medical information.
 - B. Employees must know and obey the city's conduct guidelines.
 - 1) Review the following personnel policies to determine the appropriateness of posting something online:
 - a) Uniform Standards of Conduct
 - b) Sharonville Policy Manual
 - c) Employee Responsibilities
 - d) Disciplinary Actions
 - C. Employees must respect the audience and city coworkers.
 - 1) Remember that the city is a regional organization whose employees and constituents reflect a diverse set of customs, values and points of view.
 - 2) Employees may not distribute ethnic slurs, personal insults, obscenity, etc., or engage in other online conduct that might be considered objectionable or inflammatory. The city expects employees to use good judgment. Employees unclear on the parameters should discuss it with the appropriate Department Manager.
 - 3) Posting or publishing on any form of online social media is solely the employee's responsibility.
4. Violation of an employee's online responsibilities may result in the appropriate disciplinary action including termination of employment.

12.12 Cell Phone Use

1. The city provides telecommunication devices to assist in the effective and efficient providing of services to its citizens. The devices are the property of the city and the purpose is to facilitate city business. Every employee has a responsibility to maintain and enhance the city's public image and to use these devices in a productive and tactful manner. Employees should not be on personal cell phones while on city paid time. Abuse may result in corrective disciplinary action.
 - A. Assignment and usage

- 1) Cellular telephones shall be issued only to those employees with a demonstrated need for these types of communication. Only authorized personnel within departments shall request or be issued cellular phones or smart phones.
- B. Rules of use:
- 1) The employee shall return any cellular device or equipment to the city should they no longer demonstrate the need for the device, or employment with the city is terminated.
 - 2) The city may audit/review cellular phone bills to ensure proper use. Any detected abuse or misuse may result in corrective disciplinary action, up to and including.
 - 3) Employees should exercise the same guidelines as email messages for text messages. This includes following the Public Records Retention Policy.
 - 4) Employees should make every effort to avoid using cellular phones for personal calls.
 - 5) While personal use is strongly discouraged, the city realizes that it is sometimes inevitable. Therefore, employees will reimburse the city for personal calls over 5 minutes in length at \$0.10/minute.
 - 6) Department Managers will determine if use is excessive or unwarranted and recommend corrective action to the Human Resources Director.
 - 7) Examples of costs for which the employee will reimburse the city, unless clearly related to city business:
 - a) Roaming charges
 - b) Long distance charges
 - c) Costs for calling directory assistance
 - d) Text messaging
 - e) Web usage and download fees
 - f) Any other charges above and beyond the regular monthly service charge
- C. Employees will be reimbursed up to \$0.25/minute for city related emergency calls placed from or to personal cell phones. A copy of the bill and verification of necessity will be required for reimbursement.
- D. The loss of any cellular phone and/or equipment shall be reported to the Department Manager immediately. If theft is suspected, the Police Department should also be notified immediately.
2. A cell phone reimbursement may be offered to those city employees consistently utilizing a personal smart phone for city business and/or whom must be available at all hours for emergency calls, determined at the sole discretion of the Safety/Service Director.

SECTION 13. LOST AND FOUND

13.1 [Procedure](#)

13.2 [Violations](#)

13.1 Lost and Found Procedure

1. Any property, money, valuables, etc. found by an employee must be turned in to the employee's supervisor or the Department Manager immediately.
2. A notice of any article will be posted in the department in an area open to the public. Employees may claim lost articles upon proof of ownership. No employee may keep or give to anyone not the original owner any property, money or valuables found on city property.

13.2 Violations

Employees who violate the provisions of this policy are subject to disciplinary action, up to, and including termination of employment.

SECTION 14. TRAVEL

- 14.1 [Statement of Policy](#)
- 14.2 [Travel Expense Reimbursement](#)
- 14.3 [Frequent Flier Miles](#)
- 14.4 [Mileage](#)
- 14.5 [Rental Vehicles](#)
- 14.6 [Miscellaneous Expenses](#)
- 14.7 [Travel Expense Report Review](#)

14.1 Statement of Policy

1. Training is allowable to improve employee competence and performance.
 - A. Time spent in training and travel for training is compensable. Mileage reimbursement for training is also available.
 - B. If training is local and during regular work hours, such hours are considered hours worked.
2. Out of town travel
 - A. All hours spent traveling to one day training or work assignments are considered hours worked.
 - B. Time spent traveling to mandatory training that is above the normal eight-hour workday will be recorded as overtime or compensatory time for eligible employees based on the city's overtime policy.
 - 1) If the out of town travel requires an overnight stay, only those hours where an employee is actually travelling are counted as hours worked.
 - a) Example 1: An employee flies to another location between 8:30 am and 5:00 pm, this is within a normal workday and no additional paid time would be applicable. Time spent at the hotel (including check-in) is not compensable hours worked.
Example 2: An employee ends the normal workday at 5:00 pm, then flies to another location, the time spent on the airplane is considered time worked and will be recorded as such. Travel to the airport and to the hotel is considered normal commute time and is not considered working time; any other hours for which an employee is driving outside the normal workday are considered overtime.

14.2 Travel Expense Reimbursement

1. A city credit card may be used for allowable expenses. *See* Purchasing Card Policy for proper use of city credit cards.
2. Itemized receipts are required for all expenses exceeding one dollar except as otherwise noted.
 - A. Credit card receipts that are not itemized will not be accepted.
 - B. The employee shall be responsible for any expenses that do not have proper documentation.
 - C. If a receipt is not available for an allowable expense, the expense may be approved by the Department Manager, and Human Resources Director or Safety Service Director.
3. When travel is approved for a location with a higher consumer price index than that of the city, the Department Manager or Human Resources Director may adjust the allowable maximum expense amounts outlined below.

A. Lodging

- 1) Overnight lodging is subject to Department Manager approval.
- 2) Lodging expense may be reimbursed at actual rates for 'single' rate occupancy. Most hotels offer a lower government rate which should be used whenever possible. A city ID will be required at check-in to insure the rate. This reimbursement amount must be reasonable.
- 3) An original itemized hotel receipt is required for reimbursement.

B. Gratuities

- 1) Gratuities such as porter, housekeeping, and taxi expenses will be reimbursed in accordance with the specified maximum rates. Reimbursement for gratuities shall not exceed a total maximum of \$10 per day for an overnight stay, on the day of travel departure or day of return from travel.
- 2) A maximum of \$5 for gratuities per day for an overnight stay will be reimbursed for the following:
 - a) Any day of travel other than the day of departure or day of return; or
 - b) For a traveler who is not traveling overnight.

C. Meals

- 1) Meals will be reimbursed only for overnight travel. Please see Administration's annual budget memo for meal allocation guidelines. The actual cost of meals will be reimbursed up to the maximum allowance per calendar day when the employee is on travel status for a full calendar day.
- 2) The amount per meal is subject to Department Manager approval. Reimbursement for meals is limited to actual costs up to the maximum rate of \$40 per day. Employees will not be reimbursed for entertainment or alcoholic beverages. Reimbursement must be supported by receipts. Itemized grocery store receipts will be accepted for meal reimbursement purposes.
- 3) Gratuities for meals may be reimbursed but may not exceed 20 percent of the actual meal cost. Reimbursement for meal gratuities is in addition to gratuities provided for in paragraph 14.2(3)(B) above.
- 4) If the employee is attending an event/conference where a meal is provided, the daily meal allocation will be deducted from the meal allotment for that day.

14.3 Frequent Flier Miles

Ohio Ethics Commission Advisory Opinion 91-010 prohibits the personal use of any frequent flier miles earned during travel on official city business.

14.4 Mileage

Mileage is reimbursed at a rate determined by the City Auditor. This mileage rate shall be considered as the total reimbursement for all operating expenses incurred, including gasoline, repair, maintenance, insurance, etc.

14.5 Rental Vehicles

1. If travel includes a rental vehicle, employees must submit a request to the Department Head, and must receive approval before the travel begins. When approved, the most efficiently priced vehicle must be selected.
2. The original receipts for the vehicle rental and any fuel costs must be submitted to the Department Manager with the Travel Expense form. The original documenting approval

for use of the rental vehicle is maintained by the approving official, however, the employee is encouraged to keep a copy.

3. When an employee requests the use of a rental car, the reason for using a rental car, along with justification for the size of the rental if larger than intermediate, must be submitted prior to the travel.
 - A. The Department Manager or Human Resources Director must determine that use of a rental vehicle is most advantageous to the city.
 - B. When evaluating approval, the approving official must consider the total cost to the city, including per diem, overtime, lost work time, actual transportation cost, total distance of travel, number of points visited, and the number of travelers.
4. If use of a rental car is approved, the employee may request to be reimbursed for all rental car expenses, except insurance, for all miles traveled on city business. Expenses claimed for rental cars must be supported by the invoice and rental agreement.
5. Accident Claims in Rental Vehicle: Driver Responsibilities and Accident Reporting:
 - A. ORC 4513.99 requires all front seat occupants of vehicles to wear all of the available elements of a properly adjusted occupant restraining system, i.e. seatbelts.
 - B. Accident reports are to be completed and submitted to the Department Manager within twenty-four (24) hours following such accident or, if the accident occurs on a holiday or weekend which makes it impossible to report the accident within twenty-four (24) hours, the accident is to be reported as early as practical on the next working day.
 - C. Failure to report accidents are subject to appropriate disciplinary action, up to, and including termination of employment. The vehicle operator is responsible to contact the appropriate police agency.
 - D. Parking, moving violations and other fines received during the operation of a city vehicle are the responsibility of the operator.
 - E. Operators of city vehicles who establish poor driving records (accidents or traffic citations while driving city equipment), may have city driving privileges revoked.
 - F. Approval will not be granted on the basis of personal preference to the traveler.
 - G. Driver's must be insurable under the city's insurance policies.

14.6 Miscellaneous Expenses

1. The city will reimburse employees for postage, facsimile, and copying expenses.
 - A. An original receipt is required for reimbursement.
2. Parking
 - A. Employees may be reimbursed up to \$5 without a receipt when parking at a client work site.
 - B. Parking will be reimbursed in full with an itemized receipt.
3. Telephone Calls
 - A. Business phone call expenses will be reimbursed while an employee is traveling on official city business.
 - B. Personal phone calls up to \$10 per day may be reimbursed when an employee is in travel status.

14.7 Travel Expense Report Review

1. The Finance Director or designee will review all travel expense report requests. Minor adjustments, such as a calculator error, will be made to process travel reimbursements in a timely manner. Employees will be notified of all adjustments.
2. An improper claim for reimbursement or an item without a receipt will be removed. The employee must then resubmit such item if proper documentation and/or written

approval from the employee's Department Manger is attached. The city will not pay any part of a travel expense report that has an error. Because this will cause delays in reimbursement, travelers are cautioned to insure that all requests for reimbursements are accurate and comply with these directives.

SECTION 15. DRUG FREE WORKPLACE

- 15.1 [Statement of Policy](#)
- 15.2 [Program Protections](#)
- 15.3 [Employee Awareness Education](#)
- 15.4 [Supervisor Training](#)
- 15.5 [Drug and Alcohol Testing](#)
- 15.6 [Specimen Collection Procedure](#)
- 15.7 [Test Results](#)
- 15.8 [Employee Assistance](#)
- 15.9 [Termination Notices](#)
- 15.10 [Safety Sensitive & Special Needs Employees](#)

15.1 Statement of Policy

1. In the interest of employee safety, health, and well-being, the city cannot and will not condone or tolerate behaviors on the part of employees that relate to substance abuse, such as:
 - A. Use of illegal drugs;
 - B. Misuse of alcohol;
 - C. Sale, purchase, transfer, manufacture or possession of any illegal drugs;
 - D. Arrival or return to work under the influence of any drug (legal or illegal) or alcohol to the extent that job performance is impaired;
 - E. Misuse, abuse, illegal obtainment or distribution of prescription or over-the-counter medications.
2. Substance abuse in violation of this policy will not be tolerated. Behaviors related to substance use can endanger all employees, not just substance users. This policy describes the city's Drug-Free Workplace Program, and every employee is required to read and understand it.
3. The city holds all employees accountable in terms of substance use but also supports necessary treatment.
 - A. Employees who voluntarily identify a substance problem will receive support and assistance from the city.
 - B. If an employee with a substance problem fails to seek help and the employee then tests positive for drugs or alcohol use in violation of the city policy, the appropriate disciplinary action, up to, and including termination of employment will follow.
 - C. The decision to permit an employee who tests positive to be allowed to sign a "last chance" agreement to seek treatment, will be at the sole discretion of the city, and will be determined by factors such as quality of job performance, circumstances of the event, length of service and willingness to acknowledge the problem and seek help. The city reserves the right to terminate employment for violation of this policy. Employees whose jobs are subject to any special law or regulation may face additional requirements in terms of substance use and testing.
4. The Human Resources Director is the city's Drug-Free Workplace Administrator and will serve as the person to contact for information or help.
5. The Human Resources Director will be responsible for arranging drug and alcohol testing, identifying resources that employees can turn to for help for themselves and/or their families, and arranging for training. Employees, upon their request, will have the

opportunity to receive information about substance use as a workplace problem, signs and symptoms, dangers of use, and how and where to get help for themselves and their families.

15.2 Program Protections

1. The city's Drug Free Workplace Program is intended to protect employees from the behaviors of substance use and abuse. Medical records such as drug/alcohol testing results and referrals for assistance will be confidential.
2. Testing will be done through a certified laboratory that uses the highest level of care in ensuring that results are accurate. The lab will have a Medical Review Officer (MRO) who is a trained physician. When a positive test result is received, the MRO will contact the employee and any appropriate health care provider to determine whether there is a valid reason for the presence of a drug in the employee's body. It is the responsibility of the employee to communicate with the MRO.
3. Testing under this policy shall consist of a urine or breathe screening test for drugs and breathe test for alcohol. If the initial results are positive, then a second test of the specimen is required. Cut-off levels for each drug and for alcohol are established based on federal guidelines. These levels are used as the basis for a positive test.

15.3 Employee Awareness Education

1. Training opportunities will occasionally be offered to raise awareness of substance abuse. The training may consist of why and how substance abuse is a workplace problem, the effects, signs/symptoms of use, effects of commonly used drugs in the workplace, and how to get help. Information will also be provided to employees on receiving a referral for employee assistance, the importance of determining the severity of substance problems, and what type of help is needed.
2. New employees will receive information about this policy as part of the orientation process and will be offered the opportunity to receive substance abuse education as soon as possible.

15.4 Supervisor Training

Training will be offered to supervisors on recognition of substance problems that may endanger an employee and others, as well as violations of this policy. Supervisors will also be instructed on testing responsibilities, how to recognize behaviors that demonstrate an alcohol/drug problem and how to make referrals for help.

15.5 Drug and Alcohol Testing

1. Drug and alcohol testing is intended to detect problems, deter usage, and allow appropriate corrective action.
2. The city will determine the substances that will be tested for. This will include, but is not limited to, alcohol, amphetamines, cocaine, marijuana, opiates, phencyclidine, or any other substance, whether legal or illegal, when there is reasonable suspicion of abuse. The city retains the sole right to change the testing protocol at any time.
3. Marijuana use, although allowable for certain purposes under Ohio law, remains a schedule one controlled substance under the federal Controlled Substances Act. Therefore, the federal government has determined that marijuana has no legitimate use, medical or otherwise. In order to maintain compliance with federal law, the city shall not accept, condone, or allow marijuana use by any employee for any reason whatsoever, either on duty or off duty.
4. Alcohol testing will only be done by a facility that uses certified equipment and personnel. Breath alcohol concentrations exceeding .02 will be considered a positive test. Blood alcohol concentrations of .02 or greater will also be considered a positive test.

5. Any failure or refusal to produce or provide a specimen; or any attempt to adulterate a specimen, provide a false specimen, or otherwise manipulate, circumvent, alter or otherwise defeat the normal course of the testing process by any employee will result in termination of employment. Any employee who assists another employee in any effort to circumvent the provisions of the testing procedure will be subject to the appropriate disciplinary action, up to, and including termination of employment.
6. Types And Frequency Of Testing
 - A. Post-Offer, Pre-Employment Drug Testing
 - 1) As part of the city's employment procedures, all applicants will be required to undergo a post-offer, pre-employment drug screen. Any offer of employment is contingent upon, among other things, satisfactory completion of this screening.
 - B. Reasonable Suspicion Testing
 - 1) This testing shall occur when city management and/or supervision has reason to suspect that an employee may be in violation of this policy. The suspicion must be documented in writing no less than 24-hours following the event or prior to the release of the test findings. Reasonable suspicion testing does not require certainty, but mere "hunches" are not sufficient to justify testing.
 - 2) Reasonable suspicion testing may be based upon, but is not limited to:
 - a) Observed behavior, such as direct observation of drug/alcohol use or possession and/or the physical symptoms of drug and/or alcohol use.
 - b) A pattern of abnormal conduct or erratic behavior.
 - c) Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, manufacture, or distribution. The employee must notify their Department Manager, prior to the beginning of the next scheduled shift, of any drug or alcohol related arrest.
 - d) Information provided either by reliable and credible sources or independently corroborated, regarding an employee's substance use, possession, manufacture, or distribution.
 - e) Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.
 - C. Post-Accident Testing
 - 1) This testing will be conducted whenever an accident occurs as defined below.
 - 2) An accident is considered an unplanned, unexpected or unintended event that occurs on city property, during the conduct of the city's business, or during working hours, or which involves city-supplied motor vehicles or motor vehicles that are used in conducting city business, or is within the scope of employment, and which results in any of the following:
 - a) A fatality of anyone involved in the accident.
 - b) Bodily injury to the employee and/or another person (employee or non-employee) that requires off-site medical attention away from the city's place of employment.
 - c) Vehicular damage in apparent excess of \$750.
 - d) Non-vehicular damage in apparent excess of \$500.

- e) Any accident requiring medical attention from a physician.
- 3) When such an accident results in one of the previously described situations, any employee who may have contributed to the accident will be tested for drug and/or alcohol presence.
- 4) If the employee responsible for an employment-related accident is injured, it is a condition of employment that the employee herein expressly grants unto the City of Sharonville, its officers and management, the right to request that attending medical personnel obtain specimens (breath, blood and/or urine) for the purpose of conducting alcohol and/or drug testing.
- 5) All employees herein expressly grant unto the City of Sharonville, its officers and management, access to any and all other medical information that may be relevant in conducting a complete and thorough investigation of the employment-related accident, to include, but not be limited to, a full medical report from the examining physician(s) or other health care providers.

D. Post-Injury Testing

This testing will be conducted whenever an employee sustains a work related injury or the actions of any employee cause injury to another person (employee or non-employee). Any injury that requires reporting such injury to the Ohio Bureau of Workers Compensation (OBWC), or that is recordable under the provisions of the Occupational Safety and Health Administration (OSHA) will require that the responsible employee submit to the required testing procedure.

E. Random Testing

- 1) Unannounced random testing will occur periodically for a percentage sample of safety sensitive and special needs employees.
- 2) The frequency and number of employees sampled shall be determined by the Human Resources Director each year.
- 3) Random names shall be selected by the testing contractor from the city's employment roster. No city employee will select those individuals being selected for testing.
- 4) Those employees that are required to maintain a currently effective commercial driver license (CDL) shall be subject to a separate random testing pool and shall be tested in accordance with United States and/or Ohio Department of Transportation (DOT) regulations. This shall include random alcohol and drug testing.

F. Follow up Testing after Return to Work from Assessment or Treatment

- 1) This testing shall occur when an employee who has previously tested positive is allowed to return to work under a "last-chance" agreement.
- 2) A return-to-duty test is required before the employee is allowed to return to work.
 - a) Once an employee passes the drug and/or alcohol test and returns to work, the employee will be randomly tested during a two (2) year period. The city has the sole right to determine the number of tests and length of such period.
- 3) Any employee with a second positive test result during employment with the city will be terminated.

15.6 Specimen Collection

1. Testing shall be conducted by an outside vendor. Such vendor must meet quality assurance and chain-of-custody requirements for specimen collection and testing. Such vendor must comply with all confidentiality requirements.
2. Any individual subject to testing under this policy shall be permitted to provide urine specimens in private, but subject to strict scrutiny by collection personnel. There will only be one individual tested at a time. However, multiple employees may be tested as a result of a single situation.
3. Failure or refusal to appear for testing when scheduled shall be considered refusal to participate in testing, and will subject an employee to the appropriate disciplinary actions, including termination of employment. Failure or refusal of an applicant to appear for testing when scheduled shall result in the immediate retraction of any offer of employment.

15.7 Test Results

1. To ensure that every employee who is subjected to drug and alcohol testing by the city is treated in a fair and impartial manner. The city will contract with a Medical Review Officer (MRO) as part of the testing program.
2. An employee who tests positive will be given an opportunity to explain the findings to the MRO prior to the issuance of a positive test result to the city. The MRO will attempt to make contact with the employee and can request information on recent medical history and on medications taken within the last thirty days by the employee. Failure or refusal to provide any information required with section 15.7 will result in a presumption that there are no mitigating circumstances and a positive test result will be issued by the MRO.
 - A. If the MRO finds support in the explanation offered by the employee, the employee may be asked by the MRO to provide documentary evidence to support the employee's position (for example, the names of treating physicians, pharmacies where prescriptions have been filled, etc.).
 - B. A recommendation for marijuana usage will not mitigate a positive marijuana result.
 - C. If the employee fails to contact the MRO as instructed, the MRO will issue a positive report to the city.
3. Reporting Of Results
 - A. All test results will be reported to the MRO prior to the results being issued to the city. The MRO will receive from the testing laboratory a detailed report of the findings of the specimen.
 - B. Each substance tested for will be listed along with the results of the testing. The city will receive a summary report. This report will indicate that the employee passed or failed the test.
4. Storage Of Test Results And Right To Review Test Results
 - A. All records of drug/alcohol testing will be stored separately and apart from the employee's general personnel documents. These records shall be maintained as prescribed by Ohio Public Records Law. Access is limited to designated city officials. The information contained in these files shall be utilized only to properly administer this Policy and to provide to certifying agencies for review as required by any applicable federal, state and/or local law.
 - B. Those designated city officials who will have access to such records are charged with the responsibility of maintaining the confidentiality of these records. Any breach of confidentiality with regard to these records will result in the appropriate disciplinary action, up to, and including termination of employment.

- C. Any employee tested under this Policy has the right to review and/or receive a copy of the respective test results. An employee may request from the Human Resources Director, in writing, a copy of the test results.
5. Positive Test Results
- A. Employees who are found to have a confirmed positive drug or alcohol test may be immediately placed on paid administrative leave and be subject to the appropriate discipline action, up to, and including termination of employment.
 - B. An employee, testing positive, may be allowed to sign a “last chance” agreement, including substance abuse treatment as a condition if necessary, at the sole discretion of the Safety/Service Director. Factors such as quality of job performance, circumstances of the event, length of service and willingness to acknowledge the problem and seek help will be considered. The city reserves the right to terminate employment for violation of this policy. Employees whose jobs are subject to any special law or regulation may face additional requirements in terms of substance use and screening.
 - C. A return-to-duty test is required before the employee is allowed to return to work. This testing shall occur when an employee who has previously tested positive is allowed to return to work under a “last-chance” agreement.
 - D. Once an employee passes the drug and/or alcohol test and returns to work, the employee will be randomly tested during a two (2) year period. The city has the sole right to determine the number of tests and length of such period.
 - E. Any employee with a second positive test result during employment with the city will be terminated.

15.8 Employee Assistance Program (EAP)

The city provides a confidential Employee Assistance Program (EAP) to all full-time and benefits-eligible part-time employees and their IRS eligible dependents. See section 3.18 of this Manual for additional information.

15.9 Termination Notices

In those cases where substance testing results in the termination of employment, all termination notices will list “misconduct” as the reason. Termination shall be deemed “for cause”.

15.10 Safety Sensitive and Special Needs Employees

Employees in the following classifications are considered safety sensitive and special needs.

1 Fire Chief	14 Crossing Guard	27 Childcare Assistant
2 Assistant Fire Chief	15 Street Construction Maintenance Manager	28 Childcare Aide
3 Fire Captain	16 Recreation Maintenance Manager	29 Camp Manager
	Assistant Street Construction Maintenance	
4 Fire Lieutenant	17 Manager	30 Assistant Camp Manager
5 Firefighter	18 Mechanic	31 Camp/Adventure Camp Counselors
6 Part-time Firefighter	19 Senior Housing Maintenance Manager	32 Assistant Coach
7 Part-time RN or LPN	20 Street Operations Specialist	
8 Chief of Police	21 Operator	
9 Police Lieutenant	22 Recreation Maintenance Operator	
10 Police Sergeant	23 Laborer	
11 Patrol Officer	24 Recreation Maintenance Worker	
12 Dispatch Supervisor	25 Program Coordinator	
13 Clerk/Dispatcher	26 Lead Childcare Assistant	

SECTION 16. WEATHER EMERGENCY

16.1 [Declaration](#)

16.2 [Recording Employees' Hours](#)

16.1 Declaration of a Weather Emergency

1. A weather emergency for city employees will be declared by the Safety/Service Director or the Mayor or in the absence of the Mayor, the President of Council. Weather advisories, hazards and disasters declared by county officials, county sheriffs and other agency directors may constitute a weather emergency for city employees.
2. When travel is restricted in Hamilton County as declared by the County sheriff, the employee should contact their Department Manager for instructions. If an employee lives in or must travel through a county where travel is restricted or is assigned to work in a county where travel is restricted by the County sheriff, the employee should contact their Department Manager for instructions.

16.2 Recording Employees' Hours

1. If employees are instructed not to report to work, they shall be paid for the day as if they had reported to work, except if that day is preceded and followed by paid sick, vacation or other leave. These instances will be handled on a case by case basis. If a weather emergency is declared before work hours have commenced, the Safety/Service Director or designee will advise all Department Managers. The Department Managers will notify all employees within their responsibility of the weather emergency.
2. With approval by the Department Manager, if employees are absent, tardy, or leave work early when weather conditions interfere with travel but no emergency has been declared, such employees may account for time absent from their job by adjusting work time during the same seven calendar day work period to 'flex' the hours or charge any missed work time to vacation, personal, or compensatory leave or be charged leave without pay.
3. Employees who have worked a portion of their shift but are subsequently sent home by city Administration due to weather conditions will be paid through the end of the scheduled shift.
4. Any employee who is on scheduled vacation or continuing sick leave during a declared weather emergency will be charged leave regardless of the declared weather emergency.
5. Essential employees will be required to report to work during weather emergencies unless otherwise advised. Such employees shall be paid the normal rate of pay for work performed during their regularly scheduled hours. Any overtime shall be paid according to the applicable overtime eligibility or overtime exempt status.

SECTION 17. PURCHASING CARD USE

Purchasing Card Use Policy Details

17.1 Purpose

The Purchasing Card program is established in order to: reduce time associated with the acquisition of high volume, low dollar commodities; aide employees traveling on city business; provide ease of vendor payment; and simplify the procurement process. See Policy Appendix F for guidelines on the responsibilities and usage for all purchasing card holders and users.

SECTION 18. WHISTLE BLOWER RIGHTS

18.1 Purpose of Whistle Blower Policy

This policy is established to encourage the reporting of abuse, fraud and waste of city employees and resources. It establishes protections for whistle blowers and policies for proper disclosure of complaints. This policy is not intended to protect complainants who make knowingly false, misleading or inaccurate reports, or those who make complaints with reckless or negligent disregard to the facts.

18.2 Complaint Procedure

1. Employees may file a written report with the appropriate Department Manager identifying an alleged violation of this manual or any local, county, state or federal laws, policies, rules and/or regulations, or the abuse, fraud, misuse, or waste of city resources. Written reports should be filed with the Human Resources Director.
2. An employee who believes that their supervisor or Department Manager has taken insufficient corrective action or that the supervisor or Department Manager is in any way involved in the alleged violation, or abuse, fraud, misuse or waste of city resources should promptly file a written report with the Human Resources Director.
3. In the event the Human Resources Director needs to file a complaint, the complaint should be filed with the Law Director. In the Law Director's absence, the complaint should be filed with the President of Council.
4. The Human Resources Director or designee shall conduct a confidential investigation of the allegation and take appropriate action, if warranted.
5. A confidential written response shall be issued to the employee filing the complaint by the Human Resources Director or designee within a reasonable amount of time following the investigation.

18.3 Retaliation and Discipline

1. No employee shall be subject to any corrective or other retaliatory action for processing what the employee believes to be a good faith whistle blower initiative. Any supervisor or Department Manager found to have committed such disciplinary or other retaliatory action shall be subject to the appropriate disciplinary action, up to and including termination of employment.
2. Employees shall be subject to disciplinary action for purposely, knowingly, recklessly, or negligently reporting false information in a whistle blower report or during a whistle blower investigation. Employees shall be aware that they may be called upon as material witnesses in any disciplinary or criminal proceeding arising from any whistle blower initiative.
3. Employees are strongly encouraged to follow the procedures outlined in this policy. Employees who choose to contact law enforcement or private counsel regarding incidents they believe to be true shall not be subject to disciplinary actions for such referrals.

SECTION 19. SECONDARY EMPLOYMENT

19.1 Process to Apply for Secondary Employment

1. Employees may engage in secondary employment provided they notify the appropriate Department Manager of their intent to engage in secondary employment and complete the Secondary Employment form (Form E).
2. Prior to any full time and/or benefits-eligible part-time employee accepting secondary employment or business interest, the employee must provide the Human Resources Director with a written description of the secondary employment including the name of the employer, the employee's work schedule, and a description of the work that the employee will perform. The purpose of this requirement is to assure that any secondary employment will not present a possible conflict of interest or conflict of work schedule. Approval will be determined by the Department Manager and the Human Resources Director or designee.

19.2 Guidelines for Secondary Employment

1. Each request for approval will be decided on a case-by-case basis by the Human Resources Director and shall be consistent with Ohio law as to the compatibility of the outside employment and city employment. Both actual and potential appearances of impropriety or conflict of interest will be considered to protect the public confidence in the city.
2. Employees are not to engage in secondary employment to the extent that it impairs performance in regular assigned duties. Supervisors and Department Managers will monitor employee performance to determine whether outside or secondary employment is interfering with job performance. If there is a determination that secondary employment is in conflict with or is causing inadequate work production, appropriate disciplinary action may be taken, up to and including termination of employment.

SECTION 20. PUBLIC RECORDS

20.1 Public Records Policy

1. Purpose
 - A. The Ohio Public Records Act guarantees the people broad access to the records of public offices. It is the policy of the City of Sharonville to make all public records available in accordance with Ohio Revised Code §149.43.
 - B. This policy is a formal representation of the position of Council that has been in place since the inception of the law. Council has always taken the stance to comply with the Ohio Public Records Act and any amendments thereto. It is the intention of Council to continue to comply with any future updates to the Act.
2. Records Commission

The City of Sharonville Records Commission shall provide rules for retention and disposal of municipal records. The Commission shall review and approve retention schedules and requests for disposition from City Departments. The Commission shall file all appropriate paperwork with the Ohio Historical Society.
3. Custodian(s) of Public Records

The Safety Service Director shall be the City of Sharonville's Custodian of Public Records. In addition to the city-wide custodian, each Department shall designate a Custodian of Public Records for the original records maintained within the department. All requests must be executed and/or approved by the appropriate Custodian prior to being released.
4. Records
 - A. In accordance with Ohio Revised Code §149.011(G), "records" includes any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in section 1306.01 of the Revised Code, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.
 - B. Documents in electronic mail format are records as defined by the Ohio Revised Code when the content relates to the business activities of the City and is not exempt by the Public Records Act. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules based on the subject matter.
 - C. Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of the City of Sharonville are instructed to retain their e-mails that relate to public business and to copy them to their business e-mail accounts and/or to the appropriate records custodian.
 - D. Public Records Custodians are to treat the e-mails from private accounts as records of the City, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.
 - E. All records of the City of Sharonville are public unless they are specifically exempt from disclosure under the Ohio Revised Code.
 - F. A public office is not required to create new records to respond to a public records request.
5. Requests for Records

- A. No specific language is required to make a request. The requester must identify the records requested with sufficient clarity to allow the City to identify, retrieve, and review the records. If unclear which records are sought, the Public Records Custodian must seek clarification, and should assist in revising the request by informing the requester of the manner in which the records are kept.
 - B. Requests need not be in writing, and may be anonymous. The use of the records need not be disclosed.
 - C. Public records are to be available for inspection during regular business hours with the exception of published holidays. All requests will be fulfilled promptly within a reasonable period of time. "Prompt" and "reasonable" takes into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.
 - D. Each request should be evaluated for an estimated length of time required to gather the records.
 - E. All requests must be executed and/or approved by the appropriate Custodian prior to being released. Prior approval from the Safety Service Director should be obtained when possible within the "prompt" and "reasonable" parameters. If this is not possible, then only notification is required.
 - F. All requests for public records must either be satisfied or be acknowledged in writing by the Public Records Custodian within three business days following the office's receipt of the request. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:
 - 1) An estimated number of business days it will take to satisfy the request.
 - 2) An estimated cost if copies and/or other media are requested.
 - 3) Any items within the request that may be exempt from disclosure.
 - G. Any denial of public records requested must be explained, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be obviously redacted and the rest released. If there are redactions, each redaction must be explained with legal authority.
6. Completing a Request
- A. Public records will be copied only by the Public Records Custodian or other authorized officers, employees, or representatives.
 - B. Under no circumstances will the requester be permitted to make the copies personally. Requests to copy a certain number of public records on a given page, by "reducing" copy size or otherwise, may be met at the discretion of the Public Records Custodian.
 - C. The Public Records Custodian must keep a log of all records released through a public records request. The log should include the date, name of requester (if known), name of document(s), format/media, method of delivery, and charges (if any).
7. Fees and Payment
- A. The public records law allows a person to choose the medium upon which they would like a record to be duplicated. The following charges will be incurred at cost without taking into account employee time spent preparing the request. The charges may be adjusted periodically as costs change.
- | | | |
|--------|----------|---|
| \$.06 | Per page | 8.5" x 11" sheet, black and white, single sided |
| \$.08 | Per page | 8.5" x 11" sheet, color, single sided |

- B. CDs, DVDs or other materials used to comply with a request will be charged at cost.
 - C. A requester may request that copies of public records be transmitted to him/her by U.S. Mail or by any other means of transmission that is available and is conducive to transmitting the public records, such as FedEx, UPS, fax, or e-mail. The cost of transmitting must be paid by the requester before the public records will be transmitted. There is no charge for documents which are e-mailed. It is the policy of the City to provide information to the public in the most convenient way that is practicable.
 - D. Charges can be paid for in cash or by check/money order/certified check, made payable to City of Sharonville. If payment is made by check, copies will not be made until the check has cleared and been paid by the requester's bank.
 - E. All charges must be paid in their entirety, in advance. A requester may pay an amount that the Public Records Custodian estimates to cover the cost of copies or means of transmission. If that amount is determined to be insufficient, the copies will not be made or transmitted until the entire amount due is paid. If the amount was in excess of the cost of the copies or means of transmission, the excess will be repaid to the requester. The Public Records Custodian has the authority to waive such fees and charges.
8. Denial of a Public Records Request
- A. Under certain circumstances, records are not "public records". Such requests will be denied on that basis. The Ohio Revised Code requires that any denial be supported by legal authority. A denial that is responding to a written public records request will also be given in writing. Written reasons for denial will not be required for non-written public records requests.
 - B. Redaction is "obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a 'record' in section 149.011 of the Revised Code." Examples of redaction are "blacking out" or "whiting out" or "cutting out" portions of a document.
 - C. When a public record contains information that is not within the definition of a "public record", the Public Records Custodian will make available that portion of the public record that does meet the definition of a "public record." The Public Records Custodian shall perform the redaction then make the redacted copy available to the requester. If two copies of the record are necessary to perform proper redaction, then the requester will only be charged for the second copy. Each redaction must be accompanied by a supporting explanation, including legal authority. If the record request was made in writing, then the explanation of redaction will be in writing.
 - D. Requests that are ambiguous, overly broad, or for which identifying responsive public records is difficult requires Public Records Custodian to inform the requester that the public records request is denied and give the requester an opportunity to more accurately describe the public records sought. If the requester is seeking public records organized in a certain way, but the public records are not organized in that way, the Public Records Custodian will inform the requester of the manner in which they are maintained and accessed. The requester may then submit a public records request that more accurately reflects the organization of the public records and the actual public records sought by the requester.
9. Failure to respond to a public records request may result in disciplinary action, up to

and including termination of employment.

20.2 Records Retention Policy

1. It is the policy of the city that the proper use of communications and data transmission systems are essential for all employees.
2. It is the policy of the city to strictly adhere to all applicable public records laws and the city's approved Schedule of Records Retention.
3. Please see Policies Appendix H for specific details.

20.3 Identity Theft Policy

1. It is the policy of the city that the risk to the municipality, its employees and customers from data loss and identity theft is of significant concern to the municipality and can be reduced only through the combined efforts of every employee and contractor.
2. It is the policy of the city to strictly adhere to the federal Red Flag Act.
3. Please see Policies Appendix I for specific details.

SECTION 21. IDENTIFICATION BADGE

21.1 City Identification Badge

1. As a means of determining those authorized to be on city property and in city facilities, all employees and all elected and appointed officials will be issued and required to carry or wear a photo identification badge while on city or other property operated by the city.
 - A. The Information Technology (IT) office will create a uniform badge design for all city departments.
 - B. The front of the card shall include a photo of the individual with a full-face image.
 - C. The individual's full name (first and last), as well as the name of the city department they represent, must also be readily visible.
 - D. The back of the card contains information concerning the return of a lost card and the signature of the Mayor for authentication purposes.
2. Employees and elected officials may use the city ID to access various services throughout the city. Identification badges are also used to access facilities and parking lots, and for other services that require proof of city employment.
3. The city ID is not transferable to other individuals under any circumstances.
4. Elected officials "Department" shall be the title of the office to which they were elected.

21.2 City Identification Card Format

1. The city ID will include first and last names. If space for the full name is insufficient, the first name may be reduced to an initial. Hyphenated last names are permitted.
2. In addition, the city ID will have a full-face color photograph of the employee or elected official and the department they represent as well as the employee's emergency incident response color code.
 - A. Incident response color codes:
 - 1) Red – Police and Fire
Specially trained personnel involved in immediate incident handling
 - 2) Orange – Mayor, Safety/Service Director, Human Resources Director, Public Works, Chief Building Official
Incident Command and personnel involved in recovery and repair procedures
 - 3) Yellow – Department Managers
Support personnel involved in aiding primary and secondary response efforts
 - 4) Blue – Elected Officials, city Employees
Support personnel to be assigned tasks by city Incident Command
 - 5) Green – Volunteers, Press
Support personnel assigned to low risk tasks
 - 6) No color – no access

21.3 Issuing and Wearing the City Identification Badge

1. Identification badges are issued to all employees and all elected and appointed officials. The Department Manager or President of Council should direct new employees or elected officials to the IT office to have a photograph taken.
2. If an employee or elected or appointed official's ID is lost or stolen, it must be reported to the appropriate Department Manager or President of Council. The badge will then be replaced immediately.
3. The ID should always be prominently displayed according to city guidelines.

- A. The city ID must be worn prominently on the outer clothing between shoulder and waist with the photo side facing out when an employee is in an official capacity. Exceptions include uniformed Police, Fire, and Public Works employees.
 - B. city employees and elected or appointed officials must have the ID with them at all times while on city property.
 - C. Employees and elected or appointed officials must remove city ID from visibility immediately upon leaving city property.
4. All newly hired employees and newly elected or appointed officials should follow the two steps listed below in order to acquire a city ID:
 - A. The employee must have already started working at the city. The elected or appointed official's term of office must have commenced.
 - B. The Department Manager, department designee or elected or appointed official must have completed and submitted new hire paperwork along with other appropriate payroll forms to the Administration department.
 5. When the two steps above have been completed, the employee or elected or appointed official may have a photo taken for the identification badge.
 - A. The Department Manager or President of Council will arrange for the employee to go to the IT office.
 - B. Elected or appointed officials should coordinate a meeting with the IT office.
 6. All employees and elected or appointed officials must surrender the city ID to their Department Manager or President of Council at the time of termination of employment with the city or expiration of term of office as well as at any other time such surrender is requested by the Safety/Service Director or designee.

21.4 Replacement of Lost or Stolen Identification Cards

1. The loss or theft of an ID must be immediately reported to the Department Manager or President of Council. A new ID will be issued promptly, and the old badge will be invalidated.
2. There is a \$2 charge that must be paid for this service at the time that the employee or elected or appointed official replaces the badge for a third time.
3. If a lost ID is found, it should be reported to the IT office. Arrangements will be made for the employee or elected or appointed official to retrieve the card.

21.5 Contract Workers, Observers, Clergy and Volunteers

1. Contract workers, temporary workers or approved observers who expect to be on city property must obtain an official city ID issued by the employing department.
2. The department will use the standardized card stock and holder available from the IT Office to provide clear and visible department identification.
3. Identification for volunteers, clergy, observers, and all other persons authorized to be on city property will look different from employees' identification badge and will be readily identifiable.
4. Contract staff, volunteers, observers or long-term support staff not officially employed by the city will have either the word "contract" or "temporary" printed on the ID. Members of the clergy not employed by the city will have "Clergy" on their city ID.

21.6 Care of the City Identification Card

The city ID may not be defaced, pierced, or visually obstructed in any manner. Lanyards or clips will be provided by the Department Manager.

21.7 Transferring of the City Identification Card

The city ID will be used solely by the employee or elected official identified on the ID. Under no circumstances can an ID be transferred to another individual.

21.8 Department Identification Card

Departments are explicitly prohibited from issuing their own particular identification or nametag in place of the official city ID.

21.9 Department Manager Responsibility

1. Department Managers or President of Council are responsible to ensure that every individual required to possess a city ID obtains it the first day of work or at term commencement.
2. To obtain a card, the Department Manager or elected or appointed official must contact the IT office. The same format is used for staff, volunteers, and all other individuals required to have an official city ID.
3. Lanyards or clips holding the city ID cards must be professional in appearance.

21.10 Charges for Issuing the City Identification Card

1. The IT office will issue the first city ID and charge it to the individual's department.
2. Upon presentation of a worn out city ID to the Department Manager or President of Council, a replacement will be issued with the cost being absorbed by the individual's department.
3. Lost, damaged or stolen city IDs must be reported at the earliest possible moment to the issuing department and to the IT Office. There is a \$2 charge that must be paid for the city ID replacement at the time that the employee or elected official replaces the badge for a third time.

21.11 Transferring Within or Leaving the City

1. The city ID will be maintained until the relationship with the city has been terminated, or upon demand of the Safety/Service Director or designee.
2. If an employee terminates employment, or transfers from one department to another, it is the responsibility of the Department Manager in the old department to turn the ID into the IT Office for the termination and destruction of the card.
3. In the case of a transfer, it is the responsibility of the Department Manager in the employee's new department to ensure that the employee is issued a new card with the appropriate department listed, at the department's expense.

DEFINITIONS

1. **Active pay status**
Includes all regular (straight time) hours actually worked and/or paid injury leave.
2. **Actually worked**
All regular (straight time) hours on paid vacation leave, paid personal leave, paid compensatory time, excused sick leave and paid sick leave used for bereavement. Hours not actually worked would include holiday leave, unexcused sick leave, unpaid disciplinary leave, or unpaid time off.
1. **Appointing authority**
The Mayor for: Safety/Service Director, Department Heads and Commission Members.
The Safety/Service Director for all other employees.
2. **Authorized use**
Use consistent with the values of the city as expressed in our standards such as the Uniform Standards of Conduct, Ohio Code of Ethics, goals and objectives, policies and procedures, and other lawful directives and legitimate expectations.
3. **Authorized users**
Current employees and approved contractors of the city and anyone connecting to a public information service as authorized to use that public information service only.
4. **Benefits-eligible part-time employee**
An employee holding a position that requires a consistent annualized schedule of no less than 25 and no more than 28 hours per week or no more than 1500 hours in a calendar year that will be eligible for paid time off. This does not include student help, interns, intermittent, temporary, seasonal, external interim or individuals covered by a personal services contract.
5. **Break in service**
For purposes of longevity, a separation of inactive pay status of 31 days or more while an employee for the City of Sharonville. After 31 days, an employee loses all previously accumulated seniority. In the event of a layoff, an employee will retain seniority for a period of 18 months.
6. **Care**, as in “to care for”
Charge, oversight, or management, implying responsibility for safety and prosperity.
7. **Classification**
A group of positions that involve similar duties and responsibilities require similar qualifications, and which are properly designated by a common descriptive title indicating the general nature of the work. A classification may include only one position in some circumstances.
8. **Classified Employee**

Any full-time or part-time employee who is subject to the appropriate provisions of Ohio Revised Code Chapter 124 and the Rules and Regulations of the Sharonville Civil Service Commission.

9. Communication Record

A document used by a supervisor to record both positive and negative observations of a subordinate's job performance for the purpose of supplementary information in completion of the annual performance evaluation.

10. Conflict of Interest

Obtaining a personal benefit in connection with the employee's position with the city; or a conflict between the private interests of the employee and the professional image and responsibilities of the employee.

11. Covered active duty

For purposes of the Family Medical Leave Act, a member of a regular component of the Armed Forces with duty during the deployment with the Armed Forces to a foreign country and in the case of a member of a reserve component of the Armed Forces, duty during the deployment with the Armed Forces to a foreign country under a call or order to active duty under Title 10 USC.

12. Covered service member

For purposes of the Family Medical Leave Act, a member of the Armed Forces, including a member of the National Guard or Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness or a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces including a member of the National Guard or Reserves at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

13. Dishonesty

Disposition to lie, cheat or defraud, untrustworthiness; lack of integrity; intent to deceive; use of city property or funds for personal gain or purposes.

14. Eligible employees

For purposes of the Family Medical Leave Act, employees who have been employed for at least 12 months or 52 weeks, and who have met the minimum FMLA hours during the previous 12-month period.

15. Essential Employee

An employee whose duties involve work or services essential to the health or safety of the public and the withholding of such services would create a danger to the health or safety of the public.

16. Excused sick leave

Sick leave taken and an acceptable excuse provided to the Department Manager for that instance of sick leave use. In terms of eligibility for holiday pay, overtime and comp time, sick leave is excused when sick leave is taken and a doctor's note is provided for the absence.

17. **Exempt Employee**
Not eligible for overtime pay provisions per Fair Labor Standards Act (FLSA) guidelines.
18. **Flextime**
A schedule by which an employee may work an alternate work schedule within specific limits dictated by the needs of the job, and is subject to management review and approval.
19. **Full-time employee**
An employee whose hours of duty total 80 hours in a pay period on an annualized basis or in the safety departments, any standard accepted as full time by the respective chief and approved by the Safety/Service Director.
20. **Holiday**
The city recognized holiday except for those safety employees who work alternate schedules to cover the 24 hour department operations for which the actual holiday is then recognized.
21. **Holiday Pay**
Pay at a rate of two (2) times the hourly rate for work performed during the city recognized holidays or on the actual holiday for 24 hour operations. Also includes additional day paid and the end of the year pay for Police department employees.
22. **Immediate Family**
An employee's spouse, parents (including step and in-laws), children (including step and in-laws), siblings (including step and in-laws), grandparents and grandchildren.
23. **Inactive pay status**
The conditions under which an employee is ineligible to receive pay, and includes, but is not limited to, leave without pay, the period an employee is receiving disability leave benefits and disability separation.
24. **Incompetency**
Lack of ability, legal qualification or fitness to perform duties required of an employee.
25. **Insubordination**
Intentional failure or refusal to perform duties required of an employee. Failure or refusal to obey a lawful order issued by the employee's supervisor.
26. **Malfeasance**
The performance of an act that is legally unjustified, harmful or contrary to law; wrongdoing.
27. **Misfeasance**
The improper performance or commission of some act which a person may lawfully do, or which is required by the terms and conditions of this policy and procedure manual.
28. **Neglect**
Omission or failure to do something that can and should be done, or that is required to be done. An absence of care or attention in doing something that should be done. A designed refusal or unwillingness to perform one's duty.
29. **Nonexempt Employee**

Entitled to overtime pay protections of the Fair Labor Standards Act (FLSA).

30. **Nonfeasance**

Nonperformance of some act which ought to be performed or which is required by the terms and conditions of this policy and procedure manual, the total omission to perform such act or the total neglect of the performance of such act.

27. **Overtime**

For eligible employees, actual worked hours in excess of forty actual worked hours in a given work week. Compensation is at 1.5 times the employee's regular rate of pay.

28. **Part-time employee**

An employee whose regular hours of duty total less than 56 hours in a pay period or less than 1500 hours per year.

29. **Pay period**

The fourteen-day period of time during which the payroll is accumulated. Pay periods begin on Sunday and end on Saturday.

30. **Per year**

For purposes of the Family Medical Leave Act, a 12-month period measured backward from the date the employee requests to use FMLA leave.

31. **Permanent**

Intended to exist or function for a long, indefinite period without regard to unforeseeable conditions.

32. **Probationary period**

The period of time at the beginning of an original appointment or the period of time immediately following a promotion during which an employee may be removed from that position for any reason or no reason, provided that the reason is not illegal. Unclassified positions serve at-will and may be removed at any time for any reason or no reason, provided that the reason is not illegal. See Civil Service Rules for classified positions.

33. **Public service employment**

Employment recognized by the Ohio Public Employees Retirement System and the Ohio Police and Fire Pension Fund.

34. **Record**

For purposes of records retention, any document, device, or item, regardless of physical form or characteristic, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

35. **Retirement**

Employee that separates service with the city and has been approved to draw benefits within 90 days of separation from a state retirement system.

36. **Safety employee**

An employee eligible to participate in the Ohio Police and Fire Pension System.

37. Scrap

Discardable material(s) deemed worthless, especially metal suitable for recycling.

38. Seasonal employee

An employee that works a certain regular season or period of each year performing some work activity limited to that season or period of the year. Employees in this category will be permitted to work in excess of 40 hours per week and receive overtime but are not eligible for benefit accumulation. Those employees hired for recreational purposes or summer camps are exempt from overtime requirements and will receive straight time pay for all hours worked.

39. Seniority

The amount of full-time service with the City of Sharonville. Seniority shall be computed on the basis of uninterrupted length of continuous service as a full-time employee with the City of Sharonville. Please see Civil Service Rules for classified positions.

40. Serious health condition

An illness, injury, impairment, or physical or mental condition that involves:

- A. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or
- B. A period of incapacity requiring absence of *more than* three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
- C. Any period of incapacity due to pregnancy, or for prenatal care; or
- D. Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or
- E. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.); or
- F. Any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.)

41. Serious injury or illness

For purposes of FMLA, a member of the Armed Forces including a member of the National Guard or Reserves with an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating and in the case of a veteran who was a member of the Armed Forces including a member of the National Guard or Reserves at any time during a period when the person was a covered service member, means a qualifying as defined by the Secretary of Labor injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces and that manifested itself before or after the member became a veteran.

42. Sick leave abuse

The use of sick leave for any purpose other than as provided by applicable law or these policies. Examples include but are not limited to: calling in sick when the employee is able to

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

43. **Unclassified Employee**

Any at-will employee who is not subject to the provisions of Ohio Revised Code 124.

44. **Unscheduled or Emergency Overtime Work**

Work which requires immediate attention and if left unperformed would create a health or safety hazard to the public at large. Examples include: snow and ice removal, flooding, sewage backup, trees or tree limbs in public rights of way, or loss of heating or cooling in municipal facilities. In other situations, unscheduled or emergency situations must be approved by the Mayor, the President of Council or the Safety/Service Director.



Standards of Conduct and Behavior

Ten Standards
Governing the City of Sharonville
Employee Conduct and Behavior

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INTRODUCTION

Employees are cautioned that disciplinary action up to and including termination will be taken to bring about compliance to these standards, should such action become necessary.

These standards govern all employees' conduct and behavior. They do not create an exhaustive listing of all legitimate expectations management has of its employees. Job descriptions, policies, procedures, general orders, and verbal instructions (and orders) issued by management are additional examples of enforceable managerial authority.

The Standards are divided into two types, Gross Misconduct (Standard No. 1) and General Infractions (Standards 2-10). A specific format is used to facilitate a common understanding and to promote fair and consistent enforcement by management personnel.

Each standard has an: identification number, enforcement guideline¹, a statement of what is required or prohibited (i.e., the explicit wording of the standard), and a non-exclusive listing of examples of conduct and behaviors that would or would not constitute violations. These examples express the idea, or intent, associated with the explicit wording of the standards. Additional examples may be added in the Addendum as management deems appropriate.

Employees who do not fully understand a standard are responsible for contacting a manager for clarification. It will not be an acceptable defense to claim ignorance of a standard, or its meaning, if the employee has not made a reasonable effort to seek an explanation prior to actions that would constitute a violation of a standard.

These standards are grounded in principles expressed in our mission, professional Code of Ethics, and vision and are used to enforce the fundamental rights of management. These include, but not limited to, the right to require that employees:

1. Have regular and predictable attendance.
2. Work effectively, efficiently and safely.
3. Respond in a positive manner to management's directives.
4. Learn present job as well as new jobs.
5. Adjust to change.
6. Get along with others.
7. Know and follow the rules, policies, practices and procedures.
8. Be physically and mentally fit for work.
9. Be loyal to their employer's lawful business needs and interests.

POLICIES VERSUS STANDARDS OF CONDUCT

Policy is one type of directive outlining management's intent or position on a given topic. Policies may be written or established by practice. Policies are designed to cover the majority of situations expected to occur. Policies are most useful when they clarify management's intent, help improve decision making, and establish overall operational consistency.

Policies are not rules. Policies require compliance. However, if circumstances at the time would make following the policy impracticable, management's failure to take enforcement action does not create precedence for non-enforcement under different circumstances.

These Standards of Conduct (i.e., rules) require mandatory enforcement, regardless of circumstances. However, circumstances can work to mitigate or aggravate the type and degree of remedial action management will take to ensure future compliance. Violations of these standards are handled in administrative proceedings in accordance with our Discipline-Termination Policy. These standards shall apply to all employees, whether full-time, part-time, volunteer, auxiliary or temporaries.

¹ Except acts of Gross Misconduct (Standard No.1), the Enforcement Guidelines call for either Performance Improvement Planning or Progressive Discipline up to and including termination depending on aggravating and mitigating factors involved. See the Appendix for a listing of these 12 factors. Included in this Appendix are recommended criteria for using Performance Improvement Planning as opposed to Progressive Discipline.

DISCIPLINE – TERMINATION POLICY

It is policy to follow a progressive system of discipline for infractions of administrative directives and job performance standards.

PROGRESSIVE DISCIPLINE

The intent of our progressive discipline system is to stop undesirable conduct and/or behavior and to persuade the employee to comply with directives and standards.

Progressive discipline includes summary discharges for first-time offenses if the employee's actions cause serious damage to the employment relationship.

LEVELS

The principle behind our progressive discipline system is to put the employee on notice that undesirable conduct and behavior will not be tolerated; and, to give employees an opportunity to comply with our standards. This may include a series of repeated warnings and/or disciplinary action such as:

- Level One: Written Record of Counseling
- Level Two: Written Reprimand
- Level Three: Suspension without Pay
- Level Four: Demotion or reduction to lower pay stem within the employee's pay range
- Level Five: Dismissal

Levels may be skipped or reversed if warranted based on a case-by-case analysis of one or more of the aggravating and mitigating factors listed here in this policy.

Not every administrative intervention to correct or rid problem conduct or behavior shall be considered discipline. This includes, but not limited to: management counseling, remedial training, performance improvement planning, job reassignments and fault and no-fault terminations.

JUST CAUSE STANDARDS

Discipline will be used when an employee commits an infraction of an administrative directive and substantial evidence supports that the employee knew (or should have known) what was expected; had the opportunity to comply; had the abilities (or should have had the abilities) to comply; and, knew (or should have known) the consequences for non-compliance. Some degree of intent or negligence was involved in the employee's actions or inactions.

JUST CAUSE DEFINED

Seven principles provide a functional definition of the just cause principles. They are:

1. Employees receive advance notice (expressed verbally or in writing) of what was required or prohibited and the consequences for failure to comply with such expectations.
2. A rational relationship exists between what is required performance, and efficient, effective and safe operations of the agency. It is to be assumed that all directives of management are reasonable and rational until proven otherwise by the employee contesting them.
3. Fact-finding efforts were made to determine the employee's failure before action is taken against the employee.
4. A fair and objective investigation was held to determine the facts, and the employee was given an opportunity know the charges, represented (if required by law or contract) and a chance to respond to the charges.
5. Substantial evidence exists to prove the employee is guilty as charged. (Substantial evidence means convincing evidence that would lead a reasonable person to believe that it is true.)
6. Discipline was applied without unlawful discrimination.
7. The level of discipline was reasonably related to the seriousness of the proven offense(s) as well as the employee's employment and work history.

PENALTY ASSESSMENT

Except in summary dismissal cases and in accordance with the seven principles of "Just Cause" (above), one or more of the following aggravating and/or mitigating factors are taken into consideration in the assessment of disciplinary action.

1. The nature and seriousness of the offense, and its relation to the employee's duties, position, and responsibilities, including whether the offense was intentional, technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated
2. The employee's job level and type of employment, including management or fiduciary role, contacts with the public, and prominence of the position
3. The employee's past disciplinary record
4. The employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability
5. The effect of the offense upon the employee's ability to perform at a satisfactory level and its effect upon managers' confidence in the employee's work ability to perform assigned duties
6. Consistency of the penalty with those imposed upon other employees for the same or similar offenses
7. Consistency of the penalty with any applicable agency table of penalties
8. The notoriety of the offense and/or its impact upon the reputation of the agency
9. The clarity with which the employee was on notice of any rules that were violated in committing the offense, or had been previously warned about the conduct in question
10. The potential for the employee's rehabilitation
11. Mitigating circumstances surrounding the offense such as unusual job tensions, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter
12. The adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others

PRE-DEPRIVATION HEARING

The purpose of a pre-deprivation hearing is to formally notify an employee of charges, the basis for charges and a chance to respond. Hearing procedures shall be in accordance with all rights afforded by law.

In the event circumstances deem it necessary to suspend an employee without pay prior to a pre-deprivation hearing, a hearing will be held within a reasonable period of time of the first-day of suspension.

TERMINATIONS

- A. Termination is an action taken to eliminate a job or involuntarily separate an employee from a job position. Implicit in a termination decision is a reasonable assumption that the employee's continued employment is a detriment to efficient, effective, or safe service.
- B. All employees are subject to termination for cause. Cause for termination can occur with or without fault on the employee's part. Fault and non-fault terminations include, but are not limited to, situations that involve:
 1. Reductions in work force
 2. Job abandonment
 3. Disability
 4. Unqualified
 5. Summary discharge offenses
 6. Habitual offenses

WORKFORCE REDUCTIONS

Terminations for reductions in workforce or lay-offs result from many factors including reduced operating budgets and events that increase current operational expenses. These events may include excessive overtime costs, damage awards, and unplanned management costs among others. In such cases, it is management's intent to make termination decisions based on effective, efficient and safe continued operations of the agency. In lieu of other controlling authority, seniority is only a single factor in workforce reductions and lay-offs; other factors (to include, but not limited to) classification plan, performance ratings, work histories, disciplinary records and possession of essential work knowledge or skills will be taken into account.

JOB ABANDONMENT

An employee is considered to have abandoned a job when the employee is absent without permission for more than three (3) consecutive workdays from the last day of actual work.

DISABILITIES

Disability Terminations occur only when OPERS or OP&F allow. This is generally shown through competent medical or psychological documentation and individual analysis of the employee's capabilities that, due to injury or illness, the employee is not able to perform the essential functions of the job to standards with or without reasonable accommodations. In all cases of a disability claim, management reserves the right to request or seek the necessary professional opinions and documentation it deems appropriate to verify existence and extent of a disability.

UNQUALIFIED

Employees who lose a job certification, lack the necessary knowledge, skills or fitness for their positions are unqualified and subject to a no-fault termination.

SUMMARY OFFENSE TERMINATIONS

Certain offenses can, by their nature and the liability they can create for an agency, warrant immediate termination. Examples include, but are not limited to:

1. Knowingly and intentionally submit, or cause to be submitted, untruthful, incomplete, inaccurate, false, improper or incomplete information; or, making untruthful, incomplete, inaccurate, false, improper or incomplete statements related to issues of official duties.
2. Committing an administrative violation that would be classified as a felony in criminal law, or found guilty of committing a felony by a court of law.
3. Managers who commit acts of sexual harassment based on exchange of a job benefit for sexual favors, or commit acts of retaliation against a subordinate for resisting or reporting such prohibited activity.
4. Threatening or committing life-threatening acts of violence against another employee, on or off duty.
5. Failing to respond to a call for aid from an employee in a dangerous situation or situation with a high probability of danger when such danger is known or should have been known.
6. Theft of money or property of another, when substantial evidence establishes intent to deprive its rightful owner.
7. Retaliatory behavior by a manager taken against a subordinate for reporting management misconduct.
8. Committing a serious misdemeanor (e.g., driving under the influence of alcohol or drugs, reckless operation of a motor vehicle) resulting in death of another, serious injury to self or another person or irreparable damage to the police profession or image.
9. Direct or constructive disobedience to a superior-ranked employee's lawful and direct order (i.e., Insubordination).

HABITUAL OFFENSES

Termination will result when an employee's conduct and/or behavioral problems result in habitual offenses of the same or difference nature and corrective action has no lasting effect and/or substantial impairment of the employment relationship has resulted. In such cases the employee's work history suggests that the employee is either unable or unwilling to conform to organizational standards.

Habitual problems include such things as being excessively absent from duty (particularly nonscheduled absenteeism) , disgruntled work attitudes that constantly disrupt work place harmony and/or require atypical amounts of management intervention and consistent failures to meet productivity standards.

Examples of substantial impairment of the employment relationship include unreasonable disruption to normal operations of the organization, endangering the organization's mission and purpose, actions or inactions that contribute to an unnecessary risk to the public image, creating conflicts of interest, committing repeated offenses different in nature but when bundled together demonstrate habitual and irresponsible behavior, and acts of disloyalty that cause management to lose trust, faith, and confidence in the employee's ability to work in a non-directly supervised manner.

FAULT AS AN ELEMENT OF CAUSE

When fault (or employee culpability) is an element of an offense, an administrative investigation is initiated to determine the extent of the employee's culpability. The degree and amount of culpability will be used, in part, to determine if termination is warranted.

CAUSE WITHOUT FAULT

When employee culpability (i.e., fault) is not an element, a performance evaluation will be conducted to determine the extent of development the employee needs to perform properly in the future. Depending on the nature and extent of the problem caused by the performance failure, the employee may be targeted for remedial training, transfer, or no-fault termination. Each case will be determined on a case-by-case analysis, the needs of the agency, review of the facts and the employee's complete work history.

NOTICE OF TERMINATION

If necessary, pending an investigation, the employee may be placed on paid administrative leave pending the outcome. If the employee should be terminated, the employee, at a minimum, shall be informed of the following:

1. The reasons for the termination
2. Whether the termination will be classified as a termination with fault or a termination without fault
3. The effective date of termination
4. Whom to contact regarding status of benefits, insurances and the like
5. A statement that the content of the employee's record relating to the termination will be made available to the employee according to law
6. What records, if any, will be released to potential employers and the conditions for their release
7. To whom to appeal

10 STANDARDS OF CONDUCT AND BEHAVIOR

#1 - GROSS MISCONDUCT

Employee shall not commit acts of gross misconduct.

ELEMENTS OF THE OFFENSE

A reasonable person would have known, or should have known, that such action would not be tolerated and would expect severe disciplinary action or a termination for a first-time offense.

ENFORCEMENT GUIDELINE

- A. Conduct a proper internal affairs investigation.
- B. Severe discipline or immediate termination.

EXAMPLES OF VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

1. Knowingly and intentionally submit, or cause to be submitted, untruthful, incomplete, inaccurate, false, improper or incomplete information; or, making untruthful, incomplete, inaccurate, false, improper or incomplete statements related to issues of official duties.
2. Committing an administrative violation that would be classified as a felony in criminal law, or found guilty of committing a felony by a court of law.
3. Managers who commit acts of sexual harassment based on exchange of a job benefit for sexual favors, or commit acts of retaliation against a subordinate for resisting or reporting such prohibited activity.
4. Threatening or committing life-threatening acts of violence against another employee, on or off duty.
5. Failing to respond to a call for aid from an employee in a dangerous situation or situation with a high probability of danger when such danger is known or should have been known.
6. Theft of money or property of another, when substantial evidence establishes intent to deprive its rightful owner.
7. Retaliatory behavior by an employee against another employee for reporting unlawful behavior.
8. Committing a serious misdemeanor (e.g., driving or working under the influence of alcohol or drugs, reckless operation of a motor vehicle, domestic abuse violations) resulting in death or serious injury to self or another person, and/or brings about serious disrepute of our professional image, or of the law enforcement profession.
9. Direct or constructive disobedience to a superior-ranked employee's lawful and direct order (i.e., Insubordination).
10. Violating a performance improvement plan or 'Last-chance Agreement.'
11. Becoming a "habitual" offender.

EXAMPLES OF NON-VIOLATIONS, INCLUDE, BUT ARE NOT LIMITED TO:

1. Unprovoked acts of defense of self or another.
2. Failure to respond to aid of another due to physical injury.
3. Borrowing equipment or property of another with no demonstrated intent to deprive, particularly when it was reasonable to assume that the property owner has given tacit or prior permission.
4. Incomplete or inaccurate testimony given or acts committed when the employee is able to provide substantial evidence of no intent to deceive.

#2 - Attendance

Employees shall have regular and predictable attendance, and not be excessively absent or have a predictable pattern of absenteeism.

ELEMENTS OF THE OFFENSE

1. Document that evidence existed, prior to violation, to show that the employee knew or should have known that regular and predictable attendance was required.
2. Document that evidence existed, prior to the violation, to show that the employee knew or should have known the consequences of failing to meet or comply with the requirement.
3. Document the relationship of the standard to the efficiency, effectiveness, and safe operations.
4. Document if employees similarly situated that have committed this offense were subject to the disciplinary system.
5. Document that the problem is not justified due an isolated instance beyond the control of a typical employee.
6. The employee's work history is a critical item. It must demonstrate a knowing disregard for the employer's interest.

TYPE ONE OFFENSE: CREATING PREDICTABLE PATTERNS OF ABSENTEEISM

- A. A pattern is clearly established.
- B. The pattern has been shown to exist for at least six months or longer.
- C. Areas of protected leave (e.g., Family Medical Leave, military leave, and the like) are not included as part of the pattern.
- D. A history of consistent enforcement exists OR management has announced that it intends to start enforcement against ALL future offenders.
- E. Job descriptions, policy, customs, practices or contract requires employees to be available for call outs.
 - Employee is put on notice to be available.
 - Employee fails to answer and/or respond to a call out effort.
 - Employee fails to provide factual proof that the cause of failure could not have been reasonably avoided and/or was beyond the employee's control.

TYPE TWO OFFENSES: EXCESSIVE ABSENTEEISM

- A. Absenteeism granted by state, federal, local law (e.g., Family Medical Leave, military, holidays, earned and approved use of Comp time) are not included.
- B. The level exceeds the work unit average by greater than 20% of that average.
- C. A history of consistent enforcement exists or management has announced its intention to start an enforcement program.

TYPE THREE OFFENSES: FRAUDULENT USE OF A CONDITIONAL BENEFIT

- A. The employee claimed/used the benefit.
- B. Factual evidence exists that the benefit was not used for which it was intended.
- C. The cause for the failure was not beyond the reasonable control of a typical employee under the circumstances.

TYPE FOUR OFFENSES: TARDINESS AND/OR FAILURE TO REPORT TO A WORK ASSIGNMENT

- A. The cause for the failure was not beyond the reasonable control of a typical employee.
- B. A history of consistent enforcement exists or management has announced that it intends to start enforcement against ALL future offenders.

10 STANDARDS OF CONDUCT AND BEHAVIOR

ENFORCEMENT GUIDELINES

- A. Performance Improvement Planning, if the employee qualifies, or
- B. Progressive discipline up to and including termination.

EXAMPLES OF VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

1. All unauthorized or non-approved absences.
2. All forms of tardiness, with or without fault.
3. Having a quarterly non-scheduled absenteeism rate that is greater than average, plus 20% of average.
4. Failing to respond to a judicial subpoena.
5. Failing to report for duty at the time and place required by assignment or orders.
6. Pleasure reading, playing games, watching television or movies, or otherwise engaging in entertainment while on duty.
7. Personal grooming (e.g., painting nails, styling hair) during periods of work time.
8. Not responding to a call-out for emergencies or overtime.
9. Failing to attend a scheduled training course or being absent for any period of time from a scheduled training course without direct approval from appropriate authority.
10. Unavailable more so than the typical employee for the assignment of overtime.
11. Time lost because of reporting to duty unfit or not ready for duty. This includes physical, psychological, and medical fitness, and the failure to bring necessary equipment or wear necessary or appropriate uniform or dress.
12. Time lost redoing work because such work was not completed properly the first time.
13. Time spent conducting personal business on work time.
14. Time spent correcting deficient work after receiving notice to improve.
15. Time spent on an unassigned task without an immediate manager's permission.
16. Time spent on extended lunch or work break after receiving notice to correct.
17. Time spent by managers having to correct improperly completed subordinates' work after having given them notice to correct.
18. Absences of short duration (for example, less than a day) that create a pattern of use.
19. Consistently using sick leave or personal days within the short period of time in which they are earned.
20. Establishing a pattern of scheduling doctor's appointments or personal business during busy or critical work times.
21. Use of sick leave at a rate that consistently leaves the employee's balance at or near zero (e.g., less than 16-24 hours).
22. Sleeping on duty.

EXAMPLES OF NON-VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

1. Activities involved in the performance of an official duty.
2. Approved bereavement leave.
3. Approved time in training, special work, or educational assignments.
4. Earned vacation time.
5. Minimal required military commitment time as permitted by law.
6. Sick days when used according to standard.
7. Time off for jury duty.
8. Time off on approved disability leave (e.g., serious injuries in the line of duty, pregnancy) or approved leave provided for in the Family Medical Leave Act.
9. Reasonable accommodations made for recognized disabilities under law, such as the Americans with Disabilities Act.

#3 - COMPETENT PERFORMANCE

Employee shall have the necessary competence (i.e., knowledge, work skills, and fitness) to perform all assigned or assumed tasks, functions, duties, and work responsibilities to management's established standards.

ELEMENTS OF THE OFFENSE

Note: This standard assumes that there is no intent on the part of the employee to not perform to standards.

1. Document that evidence existed, prior to violation, to show that the employee should have known the standard expected.
2. Document that evidence existed, prior to violation, to show that the employee should have known the consequences of failing to meet or comply with the expected standard.
3. Document the relationship of the standard to the efficiency, effectiveness, and safe operations.
4. Document that intervening action has been taken for similarly situated employees, when applicable.
5. The employee's performance must be proven to be below accepted standard.
6. Ensure employees have had adequate time to adjust to new standards.
7. Ensure the employee has had a fair opportunity to perform.

ENFORCEMENT GUIDELINES

- A. Performance Improvement Planning, if the employee qualifies, or
- B. Remedial training, job transfer, or no-fault termination.

EXAMPLES OF VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

1. Having to be repeatedly told how to do the routine tasks of the job.
2. A manager fails to correct a subordinate's infraction when such infraction is first made known or when the manager could have been reasonably expected to be aware of the problem.
3. Accepting or reporting information related to duties as true or factual without taking reasonable steps to verify the correctness and accuracy of the information.
4. Consistent failure to enter accurate report data on reports or into information records.
5. Consistent failure to pass regular qualifying exams or tests within the established time periods (e.g., firearms, emergency medical, knowledge of policies or procedures, certification examinations).
6. Consistent inability to comprehend or understand management instructions, explanations, or directions for work performance.
7. Failure to satisfy performance standards on any assigned or assumed duty or task after receiving comparable training and experience as the typical employee.
8. Habitually making the same types of performance errors or errors in judgment.
9. Failure to control temper or composure or overreacting to another's verbal comments or physical gestures.
10. Repeated failure to accurately complete reports within a reasonable time period.
11. Failing to keep aware of events and circumstances affecting work responsibilities.
12. Continuing an activity once conditions create an unreasonable safety hazard (e.g., continuing in a pursuit once an unreasonable danger exists).
13. Failing to drive defensively resulting in a near or chargeable motor vehicle accident.
14. Mishandling of equipment which results in or creates a potential safety or health risk.
15. Failing to recognize the elements of a violation and/or take proper enforcement action.

10 STANDARDS OF CONDUCT AND BEHAVIOR

EXAMPLES OF NON-VIOLATIONS, INCLUDE, BUT ARE NOT LIMITED TO:

Unable to perform a duty or task because of having not had the necessary training or experience of employees who are similarly situated, if applicable.

Notice: This exception does not require that the employee be given additional training beyond that of similarly situated employees.

10 STANDARDS OF CONDUCT AND BEHAVIOR

#4 - Cooperative, Harmonious and Respectful Behavior

Employees shall behave and work in a cooperative and harmonious manner with all other employees, as well as persons or agencies with whom a cordial working relationship must be maintained.

ELEMENTS OF THE OFFENSE

1. Documented evidence exists, prior to violation, to show that the employee knew or should have known the standard expected.
2. Documented evidence exists, prior to violation, to show that the employee knew or should have known the consequences of failing to meet or comply with the expected standard.
3. A relationship of the standard to the efficiency, effectiveness, and safe operations exists.
4. Employees similarly situated who have committed similar offenses have been disciplined, or terminated, as well.
5. Determine whether those in the work environment, particularly managers, tolerate such behavior or if such behavior is common.
6. Determine whether the cause for and factual circumstances surrounding the conduct made the behavior understandable.
7. Determine whether the conduct or language was seen or overheard by other employees, non-employees, or the general public.
8. Determine if work tension or environmental factors beyond the employee's control were causal factors.
9. Determine if there was a willful intent to mislead, deceive, or defraud.
10. Determine if the employee attempted to cover up or conceal wrongdoing.

ENFORCEMENT GUIDELINES

- A. Performance Improvement Planning, if the employee qualifies, or
- B. Progressive discipline up to and including termination.

EXAMPLES OF VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

1. Intervening or interfering with a work task assigned to another employee or to another agency.
2. Independently initiating or undertaking an investigation or other official activity which is not part of the employee's assigned duties without first receiving permission from appropriate command personnel.
3. Publicly ridiculing another person, agency, or employee.
4. Ridiculing a superior-ranked employee's orders or management style.
5. Continually asking an employee for dates once that employee has expressed no interest in starting or continuing a personal relationship.
6. Making unwelcome, unsolicited, or rebuked slurs or jokes based on sex, race, religion, national origin, age, physical disabilities, sexual preference or ethnic background to or about employees.
7. Posting derogatory graffiti, cartoons, or illustrations, or failing to remove or arrange for the removal of such prohibited graffiti, cartoons, script or illustrations.
8. Gossiping, or condoning gossip by others, about an employee to other employees.
9. Admonishing a subordinate without full knowledge of the situation or circumstances of the situation or problem.
10. Failing to follow the designated Chain- of- Command (NOTE: Does not apply when the person in the employee's chain-of-command is violating the employee's employment rights).
11. Using abusive language or gestures at, towards, or about a superior-ranked employee (Note: This is particularly serious if committed in the presence of other employees or made known to other employees or employees of the public.)
12. Threatening or intimidating another employee while on-duty or off-duty.
13. Managers using abusive language or gestures at, towards, or about a subordinate-ranked employee.

10 STANDARDS OF CONDUCT AND BEHAVIOR

EXAMPLES OF NON-VIOLATIONS, INCLUDE, BUT ARE NOT LIMITED TO:

1. Employees are not required to compromise professional integrity to gain the cooperation of another individual or agency.
2. Behaviors necessary for the successful performance of an official duty.
3. Constitutionally protected speech.
4. Contacting a federal, state, or local civil rights commission to report a legitimate violation of civil rights without first going through management personnel.
5. By passing the normal Chain- of- Command to report violations of law or organizational directives by an employee's first-line management personnel.

10 STANDARDS OF CONDUCT AND BEHAVIOR

#5 - Efficient, Effective and Safe Performances

Employees shall work in an effective, efficient, safe, and productive manner giving a full day's work for a full day's pay.

ELEMENTS OF THE OFFENSE

1. Document that evidence existed, prior to violation, to show that the employee knew or should have known the standard expected.
2. Document that evidence existed, prior to violation, to show that the employee knew or should have known the consequences of failing to meet or comply with the expected standard.
3. Document the relationship of the standard to the efficiency, effectiveness, and safe operations.
4. Document that employees similarly situated who have committed similar offenses have been disciplined, or terminated, as well.
5. Performance standards must be reasonable (the average for the employee's work unit is reasonable).
6. The employee's productivity must be proven to be below accepted standard.
7. Ensure employees have had adequate time to adjust to new standards.
8. Ensure the employee has had a fair opportunity to perform and any comparison between the employee's level of performance and the standard is fair (e.g., differences in working conditions such as work shift or zone are considered).

ENFORCEMENT GUIDELINES

- A. Performance Improvement Planning, if the employee qualifies, or
- B. Progressive discipline up to and including termination.

EXAMPLES OF VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

1. Having a work productivity level that is consistently less than 80% of the average for the work unit (Note: Work Unit is defined as by the geographical, temporal, and demographical characteristics within which productivity is expected to occur).
2. Having a record of excessive performance errors and related costs.
3. Acting or behaving in such a manner that unnecessarily disrupts the performances of other employees of the workforce.
4. Analysis of an employee's work record shows an established pattern of work productivity or nonproductive work that is consistently associated with specific periods of time.
5. Consistently taking a longer than normal time on a task or job assignment which results in others having to handle the extra workload (i.e., milking the job to avoid carrying a fair share of the workload).
6. Failing to commence productive work at the beginning of the shift or stopping productive work prior to the end of the shift.
7. Failing to immediately resume normal duties (e.g., continuing to hang around for an additional period of time) after completing a call, normal break or other assigned detail.
8. Consistently failing to self-initiate work during times the employee is not committed to assigned tasks.
9. Initiating a non-productive work period grouped around the beginning or ending of a shift or a pay day; the last day of the work week; the first day back from normal weekly time off; or days preceding, following or in-between holidays.
10. Spending an atypical amount of time on low priority duties, forcing others to do more than their share of priority assignments.
11. Lingered at work areas.

10 STANDARDS OF CONDUCT AND BEHAVIOR

EXAMPLES OF NON-VIOLATIONS, INCLUDE, BUT ARE NOT LIMITED TO:

1. Substandard work effort of a short-term nature (e.g., a day, week and perhaps even a month) that does not adversely affect other employees when atypical work conditions or personal situations such as a death in the family, divorce, family illnesses, severe injury on the job, or other serious job-related traumatic events occur.
2. Unique uses of equipment in an emergency situation to save a life or prevent the potential of serious life-threatening injury are not a violation of this standard.

10 STANDARDS OF CONDUCT AND BEHAVIOR

#6 - Know, Obey Laws and Organizational Directives

Employees shall have an operational knowledge of, and comply with, all federal, state, constitutional, criminal, civil, and administrative laws; as well as all organizational directives that relate to their job duties and employment responsibilities.

ELEMENTS OF THE OFFENSE

1. Document that evidence existed, prior to violation, to show that the employee knew or should have known the standard expected.
2. Document that evidence existed, prior to violation, to show that the employee knew or should have known the consequences of failing to meet or comply with the expected standard.
3. Document the relationship of the standard to the efficiency, effectiveness, and safe operations.
4. Document that employees similarly situated who have committed similar offenses have been disciplined, or terminated, as well.
5. Document the importance of the standard to public image, safety, or workplace morale.
6. Ensure there are no unusual or emergency situations that would justify a deviation from standards.

ENFORCEMENT GUIDELINES

- A. Performance Improvement Planning, if the employee qualifies, or
- B. Progressive discipline up to and including termination.

EXAMPLES OF VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

1. Any violation of federal, state, or local ordinances.
2. Any violation of an organizational/manager's lawful order or directive, written or verbal.
3. Any violation of a citizen's civil rights (e.g. using excessive force, conducting illegal detentions, searches or seizures).

EXAMPLES OF NON-VIOLATIONS, BUT ARE NOT LIMITED TO:

None.

10 STANDARDS OF CONDUCT AND BEHAVIOR

#7 - Loyal, Ethical and Professional Behaviors

Employees shall conduct themselves in a manner on-duty and off-duty in a loyal and ethical manner by not acting contrary to the professional Code of Ethics, their oath of office, the mission, goals, and lawful directives.

ELEMENTS OF THE OFFENSE

1. Document that evidence existed, prior to violation, to show that the employee knew or should have known the standard expected.
2. Document that evidence existed, prior to violation, to show that the employee knew or should have known the consequences of failing to meet or comply with the expected standard.
3. Document the relationship of the standard to the efficiency, effectiveness, and safe operations.
4. Document that employees similarly situated who have committed similar offenses have been disciplined, or terminated, as well.
5. Determine whether those in the work environment, particularly managers, tolerate such behavior or if such behavior is common.
6. Determine if the employee attempted to cover up or conceal wrongdoing.

ENFORCEMENT GUIDELINES

- A. Performance Improvement Planning, if the employee qualifies, or
- B. Progressive discipline up to and including termination.

EXAMPLES OF VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

1. Engaging in any activity, whether for profit or not, that compromises an employee's position or which creates, or has the potential to create, a conflict of interest with employment.
2. Using rude, cursing, crude, profane language on others, or over the radio, telephone, e-mails, computers, etc.
3. Failing to treat official business (e.g., publications, information, directives, records, and informant's identification) as confidential.
4. Engaging in personal matters, social activities, personal business or any other activities which would cause neglect or inattentiveness to duties.
5. Use of our official address to receive personal mail, e-mail or for other private purposes.
6. Associating with, or assisting known criminals or suspects, except to further a legitimate law enforcement purpose.
7. Having a close association with a subversive organization, or being an employee of any organization that has as its doctrine the overthrow of the government and/or advocates prejudice against any racial, religious, national origin, or gender group.
8. Frequenting establishments known to have a reputation for the illegal sale of intoxicants, unruly behavior of patrons, or are under investigation by an enforcement agency.
9. Having an unlawful interest in a public contract, or attempting to secure an unlawful interest in a public contract.
10. Soliciting, attempting to solicit, or accepting from any person, business or organization any gratuity or gift (including money, tangible property, food, beverage, loan, promise, service, discount, ticket, entertainment, and the like) for personal benefit or benefit without proper authorization.

NOTICE: Should an unsolicited gift be received by an employee (e.g., via mail, dropped off at the office), the employee shall immediately process it through channels, with written information (e.g., who, what, when, where, and why) so the Department Manager can make appropriate disposition.

11. Attempting to influence the decisions of governmental officials in matters for personal advantage.
12. Circumventing the chain-of-command by contacting a political official concerning official business without prior knowledge and approval of authorized personnel.

10 STANDARDS OF CONDUCT AND BEHAVIOR

13. Interfering or attempting to interfere with the lawful business process, duties, or business of any another employee, government agency, or other person.
14. Unapproved and/or unauthorized release or aiding in the release of records or information.
15. Changing, or attempting to have changed, or interfering with any legal process, pending investigation, or administration of justice without proper authority.
16. Disclosing confidential information or using confidential information for personal reasons or gain.
17. Authorizing the use of an employee's name, photograph, or official title which identifies her/him as an employee of the agency in connection with testimonials or advertisement of any commodity or commercial enterprise, or political activity without proper authorization.
18. Recommending or suggesting in any manner to any person the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, ambulance service, towing service, bondsman, or mortician).
19. Except when impractical or unfeasible, failing to properly respond to a person's request for identifying information (e.g., name, badge number, identification card)
20. Using official capacity to influence, interfere with or affect the result of an election.
21. Attempting to dissuade any person, in any manner, who desires to file a complaint against any employee from doing so.
22. Failing to courteously and promptly record in writing any complaint made by a citizen against any employee.
23. Consistent complaining from an employee's neighbors concerning the employee's violations of law.
24. Non-constitutionally protected on-duty or off-duty conduct or speech that brings the city's public image into disrepute.
25. Failing to wear a designated uniform or present a neat, tasteful appearance and to be suitably attired and groomed during working hours or when representing Sharonville.
26. Smoking while meeting the general public, while in nonsmoking areas, public buildings, operating or riding in public vehicles.
27. Altering an official record without proper authority and/or following approved procedures.
28. Discriminating behavior based on a person's demographic variables (e.g., gender, sex, race, religion, sexual preference, or age).
29. Engaging in betting and gambling activity while on duty, or illegal betting and gambling while off-duty.
30. Bringing, possessing or storing alcohol and/or drugs on city property.
31. Failing to exercise financial responsibility (e.g., pay debts) that results in multiple garnishments or other legal actions that create administrative and/or clerical burdens for management.
32. Except in response to a lawful directive (e.g., subpoena), serving as a witnesses for the defense in a criminal proceeding which involves Sharonville.
33. Buying anything from or selling anything to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention through their employment with organization.
34. Non-protected speech (e.g., uttering obscene or offensive language to the public or co-workers, being rude to others, counseling employees to do their job contrary to manager's instructions.) Criticizing our directives where that criticism undermines a duty of loyalty or a close working relationship among other employees.
35. Surreptitiously audio/video recording of other employees, unless specifically authorized by designated authority.

EXAMPLES OF NON-VIOLATIONS, INCLUDE, BUT ARE NOT LIMITED TO:

1. Off-duty behavior that does not result in having a direct affect, and/or bring disrepute on Sharonville's public image or the profession of law enforcement.
2. Good faith efforts made to pay unusual financial expenses resulting from unforeseen medical expenses or personal disasters.
3. Conducting inspections of establishments known to have a reputation for the illegal sale of intoxicants, or unruly behavior of patrons, while on official duty.
4. Registering and voting in any election.
5. Expressing opinions as individuals privately and/or publicly on political issues and candidates, when not identifying themselves as an employee of Sharonville.
6. Attending political conventions, rallies, fundraising functions and similar political gatherings, when not identifying themselves as an employee of Sharonville.
7. Actively engaging in any non-partisan political functions, when not identifying themselves as an employee of Sharonville.

10 STANDARDS OF CONDUCT AND BEHAVIOR

8. Signing political petitions as individuals, when not identifying themselves as an employee of Sharonville.
9. Explaining policy to citizens inquiring into filing complaints against employees.
10. Making private financial contributions to political organizations, when not identifying themselves as an employee of Sharonville.
11. Serving as election judges or clerks or in a similar position to perform nonpartisan duties as prescribed by state or local laws, when not identifying themselves as an employee of Sharonville.
12. Holding membership in a political party and participating in its functions to the extent consistent with the law, when not identifying himself or herself as an employee of Sharonville.
13. Participating fully in public affairs, except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties, or create real or apparent conflicts of interest, and when not identifying themselves as an employee of Sharonville.
14. Off-duty conduct when the employee is not identified as an employee of Sharonville or brings disrepute on the public image or reputation of Sharonville.
15. On-duty conduct or work behavior that is questioned by a citizen and through a fact-finding effort or formal investigation can be honestly explained and justified by the demands of the situation existing at the time.
16. Lawfully conducting a detention interview with a person closely fitting the physical characteristics of a suspect.
17. Concentrating enforcement efforts or conducting selective enforcement programs for specific violations of codes or ordinances.
18. Denying service to any person who has not qualified for the service such as failing to follow prescribed procedures for obtaining the service or failing to pay the required fees for a service charge.
19. Reporting acts of criminal wrong-doing and other information protected by state and federal Whistle-Blowing laws.
20. The prohibition against the receipt of contributions shall not apply to any such employee who holds an office in a political organization and receives money in the course of his/her duties in said office.
21. Engaging in protected speech (e.g., topics of public and not personal concern, not concerning matters related to the employee's job functions, and expressed in such a manner that it does not over ride management's ability to effectively manage its functions or personnel) .

#8 – Reporting/Communication

Employees shall keep management, and relevant employees, informed of all information and matters that affect, or that have the likelihood of affecting, their employment status, certifications, qualifications for their positions, or any other information that would impair the effectiveness, efficiency, or safe performance of our operations.

ELEMENTS OF THE OFFENSE

1. Document that evidence existed, prior to violation, to show that the employee knew or should have known the standard expected.
2. Document that evidence existed, prior to violation, to show that the employee knew or should have known the consequences of failing to meet or comply with the expected standard.
3. Document the relationship of the standard to the efficiency, effectiveness, and safe operations.
4. Document that employees similarly situated who have committed similar offenses have been disciplined, or terminated, as well.
5. Document the importance of the standard to public image, safety, or workplace morale.
6. Ensure there are no unusual or emergency situations that would justify a deviation from standards.

ENFORCEMENT GUIDELINES

- A. Performance Improvement Planning, if the employee qualifies, or
- B. Progressive discipline up to and including termination.

EXAMPLES OF VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

Notice: All official reporting, unless directed otherwise, is required to be in writing.

1. Failing to keep superior-ranked personnel informed of events that have the potential of adversely affecting our operations.
2. Failing to immediately report (within 24 hours), in writing, any changes of telephone numbers or addresses.
3. Failing to report, in writing, the revocation or suspension of any licensing or certification required for their positions.
4. Failing to report, in writing, an accident or damage to agency vehicles or property.
5. Circumventing the established chain-of-command on routine matters of business.
6. Failing to report to the designated management, in writing, known violations of law by employees.
7. Failing to investigate and report, in writing, a complaint coming to an employee's attention whether through observation, assignment, or information provided by others.
8. Failing to report, in writing, lost keys or key FOBs.
9. Releasing reports or information prohibited by law or unauthorized by policy.

EXAMPLES OF NON-VIOLATIONS, INCLUDE, BUT ARE NOT LIMITED TO:

Employees are not prohibited from reporting acts of manager misconduct to any person within their chain-of-command.

10 STANDARDS OF CONDUCT AND BEHAVIOR

#9 - Fitness for Duty

Employees shall keep themselves medically, physically, and psychological fit to perform all of the assigned, or assumed, tasks, duties, responsibilities, and essential functions of their positions in a efficient, effective, and safe (i.e., competent) manner.

ELEMENTS OF THE OFFENSE

- A. Document that evidence existed, prior to violation, to show that the employee knew or should have known the standard expected.
- B. Document that evidence existed, prior to violation, to show that the employee knew or should have known the consequences of failing to meet or comply with the expected standard.
- C. Document the relationship of the standard to the efficiency, effectiveness, and safe operations.
- D. Document that employees similarly situated who have committed this offense have been disciplined as well.
- E. Document the importance of the standard to public image, safety, or workplace morale.
- F. Ensure there are no unusual or emergency situations that would justify a deviation from standards.

ENFORCEMENT GUIDELINES

- A. Performance Improvement Planning, if the employee qualifies, or
- B. Progressive discipline up to and including termination.

EXAMPLES OF VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

1. An inability to perform assigned or assumed tasks, duties, or responsibilities due to medical, physical, or mental deficiencies.
2. Alcohol consumption during assignments or authorized social events.
3. Consumption of alcohol during off-duty time such that it would render the employee unable to report for his/her next work shift.
4. Reporting to or remaining on duty with the smell of an alcoholic beverage on one's breath or emitting erratic behavior that would indicate the employee was under the influence of an alcoholic beverage, drugs, medication, or is suffering from a hangover.
5. The continued taking of a prescribed drug once the medical reason is no longer valid.

EXAMPLES OF NON-VIOLATIONS, INCLUDE, BUT ARE NOT LIMITED TO:

1. Consumption of alcoholic beverages during non-work hours while not wearing identifiable uniform or equipment.
2. Lawful possession of drugs or alcohol because of duty necessity.
3. Use of prescription medicine that has been made known to, and approved by, management authority and is used in the manner for which it was prescribed.

10 STANDARDS OF CONDUCT AND BEHAVIOR

#10 - Uses and Care of Property and Equipment

Employees shall maintain, operate and secure all equipment and property in a safe and secure manner.

ELEMENTS OF THE OFFENSE

- A. Document that evidence existed, prior to violation, to show that the employee knew or should have known the standard expected.
- B. Document that evidence existed, prior to violation, to show that the employee knew or should have known the consequences of failing to meet or comply with the expected standard.
- C. Document the relationship of the standard to the efficiency, effectiveness, and safe operations.
- D. Document that employees similarly situated who have committed this offense have been disciplined as well.
- E. Document the importance of the standard to public image, safety, or workplace morale.
- F. Ensure there are no unusual or emergency situations that would justify a deviation from standards.

ENFORCEMENT GUIDELINES

- A. Performance Improvement Planning, if the employee qualifies, or
- B. Progressive discipline up to and including termination.

EXAMPLES OF VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO:

- 1. Leaving unsecured or improperly stored equipment, causing a potential safety hazard.
- 2. The unauthorized possession or handling of dangerous or explosive devices (e.g., firearms or chemicals).
- 3. Failing to report damaged, malfunctioning, or broken equipment.
- 4. Failing to provide information or withholding information that creates a personal hazard or places another employee or person at risk to being injured or subject to an unnecessary safety or health hazard.
- 5. Through inattention or other acts of negligence, causing equipment to be damaged.
- 6. Failing to perform routine and regular maintenance on assigned equipment.
- 7. Leaving a vehicle running and/or unsecured when unoccupied.
- 8. Purposefully altering, disabling or damaging equipment used by self or another.
- 9. Testing or using equipment in an unauthorized manner.
- 10. Using another person's equipment without gaining the other's prior approval.
- 11. Using special or restricted equipment without gaining proper management authorization.
- 12. Failing to report damaged or dysfunctional equipment.
- 13. Misuse of radios by transmitting slang or other non-official communications.
- 14. Using official identification or credentials to gain admission or privileges into any public or private gathering, event or establishment for non-approved reasons.
- 15. Allowing unauthorized persons to use, or lending for use, a badge, identification card, or name tag.
- 16. Purposefully defacing property, bulletin board postings, etc.

EXAMPLES OF NON-VIOLATIONS, INCLUDE, BUT ARE NOT LIMITED TO:

- 1. Any equipment damaged as a result of properly performing an authorized function is not a violation of this standard.
- 2. Unique uses of equipment in an emergency situation to save a life or prevent the potential of serious life-threatening injury are not a violation of this standard.

Ohio Ethics Law and Related Statutes



The Ohio Ethics Commission

Merom Brachman, Chairman
Megan Kelley, Vice Chairman
Bruce E. Bailey
Mark Vander Laan
Julie Rutter
Elizabeth E. Tracy

Paul M. Nick, Executive Director

May 2018

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THE OHIO ETHICS LAW: CHAPTER 102. OF THE REVISED CODE

Section 102.01 As used in this chapter:

(A) “Compensation” means money, thing of value, or financial benefit. “Compensation” does not include reimbursement for actual and necessary expenses incurred in the performance of official duties.

(B) “Public official or employee” means any person who is elected or appointed to an office or is an employee of any public agency. “Public official or employee” does not include a person elected or appointed to the office of precinct, ward, or district committee member under section 3517.03 of the Revised Code, any presidential elector, or any delegate to a national convention. “Public official or employee” does not include a person who is a teacher, instructor, professor, or other kind of educator whose position does not involve the performance of, or authority to perform, administrative or supervisory functions.

(C) “Public agency” means the general assembly, all courts, any department, division, institution, board, commission, authority, bureau or other instrumentality of the state, a county, city, village, or township, the five state retirement systems, or any other governmental entity. “Public agency” does not include a department, division, institution, board, commission, authority, or other instrumentality of the state or a county, municipal corporation, township, or other governmental entity that functions exclusively for cultural, educational, historical, humanitarian, advisory, or research purposes; that does not expend more than ten thousand dollars per calendar year, excluding salaries and wages of employees; and whose members are uncompensated. “Public agency” does not include the nonprofit corporation formed under section 187.01 of the Revised Code.

(D) “Immediate family” means a spouse residing in the person’s household and any dependent child.

(E) “Income” includes gross income as defined and used in the “Internal Revenue Code of 1986,” 100 Stat. 2085, 26 U.S.C. 1, as amended, interest and dividends on obligations or securities of any state or of any political subdivision or authority of any state or political subdivision, and interest or dividends on obligations of any authority, commission, or instrumentality of the United States.

(F) Except as otherwise provided in division (A) of section 102.08 of the Revised Code, “appropriate ethics commission” means:

(1) For matters relating to members of the general assembly, employees of the general assembly, employees of the legislative service commission, and candidates for the office of member of the general assembly, and public members appointed to the Ohio constitutional modernization commission under section 103.63 of the Revised Code, the joint legislative ethics committee;

(2) For matters relating to judicial officers and employees, and candidates for judicial office, the board of commissioners on grievances and discipline of the supreme court;

(3) For matters relating to all other persons, the Ohio ethics commission.

(G) “Anything of value” has the same meaning as provided in section 1.03 of the Revised Code and includes, but is not limited to, a contribution as defined in section 3517.01 of the Revised Code.

(H) “Honorarium” means any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering. “Honorarium” does not include ceremonial gifts or awards that have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; or earned income from any person, other than a legislative agent, for personal services that are customarily provided in connection with the practice of a bona fide business, if that business initially began before the public official or employee conducting that business was elected or appointed to the public official’s or employee’s office or position of employment.

(I) “Employer” means any person who, directly or indirectly, engages an executive agency lobbyist or legislative agent.

(J) “Executive agency decision,” “executive agency lobbyist,” and “executive agency lobbying activity” have the same meanings as in section 121.60 of the Revised Code.

(K) “Legislation,” “legislative agent,” “financial transaction,” and “actively advocate” have the same meanings as in section 101.70 of the Revised Code.

(L) “Expenditure” has the same meaning as in section 101.70 of the Revised Code when used in relation to activities of a legislative agent, and the same meaning as in section 121.60 of the Revised Code when used in relation to activities of an executive agency lobbyist.

Sec. 102.02.

(A)(1) Except as otherwise provided in division (H) of this section, all of the following shall file with the appropriate ethics commission the disclosure statement described in this division on a form prescribed by the appropriate commission: every person who is elected to or is a candidate for a state, county, or city office and every person who is appointed to fill a vacancy for an unexpired term in such an elective office; all members of the state board of education; the director, assistant directors, deputy directors, division chiefs, or persons of equivalent rank of any administrative department of the state; the president or other chief administrative officer of every state institution of higher education as defined in section 3345.011 of the Revised Code; the executive director and the members of the capitol square review and advisory board appointed or employed pursuant to section 105.41 of the Revised Code; all members of the Ohio casino control commission, the executive director of the commission, all professional employees of the commission, and all technical employees of the commission who perform an internal audit function; the individuals set forth in division (B)(2) of section 187.03 of the Revised Code; the chief executive officer and the members of the board of each state retirement system; each employee of a state retirement board who is a state retirement system investment officer licensed pursuant to section 1707.163 of the Revised Code; the members of the Ohio retirement study council appointed pursuant to division (C) of section 171.01 of the Revised Code; employees of the Ohio retirement study council, other than employees who perform purely administrative or clerical functions; the administrator of workers' compensation and each member of the bureau of workers' compensation board of directors; the bureau of workers' compensation director of investments; the chief investment officer of the bureau of workers' compensation; all members of the board of commissioners on grievances and discipline of the supreme court and the ethics commission created under section 102.05 of the Revised Code; every business manager, treasurer, or superintendent of a city, local, exempted village, joint vocational, or cooperative education school district or an educational service center; every person who is elected to or is a candidate for the office of member of a board of education of a city, local, exempted village, joint vocational, or cooperative education school district or of a governing board of an educational service center that has a total student count of twelve thousand or more as most recently determined by the department of education pursuant appointed to the board of education of a municipal school district pursuant to division (B) or (F) of section 3311.71 of the Revised Code; all members of the board of directors of a sanitary district that is established under Chapter 6115. of the Revised Code and organized wholly for the purpose of providing a water supply for domestic, municipal, and public use, and that includes two municipal corporations in two counties; every public official or employee who is paid a salary or wage in accordance with schedule C of section 124.15 or schedule E-2 of section 124.152 of the Revised Code; members of the board of trustees and the executive director of the southern Ohio agricultural and community development foundation; all members appointed to the Ohio livestock care standards board under section 904.02 of the Revised Code; all entrepreneurs in residence assigned by the LeanOhio office in the department of administrative services under section 125.65 of the Revised Code and every other public official or employee who is designated by the appropriate ethics commission pursuant to division (B) of this section.

(2) The disclosure statement shall include all of the following:

(a) The name of the person filing the statement and each member of the person's immediate family and all names under which the person or members of the person's immediate family do business;

(b)(i) Subject to divisions (A)(2)(b)(ii) and (iii) of this section and except as otherwise provided in section 102.022 of the Revised Code, identification of every source of income, other than income from a legislative agent identified in division (A)(2)(b)(ii) of this section, received during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. If the person filing the statement is a member of the general assembly, the statement shall identify the amount of every source of income received in accordance with the following ranges of amounts: zero or more, but less than one thousand dollars; one thousand dollars or more, but less than ten thousand dollars; ten thousand dollars or more, but less than twenty-five thousand dollars; twenty-five thousand dollars or more, but less than fifty thousand dollars; fifty thousand dollars or more, but less than one hundred thousand dollars; and one hundred thousand dollars or more. Division (A)(2)(b)(i) of this section shall not be construed to require a person filing the

statement who derives income from a business or profession to disclose the individual items of income that constitute the gross income of that business or profession, except for those individual items of income that are attributable to the person's or, if the income is shared with the person, the partner's, solicitation of services or goods or performance, arrangement, or facilitation of services or provision of goods on behalf of the business or profession of clients, including corporate clients, who are legislative agents. A person who files the statement under this section shall disclose the identity of and the amount of income received from a person who the public official or employee knows or has reason to know is doing or seeking to do business of any kind with the public official's or employee's agency.

(ii) If the person filing the statement is a member of the general assembly, the statement shall identify every source of income and the amount of that income that was received from a legislative agent during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. Division (A)(2)(b)(ii) of this section requires the disclosure of clients of attorneys or persons licensed under section 4732.12 of the Revised Code, or patients of persons licensed under section 4731.14 of the Revised Code, if those clients or patients are legislative agents. Division (A)(2)(b)(ii) of this section requires a person filing the statement who derives income from a business or profession to disclose those individual items of income that constitute the gross income of that business or profession that are received from legislative agents.

(iii) Except as otherwise provided in division (A)(2)(b)(iii) of this section, division (A)(2)(b)(i) of this section applies to attorneys, physicians, and other persons who engage in the practice of a profession and who, pursuant to a section of the Revised Code, the common law of this state, a code of ethics applicable to the profession, or otherwise, generally are required not to reveal, disclose, or use confidences of clients, patients, or other recipients of professional services except under specified circumstances or generally are required to maintain those types of confidences as privileged communications except under specified circumstances. Division (A)(2)(b)(i) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in division (A)(2)(b)(iii) of this section to disclose the name, other identity, or address of a client, patient, or other recipient of professional services if the disclosure would threaten the client, patient, or other recipient of professional services, would reveal details of the subject matter for which legal, medical, or professional advice or other services were sought, or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services.

(c) The name of every corporation on file with the secretary of state that is incorporated in this state or holds a certificate of compliance authorizing it to do business in this state, trust, business trust, partnership, or association that transacts business in this state in which the person filing the statement or any other person for the person's use and benefit had during the preceding calendar year an investment of over one thousand dollars at fair market value as of the thirty-first day of December of the preceding calendar year, or the date of disposition, whichever is earlier, or in which the person holds any office or has a fiduciary relationship, and a description of the nature of the investment, office, or relationship. Division (A)(2)(c) of this section does not require disclosure of the name of any bank, savings and loan association, credit union, or building and loan association with which the person filing the statement has a deposit or a withdrawable share account.

(d) All fee simple and leasehold interests to which the person filing the statement holds legal title to or a beneficial interest in real property located within the state, excluding the person's residence and property used primarily for personal recreation;

(e) The names of all persons residing or transacting business in the state to whom the person filing the statement owes, in the person's own name or in the name of any other person, more than one thousand dollars. Division (A)(2)(e) of this section shall not be construed to require the disclosure of debts owed by the person resulting from the ordinary conduct of a business or profession or debts on the person's residence or real property used primarily for personal recreation, except that the superintendent of financial institutions shall disclose the names of all state-chartered savings and loan associations and of all service corporations subject to regulation under division (E)(2) of section 1151.34 of the Revised Code to whom the superintendent in the superintendent's own name or in the name of any other person owes any money, and that the superintendent and

any deputy superintendent of banks shall disclose the names of all state-chartered banks and all bank subsidiary corporations subject to regulation under section Am. 1109.44 of the Revised Code to whom the superintendent or deputy superintendent owes any money.

(f) The names of all persons residing or transacting business in the state, other than a depository excluded under division (A)(2)(c) of this section, who owe more than one thousand dollars to the person filing the statement, either in the person's own name or to any person for the person's use or benefit. Division (A)(2)(f) of this section shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 of the Revised Code, or patients of persons licensed under section 4731.14 of the Revised Code, nor the disclosure of debts owed to the person resulting from the ordinary conduct of a business or profession.

(g) Except as otherwise provided in section 102.022 of the Revised Code, the source of each gift of over seventy-five dollars, or of each gift of over twenty-five dollars received by a member of the general assembly from a legislative agent, received by the person in the person's own name or by any other person for the person's use or benefit during the preceding calendar year, except gifts received by will or by virtue of section 2105.06 of the Revised Code, or received from spouses, parents, grandparents, children, grandchildren, siblings, nephews, nieces, uncles, aunts, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, or any person to whom the person filing the statement stands in loco parentis, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor;

(h) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source and amount of every payment of expenses incurred for travel to destinations inside or outside this state that is received by the person in the person's own name or by any other person for the person's use or benefit and that is incurred in connection with the person's official duties, except for expenses for travel to meetings or conventions of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues;

(i) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source of payment of expenses for meals and other food and beverages, other than for meals and other food and beverages provided at a meeting at which the person participated in a panel, seminar, or speaking engagement or at a meeting or convention of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues, that are incurred in connection with the person's official duties and that exceed one hundred dollars aggregated per calendar year; (j) If the disclosure statement is filed by a public official or employee described in division (B)(2) of section 101.73 of the Revised Code or division (B)(2) of section 121.63 of the Revised Code who receives a statement from a legislative agent, executive agency lobbyist, or employer that contains the information described in division (F)(2) of section 101.73 of the Revised Code or division (G)(2) of section 121.63 of the Revised Code, all of the nondisputed information contained in the statement delivered to that public official or employee by the legislative agent, executive agency lobbyist, or employer under division (F)(2) of section 101.73 or (G)(2) of section 121.63 of the Revised Code.

(3) A person may file a statement required by this section in person, by mail, or by electronic means.

(4) A person who is required to file a statement under this section shall file that statement according to the following deadlines, as applicable:

(a) Except as otherwise provided in divisions (A)(4)(b), (c), and (d) of this section, the person shall file the statement not later than the fifteenth day of May of each year.

(b) A person who is a candidate for elective office shall file the statement no later than the thirtieth day before the primary, special, or general election at which the candidacy is to be voted on, whichever election occurs soonest, except that a person who is a write-in candidate shall file the statement no later than the twentieth day before the earliest election at which the person's candidacy is to be voted on.

(c) A person who is appointed to fill a vacancy for an unexpired term in an elective office shall file the statement within fifteen days after the person qualifies for office.

(d) A person who is appointed or employed after the fifteenth day of May, other than a person described in division (A)(4)(c) of this section, shall file an annual statement within ninety days after appointment or employment.

(5) No person shall be required to file with the appropriate ethics commission more than one statement or pay more than one filing fee for any one calendar year.

(6) The appropriate ethics commission, for good cause, may extend for a reasonable time the deadline for filing a statement under this section.

(7) A statement filed under this section is subject to public inspection at locations designated by the appropriate ethics commission except as otherwise provided in this section.

(B) The Ohio ethics commission, the joint legislative ethics committee, and the board of commissioners on grievances and discipline of the supreme court, using the rule-making procedures of Chapter 119. of the Revised Code, may require any class of public officials or employees under its jurisdiction and not specifically excluded by this section whose positions involve a substantial and material exercise of administrative discretion in the formulation of public policy, expenditure of public funds, enforcement of laws and rules of the state or a county or city, or the execution of other public trusts, to file an annual statement under division (A) of this section. The appropriate ethics commission shall send the public officials or employees written notice of the requirement not less than thirty days before the applicable filing deadline unless the public official or employee is appointed after that date, in which case the notice shall be sent within thirty days after appointment, and the filing shall be made not later than ninety days after appointment. Disclosure statements filed under this division with the Ohio ethics commission by members of boards, commissions, or bureaus of the state for which no compensation is received other than reasonable and necessary expenses shall be kept confidential. Disclosure statements filed with the Ohio ethics commission under division (A) of this section by business managers, treasurers, and superintendents of city, local, exempted village, joint vocational, or cooperative education school districts or educational service centers shall be kept confidential, except that any person conducting an audit of any such school district or educational service center pursuant to section 115.56 or Chapter 117. of the Revised Code may examine the disclosure statement of any business manager, treasurer, or superintendent of that school district or educational service center. Disclosure statements filed with the Ohio ethics commission under division (A) of this section by the individuals set forth in division (B)(2) of section 187.03 of the Revised Code shall be kept confidential. The Ohio ethics commission shall examine each disclosure statement required to be kept confidential to determine whether a potential conflict of interest exists for the person who filed the disclosure statement. A potential conflict of interest exists if the private interests of the person, as indicated by the person's disclosure statement, might interfere with the public interests the person is required to serve in the exercise of the person's authority and duties in the person's office or position of employment. If the commission determines that a potential conflict of interest exists, it shall notify the person who filed the disclosure statement and shall make the portions of the disclosure statement that indicate a potential conflict of interest subject to public inspection in the same manner as is provided for other disclosure statements. Any portion of the disclosure statement that the commission determines does not indicate a potential conflict of interest shall be kept confidential by the commission and shall not be made subject to public inspection, except as is necessary for the enforcement of Chapters 102. and 2921. of the Revised Code and except as otherwise provided in this division.

(C) No person shall knowingly fail to file, on or before the applicable filing deadline established under this section, a statement that is required by this section.

(D) No person shall knowingly file a false statement that is required to be filed under this section. (E)(1) Except as provided in divisions (E)(2) and (3) of this section, the statement required by division (A) or (B) of this section shall be accompanied by a filing fee of sixty dollars.

(2) The statement required by division (A) of this section shall be accompanied by the following filing fee to be paid by the person who is elected or appointed to, or is a candidate for, any of the following offices:

For state office, except member of the state board of education	\$95
For office of member of general assembly	\$40

For county office	\$60
For city office	\$35
For office of member of the state board of education	\$35
For office of member of a city, local, exempted village, or cooperative education board of education or educational service center governing board	\$30
For position of business manager, treasurer, or superintendent of a city, local, exempted village, joint vocational, or cooperative education school district or educational service center	\$30

(3) No judge of a court of record or candidate for judge of a court of record, and no referee or magistrate serving a court of record, shall be required to pay the fee required under division (E)(1) or (2) or (F) of this section.

(4) For any public official who is appointed to a nonelective office of the state and for any employee who holds a nonelective position in a public agency of the state, the state agency that is the primary employer of the state official or employee shall pay the fee required under division (E)(1) or (F) of this section.

(F) If a statement required to be filed under this section is not filed by the date on which it is required to be filed, the appropriate ethics commission shall assess the person required to file the statement a late filing fee of ten dollars for each day the statement is not filed, except that the total amount of the late filing fee shall not exceed two hundred fifty dollars.

(G)(1) The appropriate ethics commission other than the Ohio ethics commission and the joint legislative ethics committee shall deposit all fees it receives under divisions (E) and (F) of this section into the general revenue fund of the state.

(2) The Ohio ethics commission shall deposit all receipts, including, but not limited to, fees it receives under divisions (E) and (F) of this section, investigative or other fees, costs, or other funds it receives as a result of court orders, and all moneys it receives from settlements under division (G) of section 102.06 of the Revised Code, into the Ohio ethics commission fund, which is hereby created in the state treasury. All moneys credited to the fund shall be used solely for expenses related to the operation and statutory functions of the commission.

(3) The joint legislative ethics committee shall deposit all receipts it receives from the payment of financial disclosure statement filing fees under divisions (E) and (F) of this section into the joint legislative ethics committee investigative and financial disclosure fund.

(H) Division (A) of this section does not apply to a person elected or appointed to the office of precinct, ward, or district committee member under Chapter 3517. of the Revised Code; a presidential elector; a delegate to a national convention; village or township officials and employees; any physician or psychiatrist who is paid a salary or wage in accordance with schedule C of section 124.15 or schedule E-2 of section 124.152 of the Revised Code and whose primary duties do not require the exercise of administrative discretion; or any member of a board, commission, or bureau of any county or city who receives less than one thousand dollars per year for serving in that position.

Sec. 102.021

(A)(1) For the twenty-four month period immediately following the end of the former state elected officer's or staff member's service or public employment, except as provided in division (B) or (D) of this section, each former state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code shall file, on or before the deadlines specified in division (D) of this section, with the joint legislative ethics committee a statement that shall include the information described in divisions (A)(2), (3), (4), and (5) of this section, as applicable. The statement shall be filed on a form and in the manner specified by the joint legislative ethics committee. This division does not apply to a state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised

Code, who leaves service or public employment, and who takes another position as a state elected officer or staff member who files or is required to file a disclosure statement under that section.

No person shall fail to file, on or before the deadlines specified in division (D) of this section, a statement that is required by this division.

(2) The statement referred to in division (A)(1) of this section shall describe the source of all income received, in the former state elected officer's or staff member's own name or by any other person for the person's use or benefit, and briefly describe the nature of the services for which the income was received if the source of the income was any of the following:

(a) An executive agency lobbyist or a legislative agent;

(b) The employer of an executive agency lobbyist or legislative agent, except that this division does not apply if the employer is any state agency or political subdivision of the state;

(c) Any entity, association, or business that, at any time during the two immediately preceding calendar years, was awarded one or more contracts by one or more state agencies that in the aggregate had a value of one hundred thousand dollars or more, or bid on one or more contracts to be awarded by one or more state agencies that in the aggregate had a value of one hundred thousand dollars or more.

(3) If the former state elected officer or staff member received no income as described in division (A)(2) of this section, the statement referred to in division (A)(1) of this section shall indicate that fact.

(4) If the former state elected officer or staff member directly or indirectly made, either separately or in combination with another, any expenditure or gift for transportation, lodging, or food or beverages to, at the request of, for the benefit of, or on behalf of any public officer or employee, and if the former state elected officer or staff member would be required to report the expenditure or gift in a statement under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code, whichever is applicable, if the former state elected officer or staff member was a legislative agent or executive agency lobbyist at the time the expenditure or gift was made, the statement referred to in division (A)(1) of this section shall include all information relative to that gift or expenditure that would be required in a statement under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code if the former state elected officer or staff member was a legislative agent or executive agency lobbyist at the time the expenditure or gift was made.

(5) If the former state elected officer or staff member made no expenditure or gift as described in division (A)(4) of this section, the statement referred to in division (A)(1) of this section shall indicate that fact.

(B) If, at any time during the twenty-four month period immediately following the end of the former state elected officer's or staff member's service or public employment, a former state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code becomes a legislative agent or an executive agency lobbyist, the former state elected officer or staff member shall comply with all registration and filing requirements set forth in sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code, whichever is applicable, and, the former state elected officer or staff member also shall file a statement under division (A)(1) of this section except that the statement filed under division (A)(1) of this section does not need to include information regarding any income source, expenditure, or gift to the extent that that information was included in any registration or statement filed under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code.

(C) Except as otherwise provided in this division, division (A)(2) of this section applies to attorneys, physicians, and other persons who engage in the practice of a profession and who, pursuant to a section of the Revised Code, the common law of this state, a code of ethics applicable to the profession, or otherwise, generally are required not to reveal, disclose, or use confidences of clients, patients, or other recipients of professional services except under specified circumstances or generally are required to maintain those types of confidences as privileged communications except under specified circumstances. Division (A)(2) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in this division to disclose the name, other identity, or address of a client, patient, or other recipient of professional services if the disclosure would threaten the client, patient, or other recipient of professional services, would reveal details of the subject matter for which legal, medical, or professional advice or other services were sought, or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services. Division (A)(2) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in this division to disclose in the brief description of the nature of services required by division (A)(2) of this section any information pertaining to specific professional services rendered for a client, patient, or other recipient of professional services that would

reveal details of the subject matter for which legal, medical, or professional advice was sought or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services.

(D)(1) Each state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code and who leaves public service or public employment shall file an initial statement under division (A)(1) of this section not later than the day on which the former state elected officer or staff member leaves public service or public employment. The initial statement shall specify whether the person will, or will not, receive any income from a source described in division (A)(2)(a), (b), or (c) of this section.

If a person files an initial statement under this division that states that the person will receive income from a source described in division (A)(2)(a), (b), or (c) of this section, the person is required to file statements under division (A)(2), (3), (4), or (5) of this section at the times specified in division (D)(2) of this section.

If a person files an initial statement under this division that states that the person will not receive income from a source described in division (A)(2)(a), (b), or (c) of this section, except as otherwise provided in this division, the person is not required to file statements under division (A)(2), (4), or (5) of this section or to file subsequent statements under division (A)(3) of this section. If a person files an initial statement under this division that states that the person will not receive income from a source described in division (A)(2)(a), (b), or (c) of this section, and, subsequent to the filing of that initial statement, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division, and the person thereafter shall file statements under division (A)(2), (3), (4), or (5) of this section at the times specified in division (D)(2) of this section.

(2) After the filing of the initial statement under division (D)(1) of this section, each person required to file a statement under division (A)(2), (3), (4), or (5) of this section shall file it on or before the last calendar day of January, May, and September. The statements described in divisions (A)(2), (3), and (5) of this section shall relate to the sources of income the person received in the immediately preceding filing period from each source of income in each of the categories listed in division (A)(2) of this section. The statement described in division (A)(4) of this section shall include any information required to be reported regarding expenditures and gifts of the type described in division (A)(4) of this section occurring since the filing of the immediately preceding statement.

If, pursuant to this division, a person files a statement under division (A)(2) of this section, the person is required to file statements under division (A)(4) of this section, and subsequent statements under division (A)(2), (3), or (5) of this section, at the times specified in this division. In addition, if, subsequent to the filing of the statement under division (A)(2) of this section, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section that was not listed on the statement filed under division (A)(2) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division regarding the new income source.

If, pursuant to this division, a person files a statement under division (A)(3) of this section, except as otherwise provided in this division, the person thereafter is not required to file statements under division (A)(2), (4), or (5) of this section, or to file subsequent statements under division (A)(3) of this section. If, subsequent to the filing of the statement under division (A)(3) of this section, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division regarding the new income source, and the person thereafter shall file statements under division (A)(4) of this section, and subsequent statements under division (A)(2) or (3) of this section, at the times specified in this division.

(3) No fee shall be required for filing an initial statement under division (D)(1) of this section. The person filing a statement under division (D)(2) of this section that is required to be filed on or before the last calendar day of January, May, and September shall pay a ten dollar filing fee with each such statement not to exceed thirty dollars in any calendar year. The joint legislative ethics committee may charge late fees in the same manner as specified in division (G) of section 101.72 of the Revised Code.

(E) Any state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code and who leaves public service or public employment shall provide a forwarding address to the officer's or staff member's last employer, and the employer shall provide the person's name and address to the joint legislative ethics committee. The former elected state officer or staff member shall provide updated forwarding addresses as necessary to the joint legislative ethics committee during the twenty-

four month period during which division (A)(1) of this section applies. The public agency or appointing authority that was the last employer of a person required to file a statement under division (A)(2) of this section shall furnish to the person a copy of the form needed to complete the initial statement required under division (D)(1) of this section.

(F) During the twenty-four month period immediately following the end of the former state elected officer's or staff member's service or public employment, no person required to file a statement under this section shall receive from a source described in division (A)(2)(a), (b), or (c) of this section, and no source described in division (A)(2)(a), (b), or (c) of this section shall pay to that person, any compensation that is contingent in any way upon the introduction, modification, passage, or defeat of any legislation or the outcome of any executive agency decision.

(G) As used in this section "state elected officer or staff member" means any elected officer of this state, any staff, as defined in section 101.70 of the Revised Code, or any staff, as defined in section 121.60 of the Revised Code.

Sec. 102.022

Each person who is an officer or employee of a political subdivision, who receives compensation of less than sixteen thousand dollars a year for holding an office or position of employment with that political subdivision, and who is required to file a statement under section 102.02 of the Revised Code; each member of the board of trustees of a state institution of higher education as defined in section 3345.011 of the Revised Code who is required to file a statement under section 102.02 of the Revised Code; and each individual set forth in division (B)(2) of section 187.03 of the Revised Code who is required to file a statement under section 102.02 of the Revised Code, shall include in that statement, in place of the information required by divisions (A)(2), (7), (8), and (9) of that section, the following information:

(A) Exclusive of reasonable expenses, identification of every source of income over five hundred dollars received during the preceding calendar year, in the officer's or employee's own name or by any other person for the officer's or employee's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. This division shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 or 4732.15 of the Revised Code or patients of persons certified under section 4731.14 of the Revised Code. This division shall not be construed to require a person filing the statement who derives income from a business or profession to disclose the individual items of income that constitute the gross income of the business or profession.

(B) The source of each gift of over five hundred dollars received by the person in the officer's or employee's own name or by any other person for the officer's or employee's use or benefit during the preceding calendar year, except gifts received by will or by virtue of section 2105.06 of the Revised Code, received from parents, grandparents, children, grandchildren, siblings, nephews, nieces, uncles, aunts, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, or any person to whom the person filing the statement stands in loco parentis, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor.

Section 102.03

(A)(1) No present or former public official or employee shall, during public employment or service or for twelve months thereafter, represent a client or act in a representative capacity for any person on any matter in which the public official or employee personally participated as a public official or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(2) For twenty-four months after the conclusion of service, no former commissioner or attorney examiner of the public utilities commission shall represent a public utility, as defined in section 4905.02 of the Revised Code, or act in a representative capacity on behalf of such a utility before any state board, commission, or agency.

(3) For twenty-four months after the conclusion of employment or service, no former public official or employee who personally participated as a public official or employee through decision, approval, disapproval,

recommendation, the rendering of advice, the development or adoption of solid waste management plans, investigation, inspection, or other substantial exercise of administrative discretion under Chapter 343. or 3734. of the Revised Code shall represent a person who is the owner or operator of a facility, as defined in section 3734.01 of the Revised Code, or who is an applicant for a permit or license for a facility under that chapter, on any matter in which the public official or employee personally participated as a public official or employee.

(4) For a period of one year after the conclusion of employment or service as a member or employee of the general assembly, no former member or employee of the general assembly shall represent, or act in a representative capacity for, any person on any matter before the general assembly, any committee of the general assembly, or the controlling board. Division (A)(4) of this section does not apply to or affect a person who separates from service with the general assembly on or before December 31, 1995. As used in division (A)(4) of this section "person" does not include any state agency or political subdivision of the state.

(5) As used in divisions (A)(1), (2), and (3) of this section, "matter" includes any case, proceeding, application, determination, issue, or question, but does not include the proposal, consideration, or enactment of statutes, rules, ordinances, resolutions, or charter or constitutional amendments. As used in division (A)(4) of this section, "matter" includes the proposal, consideration, or enactment of statutes, resolutions, or constitutional amendments. As used in division (A) of this section, "represent" includes any formal or informal appearance before, or any written or oral communication with, any public agency on behalf of any person.

(6) Nothing contained in division (A) of this section shall prohibit, during such period, a former public official or employee from being retained or employed to represent, assist, or act in a representative capacity for the public agency by which the public official or employee was employed or on which the public official or employee served.

(7) Division (A) of this section shall not be construed to prohibit the performance of ministerial functions, including, but not limited to, the filing or amendment of tax returns, applications for permits and licenses, incorporation papers, and other similar documents.

(8) Division (A) of this section does not prohibit a nonelected public official or employee of a state agency, as defined in section 1.60 of the Revised Code, from becoming a public official or employee of another state agency. Division (A) of this section does not prohibit such an official or employee from representing or acting in a representative capacity for the official's or employee's new state agency on any matter in which the public official or employee personally participated as a public official or employee at the official's or employee's former state agency. However, no public official or employee of a state agency shall, during public employment or for twelve months thereafter, represent or act in a representative capacity for the official's or employee's new state agency on any audit or investigation pertaining to the official's or employee's new state agency in which the public official or employee personally participated at the official's or employee's former state agency through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(9) Division (A) of this section does not prohibit a nonelected public official or employee of a political subdivision from becoming a public official or employee of a different department, division, agency, office, or unit of the same political subdivision. Division (A) of this section does not prohibit such an official or employee from representing or acting in a representative capacity for the official's or employee's new department, division, agency, office, or unit on any matter in which the public official or employee personally participated as a public official or employee at the official's or employee's former department, division, agency, office, or unit of the same political subdivision. As used in this division, "political subdivision" means a county, township, municipal corporation, or any other body corporate and politic that is responsible for government activities in a geographic area smaller than that of the state.

(10) No present or former Ohio casino control commission official shall, during public service or for two years thereafter, represent a client, be employed or compensated by a person regulated by the commission, or act in a representative capacity for any person on any matter before or concerning the commission.

No present or former commission employee shall, during public employment or for two years thereafter, represent a client or act in a representative capacity on any matter in which the employee personally participated as a commission employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(B) No present or former public official or employee shall disclose or use, without appropriate authorization, any information acquired by the public official or employee in the course of the public official's or employee's official duties that is confidential because of statutory provisions, or that has been clearly

designated to the public official or employee as confidential when that confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business.

(C) No public official or employee shall participate within the scope of duties as a public official or employee, except through ministerial functions as defined in division (A) of this section, in any license or rate-making proceeding that directly affects the license or rates of any person, partnership, trust, business trust, corporation, or association in which the public official or employee or immediate family owns or controls more than five per cent. No public official or employee shall participate within the scope of duties as a public official or employee, except through ministerial functions as defined in division (A) of this section, in any license or rate-making proceeding that directly affects the license or rates of any person to whom the public official or employee or immediate family, or a partnership, trust, business trust, corporation, or association of which the public official or employee or the public official's or employee's immediate family owns or controls more than five per cent, has sold goods or services totaling more than one thousand dollars during the preceding year, unless the public official or employee has filed a written statement acknowledging that sale with the clerk or secretary of the public agency and the statement is entered in any public record of the agency's proceedings. This division shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 or 4732.15 of the Revised Code, or patients of persons licensed under section 4731.14 of the Revised Code.

(D) No public official or employee shall use or authorize the use of the authority or influence of office or employment to secure anything of value or the promise or offer of anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(E) No public official or employee shall solicit or accept anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(F) No person shall promise or give to a public official or employee anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(G) In the absence of bribery or another offense under the Revised Code or a purpose to defraud, contributions made to a campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity on behalf of an elected public officer or other public official or employee who seeks elective office shall be considered to accrue ordinarily to the public official or employee for the purposes of divisions (D), (E), and (F) of this section.

As used in this division, "contributions," "campaign committee," "political party," "legislative campaign fund," "political action committee," and "political contributing entity" have the same meanings as in section 3517.01 of the Revised Code.

(H)(1) No public official or employee, except for the president or other chief administrative officer of or a member of a board of trustees of a state institution of higher education as defined in section 3345.011 of the Revised Code, who is required to file a financial disclosure statement under section 102.02 of the Revised Code shall solicit or accept, and no person shall give to that public official or employee, an honorarium. Except as provided in division (H)(2) of this section, this division and divisions (D), (E), and (F) of this section do not prohibit a public official or employee who is required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting and do not prohibit a person from giving to that public official or employee the payment of actual travel expenses, including any expenses incurred in connection with the travel for lodging, and meals, food, and beverages provided to the public official or employee at a meeting at which the public official or employee participates in a panel, seminar, or speaking engagement or provided to the public official or employee at a meeting or convention of a national organization to which any state agency, including, but not limited to, any state legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues. Except as provided in division (H)(2) of this section, this division and divisions (D), (E), and (F) of this section do not prohibit a public official or employee who is not required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting and do not prohibit a person from promising or giving to that public official or employee an honorarium or the payment of travel, meal, and lodging expenses if the honorarium, expenses, or both were paid in recognition of demonstrable business, professional, or esthetic interests of the public official or employee that

exist apart from public office or employment, including, but not limited to, such a demonstrable interest in public speaking and were not paid by any person or other entity, or by any representative or association of those persons or entities, that is regulated by, doing business with, or seeking to do business with the department, division, institution, board, commission, authority, bureau, or other instrumentality of the governmental entity with which the public official or employee serves.

(2) No person who is a member of the board of a state retirement system, a state retirement system investment officer, or an employee of a state retirement system whose position involves substantial and material exercise of discretion in the investment of retirement system funds shall solicit or accept, and no person shall give to that board member, officer, or employee, payment of actual travel expenses, including expenses incurred with the travel for lodging, meals, food, and beverages.

(I) A public official or employee may accept travel, meals, and lodging or expenses or reimbursement of expenses for travel, meals, and lodging in connection with conferences, seminars, and similar events related to official duties if the travel, meals, and lodging, expenses, or reimbursement is not of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties. The house of representatives and senate, in their code of ethics, and the Ohio ethics commission, under section 111.15 of the Revised Code, may adopt rules setting standards and conditions for the furnishing and acceptance of such travel, meals, and lodging, expenses, or reimbursement.

A person who acts in compliance with this division and any applicable rules adopted under it, or any applicable, similar rules adopted by the supreme court governing judicial officers and employees, does not violate division (D), (E), or (F) of this section. This division does not preclude any person from seeking an advisory opinion from the appropriate ethics commission under section 102.08 of the Revised Code.

(J) For purposes of divisions (D), (E), and (F) of this section, the membership of a public official or employee in an organization shall not be considered, in and of itself, to be of such a character as to manifest a substantial and improper influence on the public official or employee with respect to that person's duties. As used in this division, "organization" means a church or a religious, benevolent, fraternal, or professional organization that is tax exempt under subsection 501(a) and described in subsection 501(c) (3), (4), (8), (10), or (19) of the "Internal Revenue Code of 1986." This division does not apply to a public official or employee who is an employee of an organization, serves as a trustee, director, or officer of an organization, or otherwise holds a fiduciary relationship with an organization. This division does not allow a public official or employee who is a member of an organization to participate, formally or informally, in deliberations, discussions, or voting on a matter or to use the public official's or employee's official position with regard to the interests of the organization on the matter if the public official or employee has assumed a particular responsibility in the organization with respect to the matter or if the matter would affect that person's personal, pecuniary interests.

(K) It is not a violation of this section for a prosecuting attorney to appoint assistants and employees in accordance with division (B) of section 309.06 and section 2921.421 of the Revised Code, for a chief legal officer of a municipal corporation or an official designated as prosecutor in a municipal corporation to appoint assistants and employees in accordance with sections 733.621 and 2921.421 of the Revised Code, for a township law director appointed under section 504.15 of the Revised Code to appoint assistants and employees in accordance with sections 504.151 and 2921.421 of the Revised Code, or for a coroner to appoint assistants and employees in accordance with division (B) of section 313.05 of the Revised Code.

As used in this division, "chief legal officer" has the same meaning as in section 733.621 of the Revised Code.

(L) No present public official or employee with a casino gaming regulatory function shall indirectly invest, by way of an entity the public official or employee has an ownership interest or control in, or directly invest in a casino operator, management company, holding company, casino facility, or gaming-related vendor. No present public official or employee with a casino gaming regulatory function shall directly or indirectly have a financial interest in, have an ownership interest in, be the creditor or hold a debt instrument issued by, or have an interest in a contractual or service relationship with a casino operator, management company, holding company, casino facility, or gaming-related vendor. This section does not prohibit or limit permitted passive investing by the public official or employee.

As used in this division, "passive investing" means investment by the public official or employee by means of a mutual fund in which the public official or employee has no control of the investments or investment decisions. "Casino operator," "holding company," "management company," "casino facility," and "gaming-related vendor" have the same meanings as in section 3772.01 of the Revised Code.

(M) A member of the Ohio casino control commission, the executive director of the commission, or an employee of the commission shall not:

(1) Accept anything of value, including but not limited to a gift, gratuity, emolument, or employment from a casino operator, management company, or other person subject to the jurisdiction of the commission, or from an officer, attorney, agent, or employee of a casino operator, management company, or other person subject to the jurisdiction of the commission;

(2) Solicit, suggest, request, or recommend, directly or indirectly, to a casino operator, management company, or other person subject to the jurisdiction of the commission, or to an officer, attorney, agent, or employee of a casino operator, management company, or other person subject to the jurisdiction of the commission, the appointment of a person to an office, place, position, or employment;

(3) Participate in casino gaming or any other amusement or activity at a casino facility in this state or at an affiliate gaming facility of a licensed casino operator, wherever located.

In addition to the penalty provided in section 102.99 of the Revised Code, whoever violates division (M)(1), (2), or (3) of this section forfeits the individual's office or employment.

Sec. 102.031

(A) As used in this section:

(1) "Business associate" means a person with whom a member of the general assembly is conducting or undertaking a financial transaction.

(2) "Contribution" has the same meaning as in section 3517.01 of the Revised Code.

(3) "Employee" does not include a member of the general assembly whose nonlegislative position of employment does not involve the performance of or the authority to perform administrative or supervisory functions; or whose nonlegislative position of employment, if the member is a public employee, does not involve a substantial and material exercise of administrative discretion in the formulation of public policy, expenditure of public funds, enforcement of laws and rules of the state or a county or city, or execution of other public trusts.

(B) No member of the general assembly shall vote on any legislation that the member knows is then being actively advocated if the member is one of the following with respect to a legislative agent or employer that is then actively advocating on that legislation:

(1) An employee;

(2) A business associate;

(3) A person, other than an employee, who is hired under contract to perform certain services, and that position involves a substantial and material exercise of administrative discretion in the formulation of public policy.

(C) No member of the general assembly shall knowingly accept any of the following from a legislative agent or a person required to file a statement described in division (A)(2) of section 102.021 of the Revised Code:

(1) The payment of any expenses for travel or lodging except as otherwise authorized by division (H) of section 102.03 of the Revised Code;

(2) More than seventy-five dollars aggregated per calendar year as payment for meals and other food and beverages, other than for those meals and other food and beverages provided to the member at a meeting at which the member participates in a panel, seminar, or speaking engagement, at a meeting or convention of a national organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or at a dinner, party, or function to which all members of the general assembly or all members of either house of the general assembly are invited;

(3) A gift of any amount in the form of cash or the equivalent of cash, or a gift of any other thing of value whose value exceeds seventy-five dollars. As used in division (C)(3) of this section, "gift" does not include any contribution or any gifts of meals and other food and beverages or the payment of expenses incurred for travel to destinations either inside or outside this state that is received by a member of the general assembly and that is incurred in connection with the member's official duties.

(D) It is not a violation of division (C)(2) of this section if, within sixty days after receiving notice from a legislative agent that the legislative agent has provided a member of the general assembly with more than

seventy-five dollars aggregated in a calendar year as payment for meals and other food and beverages, the member of the general assembly returns to that legislative agent the amount received that exceeds seventy-five dollars.

(E) The joint legislative ethics committee may impose a fine of not more than one thousand dollars upon a member of the general assembly who violates division (B) of this section.

Section 102.04

(A) Except as provided in division (D) of this section, no person elected or appointed to an office of or employed by the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts, shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter that is before the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts.

(B) Except as provided in division (D) of this section, no person elected or appointed to an office of or employed by the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts, shall sell or agree to sell, except through competitive bidding, any goods or services to the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts.

(C) Except as provided in division (D) of this section, no person who is elected or appointed to an office of or employed by a county, township, municipal corporation, or any other governmental entity, excluding the courts, shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter which is before any agency, department, board, bureau, commission, or other instrumentality, excluding the courts, of the entity of which he is an officer or employee.

(D) A public official who is appointed to a nonelective office or a public employee shall be exempted from division (A), (B), or (C) of this section if both of the following apply:

(1) The agency to which the official or employee wants to sell the goods or services, or before which the matter that involves the rendering of his services is pending, is an agency other than the one with which he serves;

(2) Prior to rendering the personal services or selling or agreeing to sell the goods or services, he files a statement with the appropriate ethics commission, with the public agency with which he serves, and with the public agency before which the matter is pending or that is purchasing or has agreed to purchase goods or services.

The required statement shall contain the official's or employee's name and home address, the name and mailing address of the public agencies with which he serves and before which the matter is pending or that is purchasing or has agreed to purchase goods or services, and a brief description of the pending matter and of the personal services to be rendered or a brief description of the goods or services to be purchased. The statement shall also contain the public official's or employee's declaration that he disqualifies himself for a period of two years from any participation as such public official or employee in any matter involving any public official or employee of the agency before which the present matter is pending or to which goods or services are to be sold. The two-year period shall run from the date of the most recently filed statement regarding the agency before which the matter was pending or to which the goods or services were to be sold. No person shall be required to file statements under this division with the same public agency regarding a particular matter more than once in a calendar year.

(E) No public official or employee who files a statement or is required to file a statement under division (D) of this section shall knowingly fail to disqualify himself from any participation as a public official or employee of the agency with which he serves in any matter involving any official or employee of an agency before which a matter for which he rendered personal services was pending or of a public agency that purchased or agreed to purchase goods or services.

(F) This section shall not be construed to prohibit the performance of ministerial functions including, but not limited to, the filing, or amendment of tax returns, applications for permits and licenses, incorporation papers, and other documents.

Section 102.05

There is hereby created the Ohio ethics commission consisting of six members, three of whom shall be members of each of the two major political parties, to be appointed by the governor with the advice and consent of the senate. Within thirty days of the effective date of this section, the governor shall make initial appointments to the commission. Of the initial appointments made to the commission, one shall be for a term ending one year after the effective date of this section, and the other appointments shall be for terms ending two, three, four, five, and six years, respectively, after the effective date of this section. Thereafter, terms of office shall be for six years, each term ending on the same day of the same month of the year as did the term that it succeeds. Each member shall hold office from the date of his appointment until the end of the term for which he was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall hold office for the remainder of that term.

No person shall be appointed to the commission or shall continue to serve as a member of the commission if the person is subject to section 102.02 of the Revised Code other than by reason of his appointment to the commission or if the person is a legislative agent registered under sections 101.70 to 101.79 of the Revised Code or an executive agency lobbyist registered under sections 121.60 to 121.69 of the Revised Code. Each member shall be paid seventy-five dollars for each meeting held in the discharge of his official duties, except that no member shall be paid more than eighteen hundred dollars in any fiscal year. Each member shall be reimbursed for expenses actually and necessarily incurred in the performance of his official duties.

The commission shall meet within two weeks after all members have been appointed, at a time and place determined by the governor. At its first meeting, the commission shall elect a chairman and other officers that are necessary and shall adopt rules for its procedures. After the first meeting, the commission shall meet at the call of the chairman or upon the written request of a majority of the members. A majority of the members of the commission constitutes a quorum. The commission shall not take any action without the concurrence of a majority of the members of the commission.

The commission may appoint and fix the compensation of an executive director and other technical, professional, and clerical employees that are necessary to carry out the duties of the commission.

The commission may appoint hearing examiners to conduct hearings pursuant to section 102.06 of the Revised Code. The hearing examiners have the same powers and authority in conducting the hearings as is granted to the commission. Within thirty days after the hearing, the hearing examiner shall submit to the commission a written report of his findings of fact and conclusions of law and a recommendation of the action to be taken by the commission. The recommendation of the hearing examiner may be approved, modified, or disapproved by the commission, and no recommendation shall become the findings of the commission until so ordered by the commission. The findings of the commission shall have the same effect as if the hearing had been conducted by the commission. Hearing examiners appointed pursuant to this section shall possess the qualifications the commission requires. Nothing contained in this section shall preclude the commission from appointing a member of the commission to serve as a hearing examiner.

Section 102.06

(A) The appropriate ethics commission shall receive and may initiate complaints against persons subject to this chapter concerning conduct alleged to be in violation of this chapter or section 2921.42 or 2921.43 of the Revised Code. All complaints except those by the commission shall be by affidavit made on personal knowledge, subject to the penalties of perjury. Complaints by the commission shall be by affidavit, based upon reasonable cause to believe that a violation has occurred.

(B) The appropriate ethics commission shall investigate complaints, may investigate charges presented to it, and may request further information, including the specific amount of income from a source, from any person filing with the commission a statement required by section 102.02 or 102.021 of the Revised Code, if the information sought is directly relevant to a complaint or charges received by the commission pursuant to this section. This information is confidential, except that the commission, in its discretion, may share information gathered in the course of any investigation with, or disclose the information to, the inspector general, any appropriate prosecuting authority, any law enforcement agency, or any other appropriate ethics commission. If the accused person is a member of the public employees retirement board, state teachers retirement board, school employees retirement board, board of trustees of the Ohio police and fire pension fund, or state highway

patrol retirement board, or is a member of the bureau of workers' compensation board of directors, the appropriate ethics commission, in its discretion, also may share information gathered in the course of an investigation with, or disclose the information to, the attorney general and the auditor of state. The person so requested shall furnish the information to the commission, unless within fifteen days from the date of the request the person files an action for declaratory judgment challenging the legitimacy of the request in the court of common pleas of the county of the person's residence, the person's place of employment, or Franklin county. The requested information need not be furnished to the commission during the pendency of the judicial proceedings. Proceedings of the commission in connection with the declaratory judgment action shall be kept confidential except as otherwise provided by this section. Before the commission proceeds to take any formal action against a person who is the subject of an investigation based on charges presented to the commission, a complaint shall be filed against the person. If the commission finds that a complaint is not frivolous, and there is reasonable cause to believe that the facts alleged in a complaint constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the Revised Code, it shall hold a hearing. If the commission does not so find, it shall dismiss the complaint and notify the accused person in writing of the dismissal of the complaint. The commission shall not make a report of its finding unless the accused person requests a report. Upon the request of the accused person, the commission shall make a public report of its finding. The person against whom the complaint is directed shall be given reasonable notice by certified mail of the date, time, and place of the hearing and a statement of the charges and the law directly involved and shall be given the opportunity to be represented by counsel, to have counsel appointed for the person if the person is unable to afford counsel without undue hardship, to examine the evidence against the person, to produce evidence and to call and subpoena witnesses in the person's defense, to confront the person's accusers, and to cross-examine witnesses. The commission shall have a stenographic record made of the hearing. The hearing shall be closed to the public.

(C)(1)(a) If, upon the basis of the hearing, the appropriate ethics commission finds by a preponderance of the evidence that the facts alleged in the complaint are true and constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the Revised Code, it shall report its findings to the appropriate prosecuting authority for proceedings in prosecution of the violation and to the appointing or employing authority of the accused. If the accused person is a member of the public employees retirement board, state teachers retirement board, school employees retirement board, board of trustees of the Ohio police and fire pension fund, or state highway patrol retirement board, the commission also shall report its findings to the Ohio retirement study council.

(b) If the Ohio ethics commission reports its findings to the appropriate prosecuting authority under division (C)(1)(a) of this section and the prosecuting authority has not initiated any official action on those findings within ninety days after receiving the commission's report of them, the commission may publicly comment that no official action has been taken on its findings, except that the commission shall make no comment in violation of the Rules of Criminal Procedure or about any indictment that has been sealed pursuant to any law or those rules. The commission shall make no comment regarding the merits of its findings. As used in division (C)(1)(b) of this section, "official action" means prosecution, closure after investigation, or grand jury action resulting in a true bill of indictment or no true bill of indictment.

(2) If the appropriate ethics commission does not find by a preponderance of the evidence that the facts alleged in the complaint are true and constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the Revised Code or if the commission has not scheduled a hearing within ninety days after the complaint is filed or has not finally disposed of the complaint within six months after it has been heard, it shall dismiss the complaint and notify the accused person in writing of the dismissal of the complaint. The commission shall not make a report of its finding unless the accused person requests a report. Upon the request of the accused person, the commission shall make a public report of the finding, but in this case all evidence and the record of the hearing shall remain confidential unless the accused person also requests that the evidence and record be made public. Upon request by the accused person, the commission shall make the evidence and the record available for public inspection.

(D) The appropriate ethics commission, or a member of the commission, may administer oaths, and the commission may issue subpoenas to any person in the state compelling the attendance of witnesses and the production of relevant papers, books, accounts, and records. The commission shall issue subpoenas to compel the attendance of witnesses and the production of documents upon the request of an accused person. Section 101.42 of the Revised Code shall govern the issuance of these subpoenas insofar as applicable. Upon the refusal

of any person to obey a subpoena or to be sworn or to answer as a witness, the commission may apply to the court of common pleas of Franklin county under section 2705.03 of the Revised Code. The court shall hold proceedings in accordance with Chapter 2705. of the Revised Code. The commission or the accused person may take the depositions of witnesses residing within or without the state in the same manner as prescribed by law for the taking of depositions in civil actions in the court of common pleas.

(E) At least once each year, the Ohio ethics commission shall report on its activities of the immediately preceding year to the majority and minority leaders of the senate and house of representatives of the general assembly. The report shall indicate the total number of complaints received, initiated, and investigated by the commission, the total number of complaints for which formal hearings were held, and the total number of complaints for which formal prosecution was recommended or requested by the commission. The report also shall indicate the nature of the inappropriate conduct alleged in each complaint and the governmental entity with which any employee or official that is the subject of a complaint was employed at the time of the alleged inappropriate conduct.

(F) All papers, records, affidavits, and documents upon any complaint, inquiry, or investigation relating to the proceedings of the appropriate ethics commission shall be sealed and are private and confidential, except as otherwise provided in this section and section 102.07 of the Revised Code.

(G)(1) When a complaint or charge is before it, the Ohio ethics commission or the appropriate prosecuting authority, in consultation with the person filing the complaint or charge, the accused, and any other person the commission or prosecuting authority considers necessary, may compromise or settle the complaint or charge with the agreement of the accused. The compromise or settlement may include mediation, restitution, rescission of affected contracts, forfeiture of any benefits resulting from a violation or potential violation of law, resignation of a public official or employee, or any other relief that is agreed upon between the commission or prosecuting authority and the accused.

(2) Any settlement agreement entered into under division (G)(1) of this section shall be in writing and be accompanied by a statement of the findings of the commission or prosecuting authority and the reasons for entering into the agreement. The commission or prosecuting authority shall retain the agreement and statement in the commission's or prosecuting authority's office and, in the commission's or prosecuting authority's discretion, may make the agreement, the statement, and any supporting information public, unless the agreement provides otherwise.

(3) If a settlement agreement is breached by the accused, the commission or prosecuting authority, in the commission's or prosecuting authority's discretion, may rescind the agreement and reinstitute any investigation, hearing, or prosecution of the accused. No information obtained from the accused in reaching the settlement that is not otherwise discoverable from the accused shall be used in any proceeding before the commission or by the appropriate prosecuting authority in prosecuting the violation. Notwithstanding any other section of the Revised Code, if a settlement agreement is breached, any statute of limitations for a violation of this chapter or section 2921.42 or 2921.43 of the Revised Code is tolled from the date the complaint or charge is filed until the date the settlement agreement is breached.

Section 102.07

No member, employee, or agent of the Ohio ethics commission, board of commissioners on grievances and discipline of the supreme court, or joint legislative ethics committee shall divulge any information or any books, papers, or documents presented to the commission, joint legislative ethics committee, or board of commissioners on grievances and discipline without the consent, in writing, of the appropriate ethics commission, unless such books, papers, or documents were presented at a public hearing, except as provided in section 102.06 of the Revised Code.

No person shall divulge information that appears on a disclosure statement and is required to be kept confidential under division (B) of section 102.02 of the Revised Code.

Section 102.08*

* *See also following version of this section and explanation after that version.*

(A)(1) Subject to division (A)(2) of this section, the board of commissioners on grievances and discipline of the supreme court and the house and senate legislative ethics committees may recommend legislation relating to ethics, conflicts of interest, and financial disclosure and shall render advisory opinions with regard to questions concerning these matters for persons for whom it is the appropriate ethics commission. When the appropriate ethics commission renders an advisory opinion relating to a special set of circumstances involving ethics, conflict of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon the opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code based on facts and circumstances covered by the opinion, if the opinion states there is no violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code. Except as otherwise provided in division (A)(2) of this section, the appropriate ethics commission shall include in every advisory opinion it renders a statement as to whether the set of circumstances described in the opinion constitutes a violation of section 2921.42 or 2921.43 of the Revised Code. The appropriate ethics commission shall provide a continuing program of education and information concerning the provisions of Chapter 102. and sections 2921.42 and 2921.43 of the Revised Code and other provisions of law pertaining to ethics, conflicts of interest, and financial disclosure. As used in division (A) of this section, “appropriate ethics commission” does not include the Ohio ethics commission.

(2) The board of commissioners on grievances and discipline of the supreme court shall issue advisory opinions only in a manner consistent with Rule V of the Supreme Court Rules for the Government of the Bar of Ohio.

(B) The Ohio ethics commission may recommend legislation relating to ethics, conflicts of interest, and financial disclosure and may render advice with regard to questions concerning these matters for persons for whom it is the appropriate ethics commission. When the Ohio ethics commission renders a written formal or staff advisory opinion relating to a special set of circumstances involving ethics, conflict of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon the opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code based on facts and circumstances covered by the opinion, if the opinion states there is no violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code. The commission shall provide a continuing program of education and information concerning the provisions of Chapter 102. and sections 2921.42 and 2921.43 of the Revised Code and other provisions of law pertaining to ethics, conflicts of interest, and financial disclosure. [Am. Sub. H.B. 285, effective 03-02-94.]

Section 102.08*

* *See also preceding version of this section and explanation below.*

(A) The Ohio ethics commission, the board of commissioners on grievances and discipline of the supreme court, and the joint legislative ethics committee may recommend legislation relating to ethics, conflicts of interest, and financial disclosure, and render advisory opinions with regard to questions concerning these matters for persons for whom it is the appropriate ethics commission.

(B) When the Ohio ethics commission or the board of commissioners on grievances and discipline of the supreme court renders an advisory opinion relating to a special set of circumstances involving ethics, conflict of interest, or financial disclosure under Chapter 102., section 2921.42, or section 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon such opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102., section 2921.42, or section 2921.43 of the Revised Code based on facts and circumstances covered by the opinion, if the opinion states there is no violation of Chapter 102., section 2921.42, or section 2921.43 of the Revised Code.

(C) When the joint legislative ethics committee renders an advisory opinion that has been publicly sought and that relates to a special set of circumstances involving ethics, conflicts of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the person to whom the

opinion was directed or who was similarly situated may reasonably rely upon such opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code based on the facts and circumstances covered by the opinion, if the opinion states that there is no violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code. When the joint legislative ethics committee renders an advisory opinion that has been publicly sought, the advisory opinion is a public record available under section 149.43 of the Revised Code.

(D) When the joint legislative ethics committee renders a written opinion that has been privately sought and that relates to a special set of circumstances involving ethics, conflicts of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the written opinion does not have the legal effect of an advisory opinion issued under division (C) of this section. When the joint legislative ethics committee renders a written opinion that has been privately sought, the written opinion is not a public record available under section 149.43 of the Revised Code. The proceedings of the legislative ethics committee relating to a written opinion that has been privately sought shall be closed to the public and records relating to these proceedings are not public records available under section 149.43 of the Revised Code.

The person to whom a written opinion is issued under this division may request the committee to issue the written opinion as an advisory opinion. Upon receiving such a request and with the approval of a majority of the members of the committee, the committee may issue the written opinion as an advisory opinion. If the committee issues the written opinion as an advisory opinion, the advisory opinion has the same legal effect as an advisory opinion issued under division (C) of this section and is a public record available under section 149.43 of the Revised Code.

(E) The joint legislative ethics committee shall issue an advisory opinion under division (C) of this section or a written opinion under division (D) of this section, whether it is publicly or privately sought, only at a meeting of the committee and only with the approval of a majority of the members of the committee.

(F) The appropriate ethics commission shall provide a continuing program of education and information concerning the provisions of Chapter 102. and sections 2921.42 and 2921.43 of the Revised Code and other provisions of law pertaining to ethics, conflicts of interest, and financial disclosure. [Am. Sub. H.B. 492, effective 05-12-94.]

** R.C. 102.08 was amended by Am. Sub. H.B. 285 (eff. 03-02-94) and Am. Sub. H.B. 492 (eff. 05-12-94). Harmonization pursuant to R.C. 1.52 is in question. Both versions are presented here.*

Section 102.09

(A) The secretary of state and the county board of elections shall furnish, to each candidate for elective office who is required to file a financial disclosure statement by section 102.02 of the Revised Code, a financial disclosure form, and shall notify the appropriate ethics commission, within fifteen days of the name of the candidate, and of the subsequent withdrawal, disqualification, or death of the candidate. The candidate shall acknowledge receipt of the financial disclosure form in writing.

(B) The secretary of state and the county board of elections shall furnish to each person who is appointed to fill a vacancy for an unexpired term in an elective office, and who is required to file a financial disclosure statement by section 102.02 of the Revised Code, a financial disclosure form, and shall notify the appropriate ethics commission within fifteen days of being notified by the appointing authority, of the name and position of the public official and the date of appointment. The person shall acknowledge receipt of the financial disclosure form in writing.

(C) The public agency or appointing authority that employs, appoints, or promotes any public official or employee who, as a result of such employment, appointment, or promotion, is required to file a financial disclosure statement by section 102.02 of the Revised Code, shall, within fifteen days of the employment, appointment, or promotion, furnish the public official or employee with a financial disclosure form, and shall notify the appropriate ethics commission of the name and position of the public official or employee and the date of employment, appointment, or promotion. The public official or employee shall acknowledge receipt of the financial disclosure form in writing.

(D) Within fifteen days after any public official or employee begins the performance of official duties, the public agency with which the official or employee serves or the appointing authority shall furnish the official

or employee a copy of Chapter 102. and section 2921.42 of the Revised Code, and may furnish such other materials as the appropriate ethics commission prepares for distribution. The official or employee shall acknowledge their receipt in writing. The requirements of this division do not apply at the time of reappointment or reelection.

Section 102.99

(A) Whoever violates division (C) of section 102.02 or division (C) of section 102.031 of the Revised Code is guilty of a misdemeanor of the fourth degree.

(B) Whoever violates division (D) of section 102.02 or section 102.021, 102.03, 102.04, or 102.07 of the Revised Code is guilty of a misdemeanor of the first degree.

CHAPTER 2921.

Section 2921.01 As used in sections 2921.01 to 2921.45 of the Revised Code:

(A) “Public official” means any elected or appointed officer, or employee, or agent of the state or any political subdivision, whether in a temporary or permanent capacity, and includes, but is not limited to, legislators, judges, and law enforcement officers. “Public official” does not include an employee, officer, or governor-appointed member of the board of directors of the nonprofit corporation formed under section 187.03 of the Revised Code.

(B) “Public servant” means any of the following:

(1) Any public official;

(2) Any person performing ad hoc a governmental function, including, but not limited to, a juror, member of a temporary commission, master, arbitrator, advisor, or consultant;

(3) A person who is a candidate for public office, whether or not the person is elected or appointed to the office for which the person is a candidate. A person is a candidate for purposes of this division if the person has been nominated according to law for election or appointment to public office, or if the person has filed a petition or petitions as required by law to have the person’s name placed on the ballot in a primary, general, or special election, or if the person campaigns as a write-in candidate in any primary, general, or special election. “Public servant” does not include an employee, officer, or governor-appointed member of the board of directors of the nonprofit corporation formed under section 187.03 of the Revised Code.

(C) “Party official” means any person who holds an elective or appointive post in a political party in the United States or this state, by virtue of which the person directs, conducts, or participates in directing or conducting party affairs at any level of responsibility.

(D) “Official proceeding” means any proceeding before a legislative, judicial, administrative, or other governmental agency or official authorized to take evidence under oath and includes any proceeding before a referee, hearing examiner, commissioner, notary, or other person taking testimony or a deposition in connection with an official proceeding.

(E) “Detention” means arrest; confinement in any vehicle subsequent to an arrest; confinement in any public or private facility for custody of persons charged with or convicted of crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States; hospitalization, institutionalization, or confinement in any public or private facility that is ordered pursuant to or under the authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code; confinement in any vehicle for transportation to or from any facility of any of those natures; detention for extradition or deportation; except as provided in this division, supervision by any employee of any facility of any of those natures that is incidental to hospitalization, institutionalization, or confinement in the facility but that occurs outside the facility; supervision by an employee of the department of rehabilitation and correction of a person on any type of release from a state correctional institution; or confinement in any vehicle, airplane, or place while being returned from outside of this state into this state by a private person or entity, pursuant to a contract entered into under division (E) of section 311.29 of the Revised Code or division (B) of section 5149.03 of the Revised Code. For a person confined in a county jail who participates in a county jail industry program pursuant to section 5147.30 of the Revised Code, “detention” includes time spent at an assigned work site and going to and from the work site.

(F) “Detention facility” means any public or private place used for the confinement of a person charged with or convicted of any crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States.

(G) “Valuable thing or valuable benefit” includes, but is not limited to, a contribution. This inclusion does not indicate or imply that a contribution was not included in those terms before September 17, 1986.

(H) “Campaign committee,” “contribution,” “political action committee,” “legislative campaign fund,” “political party,” and “political contributing entity” have the same meanings as in section 3517.01 of the Revised Code.

(I) “Provider agreement” and “medical assistance program” have the same meanings as in section 2913.40 of the Revised Code.

Sec. 2921.42.

(A) No public official shall knowingly do any of the following:

(1) Authorize, or employ the authority or influence of the public official's office to secure authorization of any public contract in which the public official, a member of the public official's family, or any of the public official's business associates has an interest;

(2) Authorize, or employ the authority or influence of the public official's office to secure the investment of public funds in any share, bond, mortgage, or other security, with respect to which the public official, a member of the public official's family, or any of the public official's business associates either has an interest, is an underwriter, or receives any brokerage, origination, or servicing fees;

(3) During the public official's term of office or within one year thereafter, occupy any position of profit in the prosecution of a public contract authorized by the public official or by a legislative body, commission, or board of which the public official was a member at the time of authorization, unless the contract was let by competitive bidding to the lowest and best bidder;

(4) Have an interest in the profits or benefits of a public contract entered into by or for the use of the political subdivision or governmental agency or instrumentality with which the public official is connected;

(5) Have an interest in the profits or benefits of a public contract that is not let by competitive bidding if required by law and that involves more than one hundred fifty dollars.

(B) In the absence of bribery or a purpose to defraud, a public official, member of a public official's family, or any of a public official's business associates shall not be considered as having an interest in a public contract or the investment of public funds, if all of the following apply:

(1) The interest of that person is limited to owning or controlling shares of the corporation, or being a creditor of the corporation or other organization, that is the contractor on the public contract involved, or that is the issuer of the security in which public funds are invested;

(2) The shares owned or controlled by that person do not exceed five per cent of the outstanding shares of the corporation, and the amount due that person as creditor does not exceed five per cent of the total indebtedness of the corporation or other organization;

(3) That person, prior to the time the public contract is entered into, files with the political subdivision or governmental agency or instrumentality involved, an affidavit giving that person's exact status in connection with the corporation or other organization.

(C) This section does not apply to a public contract in which a public official, member of a public official's family, or one of a public official's business associates has an interest, when all of the following apply:

(1) The subject of the public contract is necessary supplies or services for the political subdivision or governmental agency or instrumentality involved;

(2) The supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to the political subdivision or governmental agency or instrumentality as part of a continuing course of dealing established prior to the public official's becoming associated with the political subdivision or governmental agency or instrumentality involved;

(3) The treatment accorded the political subdivision or governmental agency or instrumentality is either preferential to or the same as that accorded other customers or clients in similar transactions;

(4) The entire transaction is conducted at arm's length, with full knowledge by the political subdivision or governmental agency or instrumentality involved, of the interest of the public official, member of the public official's family, or business associate, and the public official takes no part in the deliberations or decision of the political subdivision or governmental agency or instrumentality with respect to the public contract.

(D) Division (A)(4) of this section does not prohibit participation by a public employee in any housing program funded by public moneys if the public employee otherwise qualifies for the program and does not use the authority or influence of the public employee's office or employment to secure benefits from the program and if the moneys are to be used on the primary residence of the public employee. Such participation does not constitute an unlawful interest in a public contract in violation of this section.

(E) Whoever violates this section is guilty of having an unlawful interest in a public contract. Violation of division (A)(1) or (2) of this section is a felony of the fourth degree. Violation of division (A)(3), (4), or (5) of this section is a misdemeanor of the first degree.

(F) It is not a violation of this section for a prosecuting attorney to appoint assistants and employees in accordance with sections 309.06 and 2921.421 of the Revised Code, for a chief legal officer of a municipal

corporation or an official designated as prosecutor in a municipal corporation to appoint assistants and employees in accordance with sections 733.621 and 2921.421 of the Revised Code, or for a township law director appointed under section 504.15 of the Revised Code to appoint assistants and employees in accordance with sections 504.151 and 2921.421 of the Revised Code.

(G) This section does not apply to a public contract in which a township trustee in a township with a population of five thousand or less in its unincorporated area, a member of the township trustee's family, or one of the township trustee's business associates has an interest, if all of the following apply:

(1) The subject of the public contract is necessary supplies or services for the township and the amount of the contract is less than five thousand dollars per year;

(2) The supplies or services are being furnished to the township as part of a continuing course of dealing established before the township trustee held that office with the township;

(3) The treatment accorded the township is either preferential to or the same as that accorded other customers or clients in similar transactions;

(4) The entire transaction is conducted with full knowledge by the township of the interest of the township trustee, member of the township trustee's family, or the township trustee's business associate.

(H) Any public contract in which a public official, a member of the public official's family, or any of the public official's business associates has an interest in violation of this section is void and unenforceable. Any contract securing the investment of public funds in which a public official, a member of the public official's family, or any of the public official's business associates has an interest, is an underwriter, or receives any brokerage, origination, or servicing fees and that was entered into in violation of this section is void and unenforceable.

(I) As used in this section:

(1) "Public contract" means any of the following:

(a) The purchase or acquisition, or a contract for the purchase or acquisition, of property or services by or for the use of the state, any of its political subdivisions, or any agency or instrumentality of either, including the employment of an individual by the state, any of its political subdivisions, or any agency or instrumentality of either;

(b) A contract for the design, construction, alteration, repair, or maintenance of any public property.

(2) "Chief legal officer" has the same meaning as in section 733.621 of the Revised Code.

Sec. 2921.421

(A) As used in this section:

(1) "Chief legal officer" has the same meaning as in section 733.621 of the Revised Code.

(2) "Political subdivision" means a county, a municipal corporation, or a township that adopts a limited home rule government under Chapter 504. of the Revised Code.

(B) A prosecuting attorney may appoint assistants and employees, except a member of the family of the prosecuting attorney, in accordance with division (B) of section 309.06 of the Revised Code, a chief legal officer of a municipal corporation or an official designated as prosecutor in a municipal corporation may appoint assistants and employees, except a member of the family of the chief legal officer or official designated as prosecutor, in accordance with section 733.621 of the Revised Code, and a township law director appointed under section 504.15 of the Revised Code may appoint assistants and employees, except a member of the family of the township law director, in accordance with section 504.151 of the Revised Code, if all of the following apply:

(1) The services to be furnished by the appointee or employee are necessary services for the political subdivision or are authorized by the legislative authority, governing board, or other contracting authority of the political subdivision.

(2) The treatment accorded the political subdivision is either preferential to or the same as that accorded other clients or customers of the appointee or employee in similar transactions, or the legislative authority, governing board, or other contracting authority of the political subdivision, in its sole discretion, determines that the compensation and other terms of appointment or employment of the appointee or employee are fair and reasonable to the political subdivision.

(3) The appointment or employment is made after prior written disclosure to the legislative authority, governing board, or other contracting authority of the political subdivision of the business relationship between

the prosecuting attorney, the chief legal officer or official designated as prosecutor in a municipal corporation, or the township law director and the appointee or employee thereof. In the case of a municipal corporation, the disclosure may be made or evidenced in an ordinance, resolution, or other document that does either or both of the following:

- (a) Authorizes the furnishing of services as required under division (B)(1) of this section;
 - (b) Determines that the compensation and other terms of appointment or employment of the appointee or employee are fair and reasonable to the political subdivision as required under division (B)(2) of this section.
- (4) The prosecuting attorney, the elected chief legal officer, or the township law director does not receive any distributive share or other portion, in whole or in part, of the earnings of the business associate, partner, or employee paid by the political subdivision to the business associate, partner, or employee for services rendered for the political subdivision.
- (C) It is not a violation of this section or of section 102.03 or 2921.42 of the Revised Code for the legislative authority, the governing board, or other contracting authority of a political subdivision to engage the services of any firm that practices the profession of law upon the terms approved by the legislative authority, the governing board, or the contracting authority, or to designate any partner, officer, or employee of that firm as a nonelected public official or employee of the political subdivision, whether the public office or position of employment is created by statute, charter, ordinance, resolution, or other legislative or administrative action.

Section 2921.43

(A) No public servant shall knowingly solicit or accept, and no person shall knowingly promise or give to a public servant, either of the following:

- (1) Any compensation, other than as allowed by divisions (G), (H), and (I) of section 102.03 of the Revised Code or other provisions of law, to perform the public servant's official duties, to perform any other act or service in the public servant's public capacity, for the general performance of the duties of the public servant's public office or public employment, or as a supplement to the public servant's public compensation;
- (2) Additional or greater fees or costs than are allowed by law to perform the public servant's official duties.

(B) No public servant for the public servant's own personal or business use, and no person for the person's own personal or business use or for the personal or business use of a public servant or party official, shall solicit or accept anything of value in consideration of either of the following:

- (1) Appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency;
- (2) Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion, or other material aspects of employment.

(C) No person for the benefit of a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity shall coerce any contribution in consideration of either of the following:

- (1) Appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency;
- (2) Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion, or other material aspects of employment.

(D) Whoever violates this section is guilty of soliciting improper compensation, a misdemeanor of the first degree.

(E) A public servant who is convicted of a violation of this section is disqualified from holding any public office, employment, or position of trust in this state for a period of seven years from the date of conviction.

(F) Divisions (A), (B), and (C) of this section do not prohibit a person from making voluntary contributions to a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity or prohibit a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity, from accepting voluntary contributions.

FOR MORE INFORMATION, OR ADDITIONAL MATERIALS ON THE OHIO ETHICS LAW, PLEASE CONTACT:

OHIO ETHICS COMMISSION

**William Green Building
30 West Spring St., L3
Columbus, Ohio 43215-2256
Phone: (614) 466-7090
Fax: (614) 466-8368
www.ethics.ohio.gov**

[Rev. 5/18]



APPENDIX F

PURCHASING CARD PROCEDURES

1. PURCHASING CARD PROCEDURES

The Purchasing Card (Card) program is established in order to reduce the effort hours associated with the acquisition of certain high volume, low dollars commodities; reduce payment difficulties for employees traveling on City business; provide a payment methodology when no other is available; simplify the procurement process.

2. RESPONSIBILITIES

A. Cardholder

- 1) Use the card for City business ONLY.
- 2) Make purchases according to the guidelines established in this policy/procedure.
- 3) Account for all transactions made against the card through the acquisition and retention of all itemized sales/credit receipts.
- 4) Timely reconciliation of monthly transactions made on the card.
- 5) Safeguard the card and keep the account number confidential
- 6) Resolve disputed charges with the merchant and/or Fifth Third Bank (also referred to as "Provider").
- 7) Do not split transactions in order to remain within the established maximum dollar limit per transactions.
- 8) Return merchandise to the merchant when it is incorrect or no longer needed.
- 9) Report a lost or stolen card immediately to the Provider and the Auditors Office.
- 10) Surrender the card upon separation from the City.

B. Departmental Approving Supervisor

- 1) Ensure that charges made using the card are appropriate.
- 2) Verify that appropriate funds and account codes are charged.
- 3) Approval of Merchant Category Codes (MCC) by employee.
- 4) Approval for standard, monthly credit limit by employee.

C. Safety/Service Director or designee

- 1) Approval of Merchant Category Codes (MCC) at time of application for a card.
- 2) Approval of exceptions to the standard, monthly credit limits.

- 3) Revocation of card and disciplinary actions will be applied as necessary.

D. Budget Director

- 1) Maintain records of all card requests, credit limits and purchasing control for each card.
- 2) Interface with the Provider as needed.
- 3) Provide cardholder training and issue cards.
- 4) Update the card policy/procedure as needed.
- 5) Work with cardholders to reconcile errors and billing disputes once cardholder has exhausted all other avenues for resolution.
- 6) Notify the appropriate Director if unauthorized use of the card is suspected.
- 7) Monitor to ensure that no future charges are incurred on an account where the card had been reported as lost or stolen.
- 8) Cancel cards upon separation of cardholder's employment.
- 9) Ensure that accurate documentation is provided to, and received from, the Provider.
- 10) Process prompt payment to the Provider within required guidelines by due dates.
- 11) Verify correct use of account codes.
- 12) Advise the Safety/Service Director and the Payroll Department of any charges owed by the cardholder.

3. CARD APPLICATION

- A. A cardholder Agreement (Exhibit A) must be completed and returned to the Auditors Office. The form is available from the Auditors Office.
- B. A Purchasing Card Request (Exhibit B) must be completed and returned to the Auditors Office. The form is available from the Auditors Office.

4. PURCHASING CONTROLS

- A. The purchasing capabilities of the card can be personalized to fit each Cardholder's job responsibilities. The following are controls that can be placed on the card:
 - 1) Dollar limit per transaction.
 - 2) Dollar limit per billing cycle
 - 3) Number of transactions per day
 - 4) Number of transactions per billing cycle
 - 5) Number of months a year the card can be active
 - 6) Authorization to be just be used as a Travel Card
 - 7) Authorization to be just be used as a Purchasing Card

- 8) Authorization to be used as a combination Travel/Purchasing Card
- 9) Inclusion/exclusion by Merchant Category Codes

5. AUTHORIZED CARD USAGE

- A. The credit card that the cardholder receives has his/her name embossed on it. The cardholder is the ONLY person authorized to use the card. The cardholder may process transactions on behalf of others within his/her department by accompanying them on buying trips; however, the cardholder is responsible for all use of his/her card.
- B. Use of the card shall be limited to the following conditions:
 - 1) The total value of a transaction shall not exceed a cardholder's single purchase limit. Splitting of payments for a purchase into multiple transactions to stay within the single purchase limit is unacceptable and may cause loss of card privileges.
 - 2) No cash back for returns.
 - 3) Any rebates from the use of the card will be forwarded to the City Auditors Office.
 - 4) The cardholder should always identify him/herself as a City representative to ensure negotiated pricing is secured.
 - 5) The cardholder should ensure that sales tax is NOT charged at the point of sale when feasible.
 - 6) Adherence to all boundaries established by this policy/procedure.

6. UNAUTHORIZED CARD USAGE

- A. The card is NOT to be used for items such as:
 - 1) Personal purchases
 - 2) Cash advances
 - 3) Major Tools/Capital purchases – These are items not consumed as expenses in the normal course of business operation that cost over \$800.00 and have a useful life of three (3) or more years.
- B. A cardholder who makes unauthorized purchases or intentionally misuses the credit card will be personally liable for the total dollar amount of such unauthorized purchases, plus any administrative fees charged by the Bank in connection with the misuse. The cardholder will also be subject to disciplinary action by the City Administration and possibly have their card revoked.

7. CARD PROCESS

- A. Determine that the card is the appropriate purchasing tool (versus a purchase order), ask the Auditor's Office if uncertain.
- B. Call or visit the merchant of choice.
 - 1) Select or order the desired merchandise.
 - 2) Identify yourself as a City representative to ensure negotiated prices are charged.

- 3) Tell the merchant the sale is considered non-taxable, so appropriate sales tax is not charged at the point of sale.
 - 4) Give the cardholder's business address as the shipping address. The receipt will be needed for reconciliation.
- C. Obtain an itemized receipt (even if the purchase is made by phone or fax). Charge/credit slips that do not itemize are inadequate documentation.

8. RECONCILIATION

- A. The cardholder will receive a Corporate Account Statement directly from the Provider. The cardholder must complete a monthly reconciliation on a timely basis shortly after receiving the Account Statement. A sample of the Account Statement is attached as Exhibit C. The reconciliation process is as follows:
- B. Complete the reconciliation process in the order of the Statement:
 - 1) Match cash register itemized purchase receipt to the statement.
 - 2) Determine the City account code the purchase is to be charged against.
 - 3) Write the City account code to the right of the Transaction Description on the Statement. If the purchase is to be split over more than one City account code, write to the right of the Transaction Description, "See Receipt". Write on the receipt the various City account codes. If the receipt is too small, tape it to a larger piece of paper and make the appropriate account breakdowns on the bottom of the larger piece of paper.
 - 4) Staple all receipts to the statement in the order of the statement printout.
 - 5) If a trip is part of the charges being reconciled, attach a copy of the City of Sharonville, Employee Travel Report Form. A sample copy the form is attached as Exhibit E. The Travel Report Form will have to be signed by the employee and approved by that persons manager.
 - 6) NO Payment will be made by the City for transactions that DO NOT have an accompanying detailed cash register and charge receipts.
 - 7) If a Cardholder wishes to challenge the NO receipt NO payment rule, they must submit in writing an explanation as to the circumstances surrounding the transaction and WHY no cash register receipt and charge slip is available to attach. Then, have that written explanation signed by the appropriate department head and the Safety/Service Director, and next submit it to the Auditors Office for consideration and approval for payment.
 - 8) IF for some unforeseen reason, personal expenses have been charged on the City Card, the employee is then to attach his/her personal check made payable to the City of Sharonville.
 - 9) Have the responsible Department Head approve the reconciliation.
 - 10) Forward the approved reconciliation and receipts to the Auditors Office by the 13th of each month.

NOTE – Reminder calls will not be made. Reconciliation is the responsibility of each cardholder. Any charges/credits that are not reconciled by the due date will result in any interest charges or late fees be charged to the cardholder personally and the Department Head will be notified.

9. DISPUTED TRANSACTION

- A. An incorrect, unrecognized or questioned transaction may be disputed. A bad meal or a hotel that provided bad accommodations, or simple displeasure with a vendor, etc are NOT disputable items.
- B. If a transaction needs to be placed in dispute, the cardholder should:
- C. Complete a Purchasing Card Dispute Form (Exhibit D).
- D. Mail the original Dispute Form to the address noted on the form
- E. Attach a copy of the Dispute Form to the monthly reconciliation to be submitted to the Auditors Office.
- F. Note “Disputed” on the applicable line of the monthly reconciliation.
- G. The Provider will conduct an investigation regarding the disputed transaction. While the investigation is ongoing, a temporary reversal of the transaction will be issued to the cardholder’s account. Upon completion of the investigation the cardholder is notified of the resolution. If the dispute is not settled in the cardholder’s favor, the transaction will be re-posted to the cardholder’s account.

10. LOST/STOLEN CARDS

If a card is lost or stolen, the cardholder must contact Fifth Third Bank immediately at (800) 782-0279. The City Auditor’s Office should also be notified immediately.

11. CARDHOLDER SEPARATION FROM SERVICE

The card is the property of Fifth Third Bank; therefore, at separation from employment with the City; it must be surrendered to the Auditor’s Office so it can be forwarded to the Bank. A final approved reconciliation and supporting receipts should also accompany the card.



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
Columbus, Ohio 43211-2497

DEC 5 - 2014

STATE AND LOCAL
GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) ADMINISTRATION

(signature of responsible official) JAMES M LUKAS SAFETY/SERVICE DIRECTOR 08/25/14
(name) (title) (date)

Section B: Records Commission

City of Sharonville 513-563-1144
Records Commission (telephone number)

10900 Reading Road Sharonville 45241 Hamilton
(address) (city) (zip code) (county)

To have this form returned to the Records Commission electronically, include an email address: jlukas@cityofsharonville.com

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

Records Commission Chair Signature

11/18/14

Date

Section C: Ohio Historical Society - State Archives

Signature

Government Records Archivist

Title

12/11/2014

Date

Section D: Auditor of State

Signature

12-24-14

Date

Please Note: The State Archives retains RC-2 forms permanently.
It is strongly recommended that the Records Commission retain a permanent copy of this form

Section E: Records Retention Schedule



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

Sharonville Administration

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS- LGRP
ADM-2014-01	Project Files	15 yrs after completion	Paper		<input type="checkbox"/>
ADM-2014-02	Prevailing Wage Reports	6 yrs after audit	paper		<input type="checkbox"/>
ADM-2014-03	Board of Controls	Permanent	Paper		<input checked="" type="checkbox"/>
ADM-2014-04	Deeds	Permanent	paper		<input checked="" type="checkbox"/>
ADM-2014-05	Contracts	15 yrs after completion	Paper		<input type="checkbox"/>
ADM-2014-06	Lawsuits	5 years after settled	paper		<input type="checkbox"/>
ADM-2014-07	Property Appraisals	Permanent	Paper		<input checked="" type="checkbox"/>
ADM-2014-08	Resumes	Until position filled	paper		<input type="checkbox"/>

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
Columbus, Ohio 43211-2497

DEC 5 - 2014

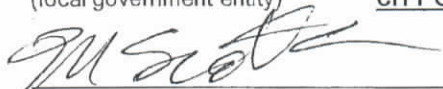
STATE AND LOCAL
GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) ADMINISTRATION-FINANCE


(signature of responsible official)

Scott McKeehan (name) Finance Director (title) 08/25/14 (date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)

Sharonville
(city)

45241
(zip code)

Hamilton
(county)

To have this form returned to the Records Commission electronically, include an email address: lukas@cityofsharonville.com

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

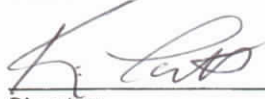


11/18/14

Records Commission Chair Signature

Date

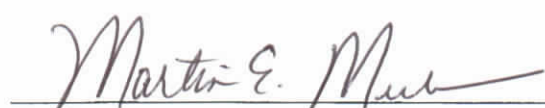
Section C: Ohio Historical Society - State Archives


Signature

Government Records Archivist
Title

12/11/2014
Date

Section D: Auditor of State


Signature

12-24-14
Date

*Please Note: The State Archives retains RC-2 forms permanently.
It is strongly recommended that the Records Commission retain a permanent copy of this form*

Section E: Records Retention Schedule



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

Sharonville Finance

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC Required by OHS- LGRP
FIN-2014-01	Bank Statements	3 yrs after audit	paper		
FIN-2014-02	Budget Working Papers	5 yrs	paper		
FIN-2014-03	Invoices	3 yrs	paper		
FIN-2014-04	Deposits	3 yrs	paper		
FIN-2014-05	Credit Card Manifests	3 yrs	paper		
FIN-2014-06	Annual Dept Budget	5 yrs	paper		
FIN-2014-07	Expense Records	3 yrs	paper		
FIN-2014-08	Payroll Sheets	3 yrs	paper		
FIN-2014-09	Purchase Orders	3 yrs	paper		

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

DEC 5 - 2014

STATE AND LOCAL
 GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) ADMINISTRATION-GENERAL


 (signature of responsible official) JAMES M LUKAS SAFETY/SERVICE DIRECTOR 08/25/14
 (name) (title) (date)

Section B: Records Commission

City of Sharonville
 Records Commission

513-563-1144
 (telephone number)

10900 Reading Road
 (address)

Sharonville
 (city)

45241
 (zip code)

Hamilton
 (county)

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I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.


 Records Commission Chair Signature 11/18/14
 Date

Section C: Ohio Historical Society - State Archives


 Signature Government Records Administrator 12/11/2014
 Title Date

Section D: Auditor of State


 Signature 12-24-14
 Date

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Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.

Sharonville City Wide / General

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS-LGRP
GEN-2014-01	Minutes	Permanent	paper		<input checked="" type="checkbox"/>
GEN-2014-02	Damage to City Vehicle/Property	6 yrs	paper		<input type="checkbox"/>
GEN-2014-03	Annual Dept. Report	permanent	paper		<input checked="" type="checkbox"/>
GEN-2014-04	Disaster Plans	Until superseded	paper		<input type="checkbox"/>
GEN-2014-05	Bodily Injury to Non-Empl	6 yrs	paper		<input type="checkbox"/>
GEN-2013-06	Fixed Asset Equipment Lists	3 yrs	paper		<input type="checkbox"/>
GEN-2014-07	Phone Logs	Until no longer necessary	paper		<input type="checkbox"/>
GEN-2014-08	Budget Drafts/Notes	4 yrs	paper		<input type="checkbox"/>
GEN-2014-09	Employee Notices	Until no longer necessary	paper		<input type="checkbox"/>
GEN-2014-10	Fax	1 yr	paper		<input type="checkbox"/>
GEN-2014-11	Mailing Lists	Until superseded	paper		<input type="checkbox"/>
GEN-2014-12	City Publications	3 yrs	paper		<input type="checkbox"/>
GEN-2014-13	Press Releases	3 yrs	paper		<input type="checkbox"/>
GEN-2014-14	Receipts/Receipt Books	2 yrs after audit	paper		<input type="checkbox"/>
GEN-2014-15	RC3 Records Disposal	25 yrs	paper		<input type="checkbox"/>



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS- LGRP
GEN-2014-16	Records Requests	2 yrs	paper		<input type="checkbox"/>
GEN-2014-17	Scrapbooks/Yearbooks	Permanent	paper		<input checked="" type="checkbox"/>
GEN-2014-18	Bank Deposits	3 yrs	paper		<input type="checkbox"/>
GEN-2014-19	Payment Transaction Reports	3 yrs	paper		<input type="checkbox"/>
GEN-2014-20	Employee Leave Requests	3 yrs	paper		<input type="checkbox"/>
GEN-2014-21	Petty Cash Records	3 yrs	paper		<input type="checkbox"/>
GEN-2014-22	Delivery Slips/Packing Slips	2 yrs	paper		<input type="checkbox"/>
GEN-2014-23	Vehicle/equipment maintenance/inspection records	Life of equipment	paper		<input type="checkbox"/>
GEN-2014-24	Organizational charts	Until superseded	paper		<input type="checkbox"/>
GEN-2014-25	Employee Roster	Until superseded	paper		<input type="checkbox"/>
GEN-2014-26	Grant Records	5 years	paper		<input type="checkbox"/>
GEN-2014-27	Policy, rules/regulations, handbooks/manuals	Until superseded	paper		<input type="checkbox"/>
GEN-2014-28	Mutual Aid Agreements	10 years after superseded	paper		<input type="checkbox"/>
GEN-2014-29	Equipment Inventory	Min. 3 yrs or lifetime of equipment	paper		<input type="checkbox"/>
GEN-2014-30	Leases – Equipment	2 years after expiration	paper		<input type="checkbox"/>



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS- LGRP
GEN-2014-31	Leases – Real Estate	5 years after expiration	paper		<input type="checkbox"/>
GEN-2014-32	Warranties	2 years after expiration	paper		<input type="checkbox"/>
GEN-2014-33	Contracts/Agreements	15 yrs after expiration	paper		<input type="checkbox"/>
GEN-2014-34	Auction Sales	3 years	paper		<input type="checkbox"/>
GEN-2014-35	Compliance Reports	5 years	paper		<input type="checkbox"/>
GEN-2014-36	Correspondence – Routine Form Letters	1 year	paper		<input type="checkbox"/>
GEN-2014-37	Correspondence/Memoranda – General	2 years	paper		<input type="checkbox"/>
GEN-2014-38	Correspondence/Memoranda – with Legislative/Executive branches	5 years	paper		<input type="checkbox"/>
GEN-2014-39	Executive Orders	Until superseded or obsolete	paper		<input type="checkbox"/>
GEN-2014-40	Hearings (non-employee) – Audio & Video	1 year	CD/Video		<input type="checkbox"/>
GEN-2014-41	Hearings (non-employee) – Report of Proceedings	Permanent	Paper		<input checked="" type="checkbox"/>
GEN-2014-42	Hearings (non-employee) - Transcripts	5 years	paper		<input type="checkbox"/>
GEN-2014-43	Photo Files	Until no longer current	Film		<input type="checkbox"/>
GEN-2014-44	Speeches/Presentations	3 years	paper		<input type="checkbox"/>



DEC 5 - 2014

RECORDS RETENTION SCHEDULE (RC-2)

STATE AND LOCAL
GOVERNMENT RECORDS

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) ADMINISTRATION-HR

Christine Thompson
(signature of responsible official)

Christine Thompson
(name)

Dep. Safety/Service Dir.
(title)

08/25/14
(date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)

Sharonville
(city)

45241
(zip code)

Hamilton
(county)

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[Signature]

11/18/14

Records Commission Chair Signature

Date

Section C: Ohio Historical Society - State Archives

[Signature]
Signature

Government Records Archivist
Title

12/1/2014
Date

Section D: Auditor of State

Martin E. Mub
Signature

12-24-14
Date

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Section E: Records Retention Schedule



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

Sharonville Human Resources

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For Use by Auditor of State or OHS LGRP	(6) RHS Required by OHS LGRP
HR-2014-01	Employee Performance Evaluations	5 yrs	Paper		
HR-2014-02	Personnel Records – Application	Permanent	Paper		
HR-2014-03	Personnel Records – Background Checks	3 yrs	Paper		
HR-2014-04	Personnel Records – Appointment Letter	Permanent	Paper		
HR-2014-05	Personnel Records – Resolution for Promotions and Pay Raises	Permanent	Paper		
HR-2014-06	Personnel Records – Discipline	3 yrs	Paper		
HR-2014-07	Personnel Records – Commendations	Permanent	Paper		
HR-2014-08	Personnel Records – Reviews	5 yrs	Paper		
HR-2014-09	Personnel Records – Empl Statements of Dispute	3 yrs	Paper		
HR-2014-10	Personnel Records – Training Records	Permanent	Paper		
HR-2014-11	Personnel Records – Oaths of Office	Permanent	Paper		
HR-2014-12	Drug Examinations	10 yrs	Paper		
HR-2014-13	Medical Incident Reports	6 yrs	Paper		
HR-2014-14	Accident Reports/Files/Empl Injury Report	Permanent	Paper		
HR-2014-15	Attendance & Personnel Records	3 yrs	Paper		



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
Columbus, Ohio 43211-2497

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS- LGRP
HR-2014-16	Employee Files	2 yrs after terminate	Paper		<input type="checkbox"/>
HR-2014-17	Continuing Education Certification/Training Records	2 yrs after terminate	Paper		<input type="checkbox"/>
HR-2014-18	Employment History Card	Permanent	Paper		<input type="checkbox"/>



DEC 5 - 2014

STATE AND LOCAL
GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) ADMINISTRATION-IT


(signature of responsible official)

CHRISTINE THOMPSON DEPUTY SAFETY/SERVICE DIR 08/25/14
(name) (title) (date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)

Sharonville
(city)

45241
(zip code)

Hamilton
(county)

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11/18/14

Records Commission Chair Signature

Date

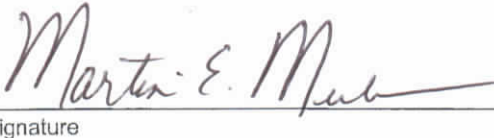
Section C: Ohio Historical Society - State Archives


Signature

Government Records Archivist
Title

12/11/2014
Date

Section D: Auditor of State


Signature

12-24-14
Date

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Section E: Records Retention Schedule



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

Sharonville Information Technology

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS/LGRP	(6) RC Required by OHS/ LGRP
IT-2014-01	Databases	Indefinitely	Electronic		
IT-2014-02	Badges/IDs Returned	Upon termination	Paper		
IT-2014-03	Service requests and histories	3 years	Electronic		
IT-2014-04	Web and social media posts	1 year	Electronic		
IT-2014-05	Publications	3 years	Paper		
IT-2014-06	Information systems log files	60 days	Electronic		
IT-2014-07	Information systems usage files (Records created to monitor computer system and network usage including but not limited to log-in files, system usage files, data entry logs, and records of individual computer program usage)	90 days	Electronic		
IT-2014-08	Hardware and software documentation	Until obsolete	Electronic		
IT-2014-09	Operating procedures	1 year after superseded	Electronic		
IT-2014-10	Audit supporting documentation	5 years	Paper		
IT-2014-11	System backup files	3 backup cycles	Electronic		
IT-2014-12	Terminated employee files	1 year after termination	Paper		
IT-2014-13	Social media archives	90 days	Electronic		



DEC 5 - 2014

STATE AND LOCAL GOVERNMENT RECORDS
RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) BUILDING DEPT



(signature of responsible official) Richard Osgood Building/Planning Director 08/25/14
(name) (title) (date)


Section B: Records Commission

City of Sharonville 513-563-1144
Records Commission (telephone number)

10900 Reading Road Sharonville 45241 Hamilton
(address) (city) (zip code) (county)


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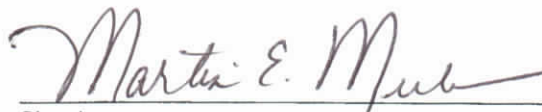


Records Commission Chair Signature 11/17/14
Date

Section C: Ohio Historical Society - State Archives


Signature Government Records Archivist 12/11/2014
Title Date

Section D: Auditor of State


Signature 12-24-14
Date

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Section E: Records Retention Schedule



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

Sharonville Building and Planning

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS- LGRP
BP-2014-01	Building Code Approvals: Commercial (Active)	3 yrs	paper		<input type="checkbox"/>
BP-2014-02	Building Code Approvals: Commercial (Archive)	Permanent	paper		<input type="checkbox"/>
BP-2014-03	Building Code Approvals: Residential (Active)	3 yrs	paper		<input type="checkbox"/>
BP-2014-04	Building Code Approvals: Residential (Archive)	Permanent	paper		<input type="checkbox"/>
BP-2014-05	Zoning Variances (Active)	3 yrs	paper		<input type="checkbox"/>
BP-2014-06	Zoning Variances (Archive)	Permanent	paper		<input checked="" type="checkbox"/>
BP-2014-07	Conditional Use Approvals (Active)	3 yrs	paper		<input type="checkbox"/>
BP-2014-08	Conditional Use Approvals (Archive)	Permanent	paper		<input type="checkbox"/>
BP-2014-09	Property Maintenance Cases (Active)	3 yrs	paper		<input type="checkbox"/>
BP-2014-10	Property Maintenance Cases (Archive)	Permanent	paper		<input type="checkbox"/>
BP-2014-11	Code Enforcement Cases (Active)	3 yrs	paper		<input type="checkbox"/>
BP-2014-12	Code Enforcement Cases (Archive)	Permanent	paper		<input checked="" type="checkbox"/>
BP-2014-13	Site Development Plans (Active/Archive)	Permanent	paper		<input checked="" type="checkbox"/>



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
Columbus, Ohio 43211-2497

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS- LGRP
BP-2014-14	Approved Construction Documents: Commercial (Active/Archive)	Permanent	paper		<input checked="" type="checkbox"/>
BP-2014-15	Approved Construction Documents: Residential (Active/Archive)	Permanent	paper		<input checked="" type="checkbox"/>
BP-2014-16	Zoning Code Additions/Amendments	Permanent	paper		<input checked="" type="checkbox"/>
BP-2014-17	Zoning Map Amendments	Permanent	paper		<input checked="" type="checkbox"/>
BP-2014-18	General Correspondence (Active)	3 yrs	paper		<input type="checkbox"/>
BP-2014-19	General Correspondence (Archive)	Permanent	paper		<input type="checkbox"/>
BP-2014-20	FEMA Elevation Certificates	Permanent	paper		<input type="checkbox"/>
BP-2014-21	FEMA LOMA/LOMR	Permanent	paper		<input type="checkbox"/>
BP-2014-22	Storm Water District: Private Storm Water Systems Maintenance Inspections/Enforcement (Active)	3 yrs	paper		<input type="checkbox"/>
BP-2014-23	Storm Water District: Private Storm Water Systems Maintenance Inspections/Enforcement (Archive)	Permanent	paper		<input type="checkbox"/>
BP-2014-24	Storm Water District: Public Systems Maintenance Inspections/Action (Active)	3 yrs	paper		<input type="checkbox"/>
BP-2014-25	Storm Water District: Public Systems Maintenance Inspections/Action (Archive)	Permanent	paper		<input type="checkbox"/>
BP-2014-26	Storm Water District: EPA Phase II NPDES Compliance (Active)	3 yrs	paper		<input type="checkbox"/>
BP-2014-27	Storm Water District: EPA Phase II NPDES Compliance (Archive)	Permanent	paper		<input type="checkbox"/>



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
Columbus, Ohio 43211-2497

DEC 5 - 2014

STATE AND LOCAL
GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) CITY COUNCIL

Teri Buchelt
(signature of responsible official)

Teri Buchelt
(name)

Clerk of Council
(title)

08/25/14
(date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)

Sharonville
(city)

45241
(zip code)

Hamilton
(county)

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[Signature]

11/17/14

Records Commission Chair Signature

Date

Section C: Ohio Historical Society - State Archives

[Signature]
Signature

Government Records Archivist
Title

12/11/2014
Date

Section D: Auditor of State

Martin E. March

12-24-14

Signature

Date

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Section E: Records Retention Schedule



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

Sharonville City Council

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State of OHS- LGRP	(6) RC-3 Requ ired by OHS- LGRP
CNCL- 2014-01	Council Minutes	Permanent	paper		<input checked="" type="checkbox"/>
CNCL- 2014-02	Council Ordinances & Indexes	Permanent	paper		<input checked="" type="checkbox"/>
CNCL- 2014-03	Council Resolutions & Indexes	Permanent	paper		<input checked="" type="checkbox"/>
CNCL- 2014-04	Council Audio & Video Recordings	5 years	electronic		<input type="checkbox"/>
CNCL- 2014-05	Council Reports	5 years	paper		<input type="checkbox"/>
CNCL- 2014-06	Liquor License Requests	3 years	paper		<input type="checkbox"/>
CNCL- 2014-07	Petitions (misc not filed elsewhere)	5 years	paper		<input type="checkbox"/>
CNCL- 2014-08	Proofs of Publication – Ordinances, Public Hearing Notices	5 years	paper		<input type="checkbox"/>
CNCL- 2014-09	Oaths of Office of Elected Officials	10 years after leaving office	paper		<input type="checkbox"/>



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
Columbus, Ohio 43211-2497

DEC 5 - 2014

STATE AND LOCAL
GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE

(unit) CIVIL SERVICE

(Signature of responsible official)

Debbie O'Toole
(name)

Secretary
(title)

08/25/14
(date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)

Sharonville
(city)

45241
(zip code)

Hamilton
(county)

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Records Commission Chair Signature

11/8/14
Date

Section C: Ohio Historical Society - State Archives

Signature

Government Records Archivist
Title

12/11/2014
Date

Section D: Auditor of State

Signature

12-24-14
Date

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Section E: Records Retention Schedule

Sharonville Civil Service

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Requ ired by OHS- LGRP
CS-2014-01	Employment Applications	2 yrs after eligibility list expires	paper		<input type="checkbox"/>
CS-2014-02	Examinations, answer sheets, score sheets, notifications	2 yrs after eligibility list expires	paper		<input type="checkbox"/>
CS-2014-03	Eligible / Certified Lists	Until expires	paper		<input type="checkbox"/>
CS-2014-04	Minutes of Meetings	Permanent	paper		<input checked="" type="checkbox"/>
CS-2014-05	Hearings, judgments	10 years	paper		<input type="checkbox"/>



DEC 5 - 2014

RECORDS RETENTION SCHEDULE (RC-2)

STATE AND LOCAL GOVERNMENT RECORDS

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) CONVENTION CENTER

Jim Downton (signature of responsible official) Jim Downton (name) Convention Center Director (title) 08/25/14 (date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)

Sharonville
(city)

45241
(zip code)

Hamilton
(county)

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[Signature] (Records Commission Chair Signature) 11/17/14 (Date)

Section C: Ohio Historical Society - State Archives

[Signature] (Signature) Government Records Archivist (Title) 12/11/2014 (Date)

Section D: Auditor of State

Martin E. Mah (Signature) 12-24-14 (Date)

Please Note: The State Archives retains RC-2 forms permanently.
It is strongly recommended that the Records Commission retain a permanent copy of this form

Section E: Records Retention Schedule



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

Sharonville Convention Center

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RG-3 Requ ired by OHS- LGRP
CONV-2014-01	Events Invoices	3 years	paper		
CONV-2014-02	Contracts: Events & Vendors	15 years	paper		
CONV-2014-03	Event Files	15 years	paper		
CONV-2014-04	Vendor Files	15 years	paper		
CONV-2014-05	Inventory Equipment Lists	10 years	paper		
CONV-2014-06	Monthly Revenue Reports	5 years	paper		
CONV-2014-07	Monthly Expenses Financial Reports	5 years	paper		
CONV-2014-08	Monthly Hotel Tax Receipts	5 years	paper		
CONV-2014-09	Tax Exempt Forms: Customer & Vendor	2 years	paper		
CONV-2014-10	W9 Forms – Vendors	5 years	paper		
CONV-2014-11	Certificates, Licenses, Permits	1 year	paper		
CONV-2014-12	Vendors Commission Reports	3 years	paper		
CONV-2014-13	Warranties	2 years	paper		
CONV-2014-14	Property Maps	Until superseded	paper		



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
Columbus, Ohio 43211-2497

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS LGRP	(6) FC-3 Required by OHS LGRP
CONV- 2014-15	Facility/Event Photos	Until superseded	electronic		
CONV- 2014-16	Work Schedules	1 year	paper		



DEC 5 - 2014

STATE AND LOCAL
GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) FIRE DEPARTMENT

 (signature of responsible official)	<u>Ralph Hammonds</u> (name)	<u>Fire Chief</u> (title)	<u>08/25/14</u> (date)
---	---------------------------------	------------------------------	---------------------------

Section B: Records Commission

City of Sharonville
Records Commission 513-563-1144
(telephone number)


10900 Reading Road Sharonville 45241 Hamilton
(address) (city) (zip code) (county)

To have this form returned to the Records Commission electronically, include an email address: jlukas@cityofsharonville.com

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

	<u>12/18/14</u>
Records Commission Chair Signature	Date

Section C: Ohio Historical Society - State Archives

	<u>Consent Records Archivist</u>	<u>12/11/2014</u>
Signature	Title	Date

Section D: Auditor of State

	<u>12-24-14</u>
Signature	Date

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Section E: Records Retention Schedule



Sharonville Fire Department

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RQ-3 Required by OHS-LGRP
FD-2014-01	Above & Underground Storage Tank Records	10 years after tank is out of service or removed	paper		<input type="checkbox"/>
FD-2014-02	Fire & EMS Alarm Response Reports	7 years	paper		<input type="checkbox"/>
FD-2014-03	Arson Reports	7 years after case closed	paper		<input type="checkbox"/>
FD-2014-04	Daily Log	1 year	paper		<input type="checkbox"/>
FD-2014-05	Dispatch Sheets & Logs	3 years	paper		<input type="checkbox"/>
FD-2014-06	Fire Code	Until superseded	paper		<input type="checkbox"/>
FD-2014-07	Fire Investigation Files	7 years after case is closed	paper		<input type="checkbox"/>
FD-2014-08	Fire & Loss Records	7 years	paper		<input type="checkbox"/>
FD-2014-09	Fireworks Application & Permits	1 year after expiration	paper		<input type="checkbox"/>
FD-2014-10	Gas & Oil Disbursement Record	1 year after audit	paper		<input type="checkbox"/>
FD-2014-11	Hydrant Location Record	Permanent	paper		<input type="checkbox"/>
FD-2014-12	Hydrant Maintenance Record	3 years after tested	paper		<input type="checkbox"/>
FD-2014-13	Inspection Reports/Cards	3 years	paper		<input type="checkbox"/>
FD-2014-14	Insurance Claim File	10 years after settlement	paper		<input type="checkbox"/>



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS LGRP	(6) RG 3 Requ ired by OHS LGRP
FD-2014-15	Mutual Aid Agreements	10 years after superseded	paper		
FD-2014-16	Standpipe Test	3 years	paper		
FD-2014-17	Violation Notices	1 year after corrected	paper		
FD-2014-18	Audiovisual, PR & Training Materials	Until superseded or lost	Paper/ electronic		
FD-2014-19	Blueprints/Vellums	Until superseded or lost	Paper/ microfilm		
FD-2014-20	Calibration Records	5 years	paper		
FD-2014-21	Compliance Reports	5 years	paper		
FD-2014-22	Labor Contracts & Agreements	15 years after superseded or terminated	paper		
FD-2014-23	Routine Form Letters	1 year	paper		
FD-2014-24	General Correspondence	2 years	paper		
FD-2014-25	Legislative Branch Correspondence	3 years	paper		
FD-2014-26	Executive Correspondence	5 years	paper		
FD-2014-27	Drawings, Tracings, Mylars	Until obsolete or superseded	paper		
FD-2014-28	Executive Orders	Until superseded	paper		
FD-2014-29	Fuel Usage Records	3 years	paper		



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Requ ired by OHS- LGRP
FD-2014-30	General Orders, Policies, Directives	Retain one copy until audited	paper		<input type="checkbox"/>
FD-2014-31	Licenses, Permits, Certifications	1 year after expiration	paper		<input type="checkbox"/>
FD-2014-32	Management/Operations Reports	Until superseded	paper		<input type="checkbox"/>
FD-2014-33	Material Safety Sheets	Until superseded	paper		<input type="checkbox"/>
FD-2014-34	Photo Files	Until info no longer current	film		<input type="checkbox"/>
FD-2014-35	Project Plans/Drawings	Life of project or obsolete	paper		<input checked="" type="checkbox"/>
FD-2014-36	Uniform Records	3 years after audit	paper		<input type="checkbox"/>
FD-2014-37	Vehicle Mileage Records	Until sold	paper		<input type="checkbox"/>
FD-2014-38	Visitors Log	1 year	paper		<input type="checkbox"/>
FD-2014-39	Work Orders	2 years	paper		<input type="checkbox"/>
FD-2014-40	Work Schedules	1 year after change	paper		<input type="checkbox"/>



DEC 5 - 2014

STATE AND LOCAL
GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity)

CITY OF SHARONVILLE

(unit) HEALTH DEPT

Margaret Sheldon
(signature of responsible official)

Margaret Sheldon
(name)

(title)

Health Commissioner

08/25/14
(date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)

Sharonville
(city)

45241
(zip code)

Hamilton
(county)

To have this form returned to the Records Commission electronically, include an email address: jlukas@cityofsharonville.com

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

[Signature]
Records Commission Chair Signature

12/17/14
Date

Section C: Ohio Historical Society - State Archives

[Signature]
Signature

Government Records Archivist
Title

12/11/2014
Date

Section D: Auditor of State

Martin E. Mueh
Signature

12-24-14
Date

Please Note: The State Archives retains RC-2 forms permanently.
It is strongly recommended that the Records Commission retain a permanent copy of this form



Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.

Section E: Records Retention Schedule

Sharonville Health Department

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State of OHS LGRP	(6) RC Required by OHS LGRP
HLTH-2014-01	Animal Bite Reports and correspondence	3 years	paper		
HLTH-2014-02	Correspondence – food service, jail, boards	5 years	paper		
HLTH-2014-03	Complaints /Nuisance	5 years or until litigation resolved	paper		
HLTH-2014-04	Daily Reports	5 years	paper		
HLTH-2014-05	Health Commissioner Hearings and Notices	5 years	paper		
HLTH-2014-06	Infectious Waste Program - Generator Inspections	Indefinite	paper		
HLTH-2014-07	Jails/Institutions – Correspondence/ Inspections	5 years	paper		
HLTH-2014-08	Yearly Fee Schedule	4 years after audit	paper		
HLTH-2014-09	Food Service - Applications	4 years after audit	paper		
HLTH-2014-10	Food Service - Cost Methodology	3 years	paper		
HLTH-2014-11	Food Service - Foodborne illness reports	3 years	paper		
HLTH-2014-12	Food Service - Inspections	5 years	paper		
HLTH-2014-13	Food Service - ODH Regulations	Until superseded	paper		



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

encompassed by the records
 have been audited by the
 Auditor of State and the
 audit report has been
 released pursuant to
 Sec. 117.26 O.R.C.

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RCs Requ ired by OHS- LGRP
HLTH-2014-14	Food Service - Plan Drawings and Approval Notifications	5 years after closure	paper		
HLTH-2014-15	Food Service - State Remittance Forms	4 years after audit	paper		
HLTH-2014-16	Food Service - Surveys	3 years	paper		
HLTH-2014-17	Food Service - Transfer/Revocation/Suspension of License	3 years	paper		
HLTH-2014-18	Food Service - Water Sample Records	2 years	paper		
HLTH-2014-19	Manufactured Home Parks - Applications	4 years after audit	paper		
HLTH-2014-20	Manufactured Home Parks - Correspondence & Inspections	5 years	paper		
HLTH-2014-21	Manufactured Home Parks - Plans	5 years after closure	paper		
HLTH-2014-22	Manufactured Home Parks - Regulations	Until superseded	paper		
HLTH-2014-23	Manufactured Home Parks - State Remittance Forms	4 years after audit	paper		
HLTH-2014-24	Manufactured Home Parks - Surveys	3 years	paper		
HLTH-2014-25	Pools/Spas - Applications	4 years after audit	paper		
HLTH-2014-26	Pools/Spas - Correspondence, Inspections	5 years	paper		
HLTH-2014-27	Pools/Spas - Plans	5 years after closure	paper		
HLTH-2014-28	Pools/Spas - Regulations	Until superseded	paper		



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
Columbus, Ohio 43211-2497

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-UGRP	(6) RC-3 Required by OHS-UGRP
HLTH-2014-29	Pools/Spas – State Remittance Forms	4 years after audit	paper		
HLTH-2014-30	Pools/Spas – Surveys	3 years	paper		
HLTH-2014-31	Pools/Spas – Water Sample Records	2 years	paper		
HLTH-2014-32	Hotels – Applications	4 years after audit	paper		
HLTH-2014-33	Hotels – Correspondence/Inspections	5 years	paper		
HLTH-2014-34	Hotels – Plans	5 years after closure	paper		
HLTH-2014-35	Hotels – Regulations	Until superseded	paper		
HLTH-2014-36	Schools – Correspondence/Inspections	5 years	paper		
HLTH-2014-37	Schools – Water Sample Records	5 years	paper		
HLTH-2014-38	Sewage – Correspondence	5 years	paper		
HLTH-2014-39	Sewage – Final Inspection Report 7 Drawing	Indefinite	paper		
HLTH-2014-40	Sewage – Maintenance Contracts	Until expired	paper		
HLTH-2014-41	Sewage – NPDES Applications	5 years if expired; indefinite if installed	paper		
HLTH-2014-42	Sewage – Operation Permits	5 years	paper		
HLTH-2014-43	Sewage – Permit to Install	5 years if expired; indefinite if installed	paper		



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
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(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For Use by Auditor of State of OHS LGRP	(6) RC-3 Required by OHS LGRP
HLTH-2014-44	Sewage – Real Estate Evaluation	Last 3 reports	paper		
HLTH-2014-45	Sewage – Site Applications/Approvals	Indefinite	paper		
HLTH-2014-46	Sewage – Testing Results	5 years	paper		
HLTH-2014-47	Tattoo – Correspondence/Applications/Inspections	5 years	paper		
HLTH-2014-48	Water Program – Abandonment/Sealing Reports	Indefinite	paper		
HLTH-2014-49	Water Program – Correspondence/Applications/Sample Records	Indefinite	paper		
HLTH-2014-50	Water Program – Real Estate Evaluations	Last 3 reports	paper		
HLTH-2014-51	Water Program – State Remittance forms	4 years after audit	paper		
HLTH-2014-52	Biohazards Waste Destruction Records	5 years	paper		
HLTH-2014-53	Hazardous Materials Emergency Response/Requests/Logs	30 years	paper		
HLTH-2014-54	Vaccine Administered Report	1 year (ODH)	paper		
HLTH-2014-55	VFC Program (patient eligibility screening record)	2 years (ODH)	paper		
HLTH-2014-56	Immunization Records (pediatric & adult) & Registry	30 years after last entry (ORC & ODH)	paper		
HLTH-2014-57	Communicable Disease Cards	Permanent (ORC)	paper		
HLTH-2014-58	Follow Up Report	5 years after case closed (ODH)	paper		



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
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(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State of OH LGRP	(6) RC-3 Regu- lated by OHS LGRP
HLTH- 2014-59	Well Child Records	5 years after last contact (ODH)	paper		
HLTH- 2014-60	Bureau for Children with Medical Handicaps	5 years after last contact (ORC)	paper		
HLTH- 2014-61	Public Health Visit Records (family case records)	5 years after last contact (ORC)	paper		
HLTH- 2014-62	Grant Records	3 years after final report	paper		
HLTH- 2014-63	Nursing - Cost Studies/Reports	3 years or after audit (ODH)	paper		
HLTH- 2014-64	Nursing – Daily Activity Sheets	5 years (ODH)	paper		
HLTH- 2014-65	Tuberculin Skin Test Records	Positive – permanent Negative – 3 yrs (ORC)	paper		
HLTH- 2014-66	Tuberculin Case Records	Life of Patient (ORC)	paper		
HLTH- 2014-67	Monthly & Annual TB Reports	Permanent	paper		
HLTH- 2014-68	Medicare Records	5 years after last contact	paper		
HLTH- 2014-69	Milk Plant Records	5 years	paper		
HLTH- 2014-70	Chronic Disease Records	1 year after final disposition of case	paper		
<p>Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.</p>					

DEC 5 - 2014

STATE AND LOCAL GOVERNMENT RECORDS



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
Columbus, Ohio 43211-2497

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity)

CITY OF SHARONVILLE

(unit) MAYORS COURT

(signature of responsible official)

Linda Lutts
(name)

Mayor's Court Clerk
(title)

08/25/14
(date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)

Sharonville
(city)

45241
(zip code)

Hamilton
(county)

To have this form returned to the Records Commission electronically, include an email address: jlukas@cityofsharonville.com

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

Records Commission Chair Signature

Date

Section C: Ohio Historical Society - State Archives

Signature

Government Records Archivist

Title

12/11/2014

Date

Section D: Auditor of State

Signature

12-24-14

Date

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Section E: Records Retention Schedule



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

Sharonville Mayor's Court

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Requ ired by OHS- LGRP
MC-2014-01	Annual Statement & Yearly Report	Permanent	paper		<input checked="" type="checkbox"/>
MC-2014-02	Criminal Cases	5 years after closed or audited	paper		<input type="checkbox"/>
MC-2014-03	Traffic Cases	5 years after closed or audited	paper		<input type="checkbox"/>
MC-2014-04	OVI Cases	50 years after closed or audited	paper		<input type="checkbox"/>
MC-2014-05	Cases Transferred	Transfer all relevant records per 1905.032 ORC	paper		<input type="checkbox"/>
MC-2014-06	Complaints & Warrants	In case files	paper		<input type="checkbox"/>
MC-2014-07	Dockets Index Journal	Permanent	paper		<input type="checkbox"/>
MC-2014-08	Receipts/Bank Statements & Reports	3 years after audit	paper		<input type="checkbox"/>
MC-2014-09	Fines/Fees Record	3 years after audit	paper		<input type="checkbox"/>
MC-2014-10	Audio Records	5 years	electronic		<input type="checkbox"/>

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.



DEC 5 - 2014

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

STATE AND LOCAL
GOVERNMENT RECORDS

Section A: Local Government Unit

(local government entity)

CITY OF SHARONVILLE

(unit) PARKS & RECREATION


(signature of responsible official)

Sue Koetz
(name)

Recreation Director
(title)

08/25/14
(date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)


Sharonville
(city)

45241
(zip code)

Hamilton
(county)


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Records Commission Chair Signature

11/18/14
Date

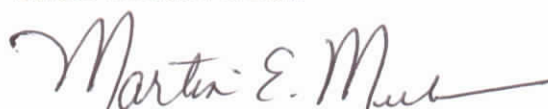
Section C: Ohio Historical Society - State Archives


Signature

Government Records Archivist
Title

12/11/2014
Date

Section D: Auditor of State


Signature

12-24-14
Date

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Section E: Records Retention Schedule

Sharonville Recreation Department

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State of OH: LGRP	(6) RC Requ ired by OHS LGRP
REC-2014-01	Rental Sheets & Contracts	3 years	paper		
REC-2014-02	Rental Balances Paid	3 years	paper		
REC-2014-03	Rental Concession Invoices and Inventory Sheets	3 years	paper		
REC-2014-04	Picnic Schedules, Contracts, Receipts	3 years	paper		
REC-2014-05	Membership Forms	3 years	paper		
REC-2014-06	Deposit Paperwork: Receipt Books, Rec Trac GL Report, Rec Trac Credit Card Report; Daily Bank Deposit Slips, Batch Reports, Pool Concession Records	3 years	paper		
REC-2014-06	Program Rosters, Including CPR	1 year after program	paper		
REC-2014-07	Camp Sharonville Campers Info	1 year after program	paper		
REC-2014-08	State Regulated Chemical Forms	5 yrs	paper		
REC-2014-09	Daily Attendance & Guest Records	1 year	paper		
REC-2014-10	Craft Show & July 4 th Applications	1 year after event	paper		
REC-2014-11	Fitness Center Daily Sign-In Sheets	1 year	paper		
REC-2014-12	Member charts	Life of membership	paper		

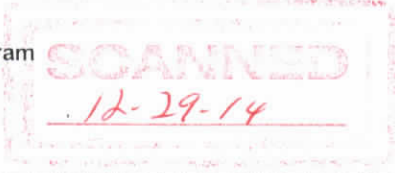


Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Recu red by OHS LGRP
REC-2014-13	Fuel Usage, Vehicle Gas, Propane, Generators	3 yrs	paper		
REC-2014-14	Vandalism, Accident Incident Reports	5 years	paper		
REC-2014-15	Ball Field Loam, Athletic Field Paint Lists	1 year	paper		
REC-2014-16	Playground & Landscaping Mulch Lists	1 year	paper		
REC-2014-18	Playground Audits	3 years after audit	paper		
REC-2014-19	Tree Safety Pruning Records Playgrounds	3 years	paper		
REC-2014-20	CPR/AED/Maintenance Safety Training Records	3 years	paper		
REC-2014-21	Member/Visitor Suspension & Termination Records	5 years	paper		

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.



DEC 5 - 2014

STATE AND LOCAL GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) POLICE DEPT

Aaron Blasky Police Chief 08/25/14
 (signature of responsible official) (name) (title) (date)

Section B: Records Commission

City of Sharonville 513-563-1144
 Records Commission (telephone number)

10900 Reading Road Sharonville 45241 Hamilton
 (address) (city) (zip code) (county)

To have this form returned to the Records Commission electronically, include an email address: lukas@cityofsharonville.com

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

11/18/14
 Records Commission Chair Signature Date

Section C: Ohio Historical Society - State Archives

Government Records Archivist 12/11/2014
 Signature Title Date

Section D: Auditor of State

12-24-14
 Signature Date

Please Note: The State Archives retains RC-2 forms permanently.
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Section E: Records Retention Schedule



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

Sharonville Police Department

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RG-3 Requ ired by OHS- LGRP
PD-2014-01	Accident Files	10 yrs, provided no claim pending	paper		
PD-2014-02	Adm Records - Use of Force - Vehicle Pursuit - Weapon Discharge	3 yrs unless pending action	paper		
PD-2014-03	Alarm Drops	1 yr provided no reports	paper		
PD-2014-04	Arrest Jackets – Adult	30 yrs from arrest or deceased	paper		
PD-2014-05	Arrest Jackets - Juvenile	Until age 18 or deceased/expunged	paper		
PD-2014-06	Booking Records	6 yrs	paper		
PD-2014-07	Breathalyzer Records	3 yrs	paper		
PD-2014-08	Bulletins	1 yr	paper		
PD-2014-09	CVSA Reports	2 yrs provided not hired or 10 yrs if part of case report	paper		
PD-2014-10	Collective Bargaining Agreements	3 yrs from end of agreement	paper		
PD-2014-11	Correspondence	Until no longer of administrative value	paper		
PD-2014-12	Court Summons	Until discharged	paper		
PD-2014-13	Daily Activity Sheets	5 yrs	paper		
PD-2014-14	Dispatch Logs	3 yrs	paper		



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(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For Use by Auditor of State or OHS- LGRP	(6) ROR Required by OHS- LGRP
PD-2014-15	Domestic Violence Stat Reports	3 yrs	paper		
PD-2014-16	DUI Task Force Records	3 yrs	paper		
PD-2014-17	Case Reports – White copy	10 yrs with the exception of following which are kept 20 yrs: - Voluntary manslaughter - Involuntary manslaughter - Kidnapping - Rape - Sexual battery - Unlawful sexual conduct with minor - Gross sexual imposition - Felonious sexual penetration - Compelling prostitution - Aggravated arson - Robbery - Aggravated Burglary - Burglary - Aggravated riot - Felonious assault on police officer - Aggravated assault on police officer - Assault (felony)	paper		
PD-2014-18	Equipment Usage Logs	Life of equipment	paper		
PD-2014-19	Expunged Records	Delete/seal/destroy per court order OR 80 yrs or deceased	paper		
PD-2014-20	Federal Seizure Paperwork (FBI, DEA)	6 years	paper		
PD-2014-21	Field Interrogation Reports	1 year	paper		



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(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS-LGRP
PD-2014-22	Forfeiture/Seizure Paperwork – SHRN	6 years	paper		<input type="checkbox"/>
PD-2014-23	Fuel Usage Records	3 years	paper		<input type="checkbox"/>
PD-2014-24	Grievances	1 year after resolved	paper		<input type="checkbox"/>
PD-2014-25	Incident Logs	5 years	paper		<input type="checkbox"/>
PD-2014-26	Jail Inspections	5 years	paper		<input type="checkbox"/>
PD-2014-27	Jail Register	Permanent	paper		<input checked="" type="checkbox"/>
PD-2014-28	Jail Record of Personal Property Recovered	2 years	paper		<input type="checkbox"/>
PD-2014-29	LEADS/RCIC Printouts	Until no longer of administrative value	paper		<input type="checkbox"/>
PD-2014-30	Liability Release Records	2 years provided no claim pending	paper		<input type="checkbox"/>
PD-2014-31	Master Name Index	Permanent	paper		<input checked="" type="checkbox"/>
PD-2014-32	Monthly Reports	10 years	paper		<input type="checkbox"/>
PD-2014-33	Motor Vehicle Holders - Towed Vehicles - Salvaged Titles	2 years	paper		<input type="checkbox"/>
PD-2014-34	Mug Shots in Photo File	5 years	Film / electronic		<input type="checkbox"/>
PD-2014-35	Mug Shots in Arrest Jackets	As long as arrest jacket on file	paper		<input type="checkbox"/>
PD-2014-36	Multiple Gun Sales Records	1 year	paper		<input type="checkbox"/>



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(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC 3 Requ ired by OHS- LGRP
PD-2014-37	Pawn Shop Cards	3 years	paper		
PD-2014-38	Proposals	Until action taken or proposal rejected	paper		
PD-2014-39	Purchase Order Requests	Until action taken or request rejected	paper		
PD-2014-40	Quotes	Until action taken or quote rejected	paper		
PD-2014-41	RCIC Arrest Summaries	3 years	paper		
PD-2014-42	Recite Tickets	1 year	paper		
PD-2014-43	Recovered Property Record	2 years after disposal of property	paper		
PD-2014-44	Ride Along Form	3 years	paper		
PD-2014-45	Traffic Citations	3 yrs	paper		
PD-2014-46	Training Materials	Until superseded	paper		
PD-2014-47	Uniform Requests	2 years	paper		
PD-2014-48	Vacation House Checks	30 days after owner's return	paper		
PD-2014-49	Recorded Interview	30 days, provided no action pending	paper		
PD-2014-50	Warning Cards	1 year	paper		
PD-2014-51	Warrant Records	Until discharged	paper		



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(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For Use by Auditor of State or OHS LGRP	(6) RC-3 Requ ired by OHS LGRP
PD-2014-52	Work Schedule	25 years after schedule change	paper		<input type="checkbox"/>
PD-2014-53	RCIC Validations	2 years	paper		<input type="checkbox"/>
PD-2014-54	Juvenile Arrest Statistics	2 years	paper		<input type="checkbox"/>
PD-2014-55	Crime Statistics	5 years	paper		<input type="checkbox"/>
PD-2014-56	Ammunition Inventory Sheets	3 years	paper		<input type="checkbox"/>
PD-2014-57	Evidence Processing Request	1 year	paper		<input type="checkbox"/>
PD-2014-58	Rec Dept Temporary Liquor Permits	1 year	paper		<input type="checkbox"/>
PD-2014-58	Off-Duty Detail Sheets	3 years	paper		<input type="checkbox"/>
PD-2014-59	Taxi Cab/Tow Yard Inspection Logs	3 years	paper		<input type="checkbox"/>
PD-2014-60	Lawsuit Files	Until case is closed	paper		<input type="checkbox"/>
PD-2014-61	Legislative Committee Files	3 years	paper		<input type="checkbox"/>
PD-2014-62	UCR Reports	3 years	paper		<input type="checkbox"/>
PD-2014-63	A-Jacket Summaries	Permanent	paper		<input type="checkbox"/>
PD-2014-64	Multimedia	Until case is closed/Statute of limitations expires	Electronic		<input type="checkbox"/>
PD-2014-65	Telephone Recordings/Messages	30 days unless transferred for evidence	Electronic		<input type="checkbox"/>



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(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS LGRP	(6) RCS Requ ired by OHS LGRP
PD-2014- 66	Property Room Disposal Orders	5 years	paper		
PD-2014- 67	Web Check Data	1 year	Paper / Elect		



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DEC 5 - 2014

STATE AND LOCAL
GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) PUBLIC WORKS DEPT.

	<u>Joe Kempe</u>	<u>Public Works Director</u>	<u>08/25/14</u>
(signature of responsible official)	(name)	(title)	(date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)

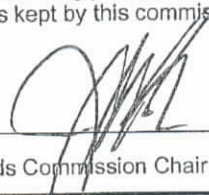
Sharonville
(city)

45241
(zip code)


Hamilton
(county)

To have this form returned to the Records Commission electronically, include an email address: jlukas@cityofsharonville.com

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

	<u>11/17/14</u>
Records Commission Chair Signature	Date

Section C: Ohio Historical Society - State Archives

	<u>Government Records Architect</u>	<u>12/11/2014</u>
Signature	Title	Date

Section D: Auditor of State

	<u>12-24-14</u>
Signature	Date

Please Note: The State Archives retains RC-2 forms permanently.
It is strongly recommended that the Records Commission retain a permanent copy of this form



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 Columbus, Ohio 43211-2497

Sharonville Public Works Department

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State of OH LGRP	(6) RC-3 Requ- red by OHS/ LGRP
PW-2014-01	Routine Form Letters	1 yr	paper		
PW-2014-02	General Letters	2 years	paper		
PW-2014-03	Backflow Testing	5 years	paper		
PW-2014-04	Boiler Inspections	5 years	paper		
PW-2014-05	Fuel Usage Records	3 years	paper		
PW-2014-06	Licenses, Permits, Certifications	1 year from expiration	paper		
PW-2014-07	Material Safety Sheets	Until superseded	paper		
PW-2014-08	Vehicle Mileage Records	Until vehicle sold	paper		
PW-2014-09	Work Orders	2 years	paper		
PW-2014-10	Work Schedules	1 year after schedule change	paper		
PW-2014-11	Overtime Events	2 years	paper		
PW-2014-12	Overtime Reports	2 years	paper		
PW-2014-13	Salt Records	2 years	paper		
PW-2014-14	Snow Records, Route Sheets	2 years	paper		
PW-2014-15	Bridge Inspection Reports	10 years	paper		



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encompassed by the records
 have been audited by the
 Auditor of State and the
 audit report has been
 released pursuant to
 Sec. 117.26 O.R.C.

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Requ ired by OHS- LGRP
PW-2014-16	Dam Inspections	Permanent	paper		<input type="checkbox"/>
PW-2014-17	Street Blueprints, Maps, Plans	Life of infrastructure then appraise	paper		<input checked="" type="checkbox"/>
PW-2014-18	Pesticide Application Records	5 years	paper		<input type="checkbox"/>
PW-2014-19	Proposals for Street Improvement	Until approved or project rejected	paper		<input type="checkbox"/>
PW-2014-20	Sewer Repair Sheets	10 years	paper		<input type="checkbox"/>
PW-2014-21	Street Lighting Assessment Records	Until paid off	paper		<input type="checkbox"/>
PW-2014-22	Street Lighting Petitions	3 years	paper		<input type="checkbox"/>
PW-2014-23	Street Light Pole Locations	Until updated	paper		<input type="checkbox"/>
PW-2014-24	Street Opening OUPS messages	2 years	paper		<input type="checkbox"/>
PW-2014-25	Street Opening Permits	3 years	paper		<input type="checkbox"/>
PW-2014-26	Street Opening Restoration Bond	1 year after expiration	paper		<input type="checkbox"/>
PW-2014-27	Street Repair Cost Summary Record	3 years after audit	paper		<input type="checkbox"/>
PW-2014-28	Street Repair Record	3 years	paper		<input type="checkbox"/>
PW-2014-29	Traffic Study Files	Until superseded	paper		<input type="checkbox"/>
PW-2014-30	Golden View Acres Rent/Deposit	3 years	paper		<input type="checkbox"/>



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Local Government Records Program

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Columbus, Ohio 43211-2497

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For Use by Auditor of State or OHS LGRP	(6) RGS Requ ired by OHS LGRP
PW-2014-31	Golden View Acres Leases	5 years after expiration	paper		
PW-2014-32	Damage Invoices/Payments/Correspondence	3 years	paper		
PW-2014-33	Fuel – Princeton Invoices	3 years	paper		
PW-2014-34	Mowing Invoices/Payments/Correspondence	3 years	paper		
PW-2014-35	ODOT Ramps Invoices/Correspondence	3 years	paper		
PW-2014-36	Residential Truck Loan Deposits/Refunds	3 years	paper		
PW-2014-37	Residential Truck Loan Schedule	2 years	paper		
PW-2014-38	Clothing Allowance Records	3 years	paper		



DEC 5 - 2014

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

(local government entity) CITY OF SHARONVILLE (unit) TAX DEPARTMENT


(signature of responsible official)

Scott McKeehan
(name)

Finance Director
(title)

08/25/14
(date)

Section B: Records Commission

City of Sharonville
Records Commission

513-563-1144
(telephone number)

10900 Reading Road
(address)

Sharonville
(city)

45241
(zip code)

Hamilton
(county)

To have this form returned to the Records Commission electronically, include an email address: jlukas@cityofsharonville.com

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.




11/18/14

Records Commission Chair Signature

Date

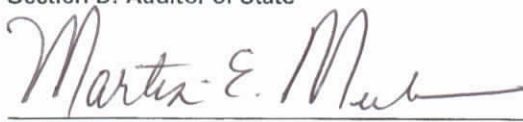
Section C: Ohio Historical Society - State Archives


Signature

Government Records Archivist
Title

12/11/2014
Date

Section D: Auditor of State


Signature

12-24-14
Date

*Please Note: The State Archives retains RC-2 forms permanently.
It is strongly recommended that the Records Commission retain a permanent copy of this form*



Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.

Section E: Records Retention Schedule

Sharonville Tax Department

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS-LGRP
TAX-2014-01	Tax Records – Individuals	6 years after audit	paper		<input type="checkbox"/>
TAX-2014-02	Tax Records – Current Businesses	10 years after audit	paper		<input type="checkbox"/>
TAX-2014-03	Tax Records – Closed Businesses	6 years after audit	paper		<input type="checkbox"/>
TAX-2014-04	Tax Records – Individuals Scanned	90 days after scan	paper		<input type="checkbox"/>
TAX-2014-05	Tax Records – Current Businesses Scanned	90 days after scan	paper		<input type="checkbox"/>
TAX-2014-06	Tax Records – Closed Businesses Scanned	90 days after scan	paper		<input type="checkbox"/>
TAX-2014-07	Tax Printouts – Daily Reports	6 years after audit	paper		<input type="checkbox"/>
TAX-2014-08	Tax Printouts – Annual Reports	6 years after audit	paper		<input type="checkbox"/>
TAX-2014-09	Correspondence – Tax Topics	2 years; until no administrative value	paper		<input type="checkbox"/>
TAX-2014-10	Correspondence – Read Only Copies, Unsolicited Mail, Memos	Until no administrative value	paper		<input type="checkbox"/>
TAX-2014-11	Correspondence – Scanned	90 days after	paper		<input type="checkbox"/>



Appendix I

Identity Theft Policy

SECTION 1: BACKGROUND

The risk to the municipality, its employees and customers from data loss and identity theft is of significant concern to the municipality and can be reduced only through the combined efforts of every employee and contractor.

SECTION 2: PURPOSE

The municipality adopts this sensitive information policy to help protect employees, customers, contractors and the municipality from damages related to the loss or misuse of sensitive information.

This policy will:

1. Define sensitive information;
2. Describe the physical security of data when it is printed on paper;
3. Describe the electronic security of data when stored and distributed; and
4. Place the municipality in compliance with state and federal law regarding identity theft protection.

This policy enables the municipality to protect existing customers, reducing risk from identity fraud, and minimize potential damage to the municipality from fraudulent new accounts. The program will help the municipality:

1. Identify risks that signify potentially fraudulent activity within new or existing covered accounts;
2. Detect risks when they occur in covered accounts;
3. Respond to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed; and
4. Update the program periodically, including reviewing the accounts that are covered and the identified risks that are part of the program.

SECTION 3: SCOPE

This policy and protection program applies to employees, contractors, consultants, temporary workers, customers, patrons, members, and workers at the municipality, including all personnel affiliated with third parties.

SECTION 4: POLICY

4.A: Sensitive Information Policy

4.A.1: Definition of Sensitive Information

Sensitive information includes the following items whether stored in electronic or printed format:

4.A.1.a: Credit card information, including any of the following:

1. Credit card number (in part or whole)
2. Credit card expiration date
3. Cardholder name
4. Cardholder address

4.A.1.b: Tax identification numbers, including:

1. Social Security number
2. Business identification number
3. Employer identification numbers

4.A.1.c: Payroll information, including, among other information:

1. Paychecks
2. Pay stubs

4.A.1.d: Cafeteria plan check requests and associated paperwork

4.A.1.e: Medical information for any employee or customer, including but not limited to:

1. Doctor names and claims
2. Insurance claims
3. Prescriptions
4. Any related personal medical information

4.A.1.f: Other personal information belonging to any customer, employee or contractor, examples of which include:

1. Date of birth
2. Address
3. Phone numbers
4. Maiden name
5. Names
6. Customer number

4.A.1.g: Municipal personnel are encouraged to use common sense judgment in securing confidential information to the proper extent. Furthermore, this section should be read in conjunction with the Ohio Public Records Act and the municipality's open records policy. If an employee is uncertain of the sensitivity of a particular piece of information, he/she should contact their supervisor. In the event that the municipality cannot resolve a conflict between this policy and the Ohio Public Records Act, the municipality will consult with legal counsel.

4.A.2: Hard Copy Distribution

Each employee and contractor performing work for the municipality will comply with the following policies:

1. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with sensitive information will be locked when not in use.
2. Storage rooms containing documents with sensitive information and record retention areas will be locked at the end of each workday or when unsupervised.

3. Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing sensitive information when not in use.
4. Whiteboards, dry-erase boards, writing tablets, etc. in common shared work areas will be erased, removed, or shredded when not in use.
5. When documents containing sensitive information are discarded they will be placed inside a locked shred bin or immediately shredded using a mechanical cross cut or Department of Defense (DOD)-approved shredding device. Locked shred bins are labeled "*Confidential paper shredding and recycling.*" Municipal records, however, may only be destroyed in accordance with the city's records retention policy.

4.A.3: Electronic Distribution

Each employee and contractor performing work for the municipality will comply with the following policies:

1. Internally, sensitive information may be transmitted using approved municipal e-mail.
2. Any sensitive information sent externally must be password protected and only to approved recipients. Additionally, a statement such as this should be included in the e-mail:

"This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited."

SECTION 5: ADDITIONAL IDENTITY THEFT PREVENTION PROGRAM

If the municipality maintains certain covered accounts pursuant to federal legislation, the municipality may include the additional program details.

5.A: Covered accounts

A covered account includes any account that involves or is designed to permit multiple payments or transactions. Every new and existing customer account that meets the following criteria is covered by this program:

1. Business, personal and household accounts for which there is a reasonably foreseeable risk of identity theft; or
2. Business, personal and household accounts for which there is a reasonably foreseeable risk to the safety or soundness of the municipality from identity theft, including financial, operational, compliance, reputation, or litigation risks.

5.B: Red flags

5.B.1: The following red flags are potential indicators of fraud. Any time a red flag, or a situation closely resembling a red flag, is apparent, it should be investigated for verification.

1. Alerts, notifications or warnings from a consumer reporting agency;
2. A fraud or active duty alert included with a consumer report;
3. A notice of credit freeze from a consumer reporting agency in response to a request for a consumer report; or
4. A notice of address discrepancy from a consumer reporting agency as defined in § 334.82(b) of the Fairness and Accuracy in Credit Transactions Act.

5.B.2: Red flags also include consumer reports that indicate a pattern of activity inconsistent with the history and usual pattern of activity of an applicant or customer, such as:

- A recent and significant increase in the volume of inquiries;
- An unusual number of recently established credit relationships;
- A material change in the use of credit, especially with respect to recently established credit relationships; or

- An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.

5.C: Suspicious documents

5.C.1: Documents provided for identification that appear to have been altered or forged.

5.C.2: The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.

5.C.3: Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.

5.C.4: Other information on the identification is not consistent with readily accessible information that is on file with the municipality, such as a signature card or a recent check.

5.C.5: An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

5.D: Suspicious personal identifying information

5.D.1: Personal identifying information provided is inconsistent when compared against external information sources used by the municipality. For example:

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

5.D.2: Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the municipality. For example, the address on an application is the same as the address provided on a fraudulent application

5.D.3: Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the municipality. For example:

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

5.D.4: The SSN provided is the same as that submitted by other persons opening an account or other customers.

5.D.5: The address or telephone number provided is the same as or similar to the address or telephone number submitted by an unusually large number of other customers or other persons opening accounts.

5.D.6: The customer or the person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.

5.D.7: Personal identifying information provided is not consistent with personal identifying information that is on file with the municipality.

5.D.8: When using security questions (mother's maiden name, pet's name, etc.), the person opening the covered account or the customer cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

5.E: Unusual use of, or suspicious activity related to, the covered account

5.E.1: Shortly following the notice of a change of address for a covered account, the municipality receives a request for new, additional, or replacement goods or services, or for the addition of authorized users on the account.

5.E.2: A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns. For example, the customer fails to make the first payment or makes an initial payment but no subsequent payments

5.E.3: A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:

- Nonpayment when there is no history of late or missed payments;
- A material change in purchasing or usage patterns

5.E.4: A covered account that has been inactive for a reasonably lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).

5.E.5: Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's covered account.

5.E.6: The municipality is notified that the customer is not receiving paper account statements.

5.E.7: The municipality is notified of unauthorized charges or transactions in connection with a customer's covered account.

5.E.8: The municipality receives notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the municipality

5.E.9: The municipality is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

SECTION 6: RESPONDING TO RED FLAGS

6.A: Once potentially fraudulent activity is detected, an employee must act quickly as a rapid appropriate response can protect customers and the municipality from damages and loss.

6.A.1: Once potentially fraudulent activity is detected, gather all related documentation and write a description of the situation. Present this information to the department head, one of the Deputy Safety/Service Directors, or the Safety/Service Director for determination.

6.A.2: The designated authority will complete additional authentication to determine whether the attempted transaction was fraudulent or authentic.

6.B: If a transaction is determined to be fraudulent, appropriate actions must be taken immediately. Actions may include:

1. Canceling the transaction;
2. Notifying and cooperating with appropriate law enforcement;
3. Determining the extent of liability of the municipality; and
4. Notifying the actual customer that fraud has been attempted.

SECTION 7: PERIODIC UPDATES TO PLAN

7.A: At periodic intervals established in the program, or as required, the program will be re-evaluated to determine whether all aspects of the program are up to date and applicable in the current business environment.

7.B: Periodic reviews will include an assessment of which accounts are covered by the program.

7.C: As part of the review, red flags may be revised, replaced or eliminated. Defining new red flags may also be appropriate.

7.D: Actions to take in the event that fraudulent activity is discovered may also require revision to reduce damage to the municipality and its customers.

SECTION 8: PROGRAM ADMINISTRATION

8.A: Involvement of management

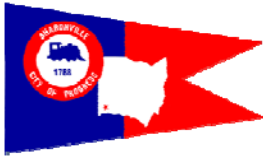
1. The Identity Theft Prevention Program shall not be operated as an extension to existing fraud prevention programs, and its importance warrants the highest level of attention.
2. The Identity Theft Prevention Program is the responsibility of the governing body. Approval of the initial plan must be appropriately documented and maintained.
3. Operational responsibility of the program is delegated to The Safety Service Director.

8.B: Staff training

1. Staff training shall be conducted for all employees, officials and contractors for whom it is reasonably foreseeable that they may come into contact with accounts or personally identifiable information that may constitute a risk to the municipality or its customers.
2. The Safety Service Director is responsible for ensuring identity theft training for all requisite employees and contractors.
3. Employees must receive annual training in all elements of this policy.
4. To ensure maximum effectiveness, employees may continue to receive additional training as changes to the program are made.

8.C: Oversight of service provider arrangements

1. It is the responsibility of the municipality to ensure that the activities of all service providers are conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.
2. A service provider that maintains its own identity theft prevention program, consistent with the guidance of the red flag rules and validated by appropriate due diligence, may be considered to be meeting these requirements.
3. Any specific requirements should be specifically addressed in the appropriate contract arrangements.



APPENDIX K

TRANSITIONAL WORK PROGRAM – ON DUTY INJURIES

Description

Under the Transitional Work Program, if an employee is injured on the job and is found to be medically stable and released by the physician with certain restrictions to return to work, City of Sharonville will provide the employee with work. The employee will be expected to work under the restrictions provided by the physician while maintains full earnings, health insurance and other benefits. A therapist will provide therapy on-site if needed.

Purpose

- Provide safe return to work
- Provide financial/social support to the employee while he/she is recovering from the injury
-

Time Frame: 90 calendar days.

TWP Coordinator: Christine Thompson, Deputy Safety/Service Director (DSSD)

Eligibility: Allowed injuries and released by treating physician

How is the Transitional Work Program managed at City of Sharonville?

- Promptly report injuries and complete Accident/Incident Report
- Visit Bethesda Sharonville Care Center if treatment is needed.
- Injured employee returns to work with restrictions documented by the physician
- The DSSD and the Department Manager will assign proper work according to the restriction set by the physician
- A therapist will come on-site to provide treatment if necessary
- Report of treatment will be given to the physician weekly
- Employee is expected to progress to the original job
- If no progress within one month, meeting will be held to discuss further steps in assisting the employee back to work

Department Managers and Supervisors

The success of the Transitional Work Program depends significantly on the commitment of the Department Managers and supervisors.

As a manager, your responsibilities include:

- Report injury
- Assist with injury investigation and ensuring proper medical treatment is obtained.
- When injured employee coming back to work with restrictions:
 - Work with the injured employee and DSSD to identify accommodated work tasks in his/her or respective work areas and department, which fit the restrictions set by the treating physician
 - Meet with the worker to go over Transitional Work Program Participation Agreement when injured worker is released by the physician with restrictions.
 - Ensure the employee is performing job duties within the limits, review and document worker's status weekly using the Agreement.
 - Inform the DSSD of any problems if they should occur

- Work with the therapist if there is a therapist involved, to ensure the employee is utilizing safe work practices and is performing only those tasks allowed in the TWP.
 - Meet briefly with the on-site therapist, if necessary, on a weekly basis to identify potential obstacles and successes of the program.
 - Educate co-workers about the reasons for transitional work assignments. Identify problems that may arise with co-worker relationships.
 - Participate in the Transitional Work Committee
- If therapy is needed, a therapist will work closely with the Department Manager to identify “feasible” temporary job tasks for the injured worker to perform. Tasks and physical demand will be increased gradually according to the capacity of the injured worker and the restrictions set by the physician.
 - You may feel that the productivity is decreased when an injured worker has a temporary assignment. In fact, if the employee were off work you probably would need to hire temporary person or pay someone overtime to do the work. City of Sharonville would also pay a significant “reserve” for the wage compensation. If the injured employee were off work more than 6 months, the chance for him/her ever return to work would be 50%. The cost to City of Sharonville is significant when an employee is unable to work.

Anchor Medical Provider:

Name	Bethesda Care Sharonville
Address	3801 Hauck Road, Cincinnati, OH 45241
Phone	513-563-1505
Hours	7:00 am-9:00 pm, M-F; 9:00 am-5:00 pm, Sat.
After hours	Good Samaritan Hospital
Or emergency	375 Dixmyth Ave., Cincinnati, OH 45220 Or Closest Hospital Emergency Room

Mission Statement of Transitional Work Program

The City of Sharonville is committed to the safety and health of our employees. It is the policy of the City of Sharonville to effectively manage workers’ compensation while maintaining the working status of each employee. The City of Sharonville will employ strategies to return the injured employee to work as quickly as possible.

Objectives

The Transitional Work Program will benefit City of Sharonville employees by providing an opportunity to build strength and stamina to return to regular job duties. Participants in the program will be paid at their regular hourly rates for the hours worked. Physical or occupational therapy may be provided at the work site as needed.

The goals of the program:

- Disability Prevention
By returning the employee back to work efficiently after the injury, further disability can be prevented.
- Early Intervention
By timely utilization of the Transitional Work Policy and medical services, the employee will receive early intervention and resolution of disabilities efficiently.
- Proactive Transitional Work Strategies
While participating in the Transitional Work Policy, the employee will receive assistance to help him or her progress back to the original job. Such assistance may take the form of: on-site therapy, functional capacity evaluation, job analyses, temporary job assignment and modified duty tasks, job accommodations, and safe work practices training. The Transitional Work Committee will monitor and facilitate safe and efficient return to work strategies.

The Transitional Work Policy will be implemented by using the procedures outlined below.

TRANSITIONAL WORK PROGRAM (TWP) GUIDELINES

1. Definition

Transitional work is a progressive and individualized program. It is an interim step in the physical conditioning and recovery of a worker with restrictions toward the goal of returning to his/her original job.

Transitional work is defined as any job, task, function or combination of tasks or functions that City of Sharonville workers with restrictions may perform safety, for payment, and with decreased risk of re-injury.

2. Transitional Work Team

The goal of the committee is to monitor the participants to ensure a gradual return to the original full duties and resolve any issues related to the program.

The City of Sharonville will establish a Transitional Work Committee consisting of the following members:

- Transitional Work Program Coordinator – Deputy Safety/Service Director (DSSD)
- Selected department managers/supervisors
- On-site therapist if there is a therapist working with the employee
- Managed Care Organization (MCO) representative
- Preferred Vocational Case Manager if the worker is in the Vocational Services Program provided by Bureau of Workers' Compensation (BWC)
- Selected Labor representative

When there is an active participant in the program, the committee will meet weekly or as needed to review TWP cases and recommend changes that are deemed necessary to refine the process and build the best possible program. The DSSD will monitor the program by conducting phone or in person discussions, whichever is appropriate, and establish meeting agenda. The members will ensure that the program has the resources necessary for its ongoing operations, and to maintain program accountability among managers and rehabilitation providers. The Committee is also responsible for resolving any issues or conflicts related to the program. Employees participating in the program can communicate any concern to his/her Department Manager and the DSSD. Medical treatment issues will follow the dispute resolution process through the MCO. Disputes regarding compensation issues will follow the process of the BWC and Industrial Commission, guided by the City's policies. Any unresolved issues will seek guideline from an Employer Services Specialist or Reemployment Specialist of BWC.

The committee shall ensure that the medical confidentiality of the worker shall be protected.

3. Operational Procedures of Transitional Work Program

- a) Employee notifies his/her supervisor immediately following the injury. For non-emergency injuries, the supervisor and employee will follow the established injury report procedures, notify the DSSD and complete an incident report.
- b) On a non-emergency injury, the employee should be directed to Bethesda Care Sharonville. The physician on duty will provide necessary medical care and report the injury to BWC and MCO, Sheakley UniComp.
- c) Physician completes the MEDCO-14 for (Physician's Report of Work Ability Form by the BWC of Ohio) or equivalent information sheet, which will indicate the injured employee's return to work status and any restrictions.
- d) If the injured employee is released to work without any restrictions, the Department Manager would review all safety procedures with the employee and assign the employee back to the original job.
- e) If the employee is released to work with restrictions, the following are the two scenarios of operations:
 - The employee returns immediately to the job with short-term (one week or less) restrictions. The employee submits the doctor's restriction form to the Department Manager and DSSD, who will initiate the TWP. The employee signs the TWP Agreement (Section 2), which lists specifically the restrictions and job duties to be performed. In this case, the City will accommodate the restrictions and return the employee to full duty at the termination of the restriction period. Based on initial restrictions, a weekly or 30-day medical check-up may be required to progress the employee back to his or her original job; or,
 - The employee returns immediately to the job but:
 - i) it is difficult to find job tasks to accommodate restrictions, or
 - ii) the original restrictions are continued or increased after re-check, or

- iii) injured worker is experiencing difficulty in progressing back to full duties

In these cases, the DSSD will contact the MCO and On-Site Therapy Preferred Provider, Bethesda Corporate Health Services, to coordinate on-site therapy. The on-site therapist provides injured employee with treatment and education. The therapist will also serve as a consultant to any concerns raised by the employee's Department Manager and DSSD. The injured employee, with the help of the Department Manager, DSSD and on-site therapist, as needed, gradually progresses back to full duty. If the injured employee is not progressing back to full duty within a month, the DSSD will work with MCO to initiate other strategies to assist the employee in returning to work.

- f) Employee is ordered to miss work by the physician of record. The DSSD will contact the Third Party Administrator, MCO nurse case manager/TransWork for assistance in obtaining the appropriate return to work documents. A job offer letter (a sample of job offer letter, Section 2) may be sent to the treating physician. The Department Manager or DSSD would contact the injured employee regularly to update medical status and expected return to work date. The DSSD may contact BWC at the end of the three months if the employee has not returned to work to facilitate a 90-day medical examination. The result of this medical examination will be shared with the management team to decide what next steps to take to facilitate the return to work.
- g) Vocational Rehabilitation Services may be used to facilitate return to work. The referral for Vocational Rehabilitation is initiated by the MCO as appropriate.

4. Duration

The duration of each transitional work assignment is based on medical need. Participants will have his/her case reviewed by the Transitional Work Committee on an as needed basis. All TWP assignments will have a maximum duration of ninety (90) calendar days.

- a) The ninety (90) day period will begin with the date of release to limited or restricted work established by the physician of record and will end upon the removal of the restrictions or at the end of the ninety (90) day period, whichever occurs first.
- b) The transitional work assignment may be extended beyond ninety (90) calendar days depending upon the circumstances of each individual case as determined by the Transitional Work Committee.

5. Eligibility Criteria

The TWP should be based on operational needs and allow the employee to build strength and stamina to work in his/her original job within ninety (90) calendar days. It is not a permanent reassignment of job duties.

Employees will be considered for participation in the program if they meet each of the following criteria:

- a) Sustained a work related injury, occupational disease or illness, or re-occurrence/exacerbation of a pre-existing City work-related condition that is likely to result in lost time from the job.
- b) The injuries/illness is work-related and allowed by the BWC.
- c) Has been released by attending physician to participate in a restricted duty/TWP.
- d) Has the potential of returning to his/her original job and performing the essential job functions after recovery, within a period not to exceed 90 days.

An employee will not be eligible for the TWP if:

- a) The nature and the severity of the employee's disability indicates that the employee will never be able to perform the essential job duties of the original job, or will not be able to return to the original job within 90 days.
- b) The employee's involvement in the program is temporarily disrupted or limited due to an aggravation or change of medical condition.
- c) The employee is not making progress toward regular job duties within 4-6 weeks with the help of on-site therapy. The case will then be reviewed by the Transitional Work Committee and the employee may be discharged from the TWP. The Committee will work with MCO to initiate other strategies to assist the employee in returning to work. For example: refer for Vocation Services offered by the BWC. The injured employee may continue to

receive financial support, vocational guidance and specialized vocational programs so he/she can return back to work.

6. Compensation

While in the TWP, the employee will be paid at his/her normal rate of pay. No overtime beyond the normal scheduled working hours will be authorized. All the other benefits will be continued based on the employee's active pay status. If there is a need for on-site therapy, the worker will be paid at his/her normal rate of pay for the actual therapy time. Leaves during the program will follow the established attendance policies and procedures.

7. Components of the Transitional Work Program

a) Temporary Job Assignment

The employee's Department Manager and DSSD will use the information from Job Analyses and Job Banks (see Section 8) to find the job tasks, which accommodate the restrictions set forth by the employee's treating physician. Shift and job tasks changes may be necessary to accommodate the restrictions. However, the injured employee should return as close to his/her regular job and shift assignment as possible. The employee's Department Manager and DSSD will make the decision of shift changes with the input from the on-site therapist if there is a therapist working with the employee. As recovery progresses, in compliance with the treating physician's restrictions, the normal work activities will be added so that within 90 days the employee will be performing most or all of his/her essential job functions.

b) On-Site Therapy/Treatment May Combine with Off-site Therapy if Necessary

A licensed occupational or physical therapist will provide on-site therapy, exercises, job task progression, and education on injury prevention as needed. If appropriate, the employee may need to attend a local clinic for treatment, such as: equipment-oriented exercises, aquatic or other modality treatment. A home program may be given to the employee to follow up at home. The therapist will also serve as a consultant to any concerns raised by the injured employee's Department Manager and City Administration. The initial evaluation, weekly progress notes, and discharge summary will be forwarded to the Transitional Work Coordinator, Physician of Record, and MCO.

c) Functional Capacity Evaluation

A Functional Capacity Evaluation may be performed to determine the return-to-work readiness of the employee, which includes strength, endurance and pace as well as the behavioral and work-specific abilities of the employee. Functional Capacity Evaluation is useful when returning to the original work is questionable. The results of a Functional Capacity Evaluation can provide objective estimation of the individual's ability to perform physical demands at different levels over periods of time.

d) Job Modification

In cases where the employee's job has elements with strong potential for re-injury or causing other musculoskeletal disorders, the therapist may recommend some modifications, which should not cause unreasonable hardship on the employer and will require approval from the physician of record and the employer.

8. Responsibility of the people in Transitional Work Program

a) Transitional Work Program Coordinator – Deputy Safety/Service Director

- Manage the internal injury report and claim process
- Initiate early intervention strategies
- Coordinate the Transitional Work Committee process
- Work with applicable managers to monitor workers in the program and review the progress weekly
- Coordinate transitional work activities with providers, case manager, BSC, Third Party Administrator and MCO.

b) Employees

- Maintain regular consistent attendance during the program
- Perform only those work tasks identified by the Department Manager/DSSD with input from the therapist (if there is a therapist involved in the program)
- Observe safe work practices
- Working overtime is not permitted while participating in the TWP
- Follow all established personnel policies and procedures of the City of Sharonville

c) Immediate Supervisor/Department Manager

- Follow the City's injury report procedures and inform the DSSD about the injury immediately

- Work with the injured employee and DSSD to identify work tasks which fit the restrictions set by the treating physician
 - Ensure employee is performing job duties within restrictions and review and document worker's status weekly using the Agreement
- Inform the DSSD of any problems that occur
 - Work with the therapist, if there is a therapist involved, to ensure that the employee is utilizing safe work practices and performing only those tasks outlined in the TWP
 - Meet with the on-site therapist, if necessary, to identify potential obstacles and successes of the program
 - Educate co-workers about the reasons for transitional work assignments and identify problems that may arise with co-worker relationships
 - Participate in the Transitional Work Committee
- d) Union Representative (if applicable)
- Assist in communication of the goals, benefits and objectives of TWP to the union member employees
 - Assist in resolving issues or problems associated with the employees' concerns or resistance to the program
- e) Preferred Vocational Case Manager of the MCO (when appropriate)
- Coordinate approval and restrictions from physician of record and write plan by incorporating all of the elements necessary to implement and ensure the success of the TWP, including an on-site therapist for an injured employee who is in the Vocational Rehabilitation Plan
 - Coordinate the communication among the parties involved in the TWP for an injured employee in the Vocational Rehabilitation Plan
 - Monitor employee's progress, provide follow-up
 - Assist in the decision-making and rehabilitation service planning if the injured employee's return to his/her job is uncertain
- f) On-Site Therapist (if necessary)
- Perform job analysis and functional capacity evaluation, then make recommendations to progress the employee back to his/her original position
 - Communicate weekly to the employer, physician of record and case manager
 - Provide necessary therapy and exercises to promote the employee's recovery and stamina
 - Make recommendation for reasonable accommodation or job modification
 - Develop a home program appropriate for the injured employee to help expedite recovery and manage pain
 - Educate the employee in injury prevention and pain control techniques
- g) Third Party Administrator (TPA)
- Assist in investigation and certification processes of the claims
 - Provide on-going claim management following BWC guidelines
 - Provide Group Rating Discount if applicable
- h) Managed Care Organization (MCO)
- Expedite the referral for TWP
 - Maintain medical management and authorization for services
 - Designate the contact person
 - Expedite the referral for Vocational Services as needed
- i) Physician of Record
- Expedite written work restriction
 - Expedite employee return to work
 - Collaborate with MCO, as needed
 - Support the City's commitment to the TWP

j) Bureau of Workers' Compensation (BWC)

- Provide TWP development guidelines
- Provide claim history reports for program evaluation and development
- Serve as a resource and governing agency for the development of a TWP
- Assist the employer in the claims management process
- Assist and educate the employer about the service provided by the BWC

9. Modified Duty Tasks (Job Bank)

An injured employee will be placed into his/her original/target job as quickly as possible. However, there may be limited tasks from the original work that can be performed due to the restrictions set forth by the medical provider. If necessary, the City will provide light duty tasks from alternative job responsibilities, on a shift appropriate for duties assigned, for any injured employee in the TWP.

Modified duty tasks may be from some other worker's job duties, or may be created for the injured employee specifically by the Department Manager and DSSD with input from the therapist. The tasks may include:

- Tasks as brief as one hour
- Other tasks to comprise an 8-hour workday
- Tasks or work activities that do not exceed 10 lbs of lifting and carrying
- No excessive postural changes or highly repetitive movement (such as bending, stooping, reaching above shoulder, pushing/pulling, crawling etc.)
- Work activities that can be performed in a seated position or tasks that allow the employee to alternate sitting and standing
- Work activities that do not use the injured body part(s) to perform
- Tasks now being performed, which, if assigned to someone on transitional duty, would allow co-workers time to accomplish additional work assignments
- Tasks should be meaningful and purposeful

10. Preferred Providers

The City of Sharonville has established a routine procedure for injury reporting and medical management for work related injuries.

In order to provide prompt and quality care to workers, the City recommends Bethesda Care Sharonville for employees with work related injuries or diseases. The City understands that the injured employees always have the freedom to choose their own physicians at any time as approved by the BWC.

If possible, the City will invite the physicians(s) to the work site(s) for a tour before enlisting the physician(s) into the preferred providers list.

The City will work with the Transitional Work Developer and MCO to establish a high quality on-site therapy program and Vocational Rehabilitation Services, when appropriate, to ensure the employees will receive the best care.

Anchor Medical Provider:

Bethesda Care Sharonville
3801 Hauck Rd
Cincinnati OH 45241
513-563-1505
7:00 am – 9:00 pm, M-F; 9:00 am-5:00 pm, Sat.

* after hours:

Good Samaritan Hospital
375 Dixmyth Ave
Cincinnati OH 45220

* or emergencies:

Closest hospital emergency room

On-Site Therapy Provider:

Bethesda Corporate Health Services
Colleen Wright, Intake Scheduling Coordinator
11125 Kenwood Rd, Cincinnati OH 45242

11. Return to Full Duty Original/Target Job

When the injured employee completes the TWP and is ready to go back to the full duty of his/her original or targeted job, a written release from the physician of record is required. The MEDCO-14 form (BWC Physician's Report of Work Ability) or the physician's form, which has all the equivalent information as MEDCO-14 is acceptable.

If injured employee required therapy during the program, the therapist will work with the DSSD to make recommendations to the injured worker's physician about the releasing condition and date of returning to full duty.

If no therapy was required during the program, the DSSD will coordinate the release with the injured employee and his/her physician of record.

12. Eligibility Statement

Should an employee be deemed eligible and feasible for the TWP and refuse to participate in the program, the City will pursue all available avenues to terminate benefit payments by the BWC based on non-compliance. A letter may be sent to the employee to specify the return to work procedures.

**CITY OF SHARONVILLE
TRANSITIONAL WORK PROGRAM
PARTICIPATION AGREEMENT**

The Transitional Work Program (TWP) at the City of Sharonville is designed to provide you with suitable temporary work assignments matched with the restrictions set forth by your Physician of Record, while you complete your recovery for your work-related accident or illness.

- You will be paid your regular rate of pay. Hours worked will be counted in the same way as normal work hours in the computation and eligibility for benefit, pay and seniority purposes.
- TWP is not a permanent reassignment of job duties. Please note you are only eligible for the program for 90 calendar days, at which time we hope to have you back to your full-duty status.
- All work provided will not exceed the restrictions set forth by your physician of record. It is your responsibility to make sure you do not work beyond your limitations. If you find your transitional work assignment to be beyond your capabilities, contact your supervisor immediately.
- No overtime will be worked while you are in the program.
- You are expected to abide by the work/safety rules and all the work policies and procedures.
- Your time sheet will be completed as normal, reflecting the dates you are in the program.
- You are encouraged to schedule any appointments at times when you are not scheduled to be at work. If you must leave your job, you will need to receive approval from your Department Manager. Flexible scheduling will be encouraged during your participation in this program, with the hope that you will not need to use any leave for such appointments.
- If you are unable to report to your transitional work job for any reason, call your Department Manager (Department Manager needs to inform DSSD) to inform him/her of your absence.
- If therapy is needed, an occupational or physical therapist may come to the worksite to provide the services specified by your physician of record. You will receive normal pay for the on-site therapy time.
- Your program may be terminated due to lack of progress or any change in your medical condition.

**CITY OF SHARONVILLE
TRANSITIONAL WORK PROGRAM
PHYSICIAN INFORMATION**

TO: Health Care Provider

FROM: City of Sharonville DSSD

RE: Employee Name: _____

CLAIM NUMBER: _____

TODAY'S DATE: _____

The City of Sharonville has developed a Transitional Work Program following the guideline of Ohio Bureau of Workers' Compensation to support our employees with industrial injuries to return to work or to remain safe and productive at work. The purpose of the program is to offer temporary work assignments at full pay until your patient is able to return to his/her regular job duties. An on-site licensed physical or occupational therapist, if needed, will work closely with you, your patient and City of Sharonville to make sure the progress is safe and efficient.

As the health care provider for our employee, we need your help to make the TWP a success. The program is offered to the employee for 90 calendar days with the flexibility of extension. Your guidance throughout the course would direct us to provide a safe return to work program and the extension if necessary.

1. List of Modified Duty Tasks the injured worker can perform at the City. _____

2. Please complete the MEDCO-14 Form (BWC Physician's Report of Work Ability) or equivalent, and give it to your patient so that he/she can bring it back to the DSSD. The on-site licensed therapist (if one is needed, please complete a C-9 for the services) and the Department Manager will make sure that the restrictions set forth by you are followed.

If you have any questions regarding this request, please contact the DSSD at 513-563-1144. Thank you in advance for your prompt attention to this matter.

Letter sent to injured employee about TWP

Date:
Employee:
Address:

Re: Claim # _____

Your physician believes that you can build the strength and stamina to return to your regular job within 90 days.

Please see the attached physical restrictions received from your physician. We have matched these restrictions with tasks within your classification, which will allow you to work without breaking these limitations. (*Attach the job description*). A licensed therapist has developed the task list, which you will utilize when you return to work. You will also have the advantage of having a licensed therapist on-site during some of your workweek if needed. The therapist will deliver the necessary therapeutic procedures and assist in problem solving, if necessary, through any situation which may occur.

Your return to work date is _____. You will work within your limitations and your therapist will make gradual increases toward your full return to work. Your therapist will assess and report your progress to your physician and employer. Please notify your therapist and Department Manager regarding any problems, should they arise.

You will be paid your full wage during this program regardless of the light duty tasks that you will be performing. Please note you are only eligible for the program up to 90 calendar days at which time we hope to have you back to your full duty status. The tasks involved in this program are only temporary in nature and not a permanent re-assignment. The program is intended to assist you in building your physical strength to enable you to return to your original position in full capacity.

All City of Sharonville policies including attendance, tardiness and calling off work will apply to you during this program.

We hope that you attempt to utilize this Transitional Work Program opportunity to its fullest extent by being present during each day of the program. Your commitment to the City of Sharonville's TWP, your job, and co-workers is very much appreciated.

If you have any questions regarding this program, please call the DSSD at 513-563-1144.

**CITY OF SHARONVILLE
TRANSITIONAL WORK PROGRAM
GENERAL POLICY**

According to the Bureau of Workers' Compensation, if an injured worker is unable to perform the original job tasks and stays off work, the chance of returning to a gainful employment decreases significantly. Just 5-6 months off work decreases the return-to-work rate by 50%. If you were out of work more than one year, the chance of you ever returning to work is only 15%. The financial impact is extraordinary. The wage compensation from the BWC will start with you 8th day off at 72% of the normal wages, decreasing to 66.67% after 12 weeks off work.

The City of Sharonville has worked with the BWC and the Managed Care Organization to offer a Transitional Work Program to assist the employee with returning to work after an injury. The employee is released by the treating physician with restrictions and returning to a modified duty will be paid at the normal rate of wages and will also be paid for the on-site therapy time if needed.

Any employee who has a work-related injury is eligible to participate in the TWP. This program has been developed with the understanding that it is in both the employee's and the City's best interest to return an employee to the workforce as quickly as possible following a work-related injury, while at the same time ensuring that the employee is not placed in a position which could further complicate the injury.

The aim of the program is to offer injured workers with the ability to return to work, even with extremely limited capabilities. The aim of the program is not to provide long term limited duty positions for employees but to offer a progressive return to work strategy. For the program to remain effective, we require injured workers to be re-evaluated by their treating physician at least every 30 days. The duration of the program is 90 calendar days.

Procedures:

1. Follow the proper procedures for injury reporting and medical treatment for the work related injury.
2. Visit Bethesda Care Sharonville for drug test and medical care if needed.
3. If the employee has work restrictions set by his/her treating physician, proceed with the following steps:
 - The Department Manager and the DSSD will develop a transitional duty task that fits within the capabilities indicated by the treating physician.
 - If necessary, contact the DSSD to arrange for on-site therapy.
 - The Transitional Work Committee will monitor the program until the employee returns to full duty.
 - A final medical release by the treating physician is required for the employee's return to full duty.

**CITY OF SHARONVILLE
TRANSITIONAL WORK PROGRAM
DEPARTMENT MANAGER SATISFACTION QUESTIONNAIRE**

The purpose of this questionnaire is to facilitate the continuous improvement of our Transitional Work Program (TWP). As a manager for one of our workers who participated in the program, please complete the following questionnaire. We encourage your objective suggestions and appreciate your ongoing support of the program. Thank you!

Name of employee involved in the TWP: _____

Please check ✓ whichever best describes your response:

Transitional Work Program	Strongly Disagree	Disagree	Agree	Strongly Agree	Comments
I was provided with sufficient information and orientation about the goals and procedures of the TWP					
I was given an opportunity to provide input					
Overall, I was pleased with the support and communication					
The TWP posed minimal safety risks to the participants and co-workers					
The TWP was not disruptive to work processes and generated productive work within work area					
The worker who participated in the TWP seemed to benefit					
Based on my experience, I would recommend this program to other workers					

Our Transitional Work Program could be improved by: _____

Thank you for your time and effort.

Signature

Date

**CITY OF SHARONVILLE
TRANSITIONAL WORK PROGRAM
EMPLOYEE SATISFACTION QUESTIONNAIRE**

The purpose of this questionnaire is to facilitate the continuous improvement of our Transitional Work Program (TWP). As a participant in the program, please complete the following questionnaire. We encourage your objective suggestions and appreciate your ongoing support of the program. Thank you!

Please check ✓ whichever best describes your response:

Transitional Work Program	Strongly Disagree	Disagree	Agree	Strongly Agree	Comments
The benefits of participating in the TWP were explained to me					
I was given an opportunity to provide input and ask questions					
Overall, I was pleased with the program					
My doctor supported the TWP and assisted by writing proper work restrictions					
My therapist helped me to return to regular job duties					
My supervisor was supportive and helpful					
Based on my experience, I would recommend this program to other workers					

Our Transitional Work Program could be improved by: _____

Thank you for your time and effort.

Signature

Date



Appendix L

Handling and Disposal of Scrap Materials

1. Policy

The City of Sharonville recognizes that certain items of city property may no longer be usable in the service for which they were purchased or are unable to be reasonably repaired. These items have no value to the City through normal property disposal methods. Items of this type shall be considered scrap and may be disposed of by the Department Manager having control of that item through a salvage process.

2. Disposal of Scrap Material

- A. The Budget Director shall establish an account with a local salvage dealer for the purposes of scrap disposal. A process will be arranged with the dealer whereby any proceeds from the sale of scrap materials will be sent directly to the Finance Department of the City on a regular basis. The transfer of cash funds to employees for the sale of scrap materials is not permitted.
- B. A Department Manager having control of city property that is deemed to be scrap may dispose of that item as specified in this policy. Disposal of scrap items must be approved by the Safety Service Director.
- C. In addition to items owned by the City, this policy shall also cover the disposal of those items that may be collected by the departments of the city as part of their normal duties, including junk or other property. These items shall be deemed scrap for the purposes of this policy.
- D. Upon receiving approval for the disposal of scrap items, the Department Manager will facilitate the transport of the scrap item to the salvage dealer identified by the Budget Director for this purpose. The salvage dealer will assign a value to the item and provide a receipt to the employee. The employee shall forward this receipt through the Department Manager to the Budget Director. The receipt shall indicate the item that was disposed of and the value received for that item.

3. Proceeds from Scrap Disposal

- A. Upon receipt of the funds from the sale of the scrap items, the Budget Director shall deposit those funds into the fund from which the item was originally purchased.
- B. For those items that have been collected by a department and are deemed scrap, the funds received shall be deposited into the General Fund of the City.

APPENDIX H SAFE HARBOR

1. Policy Statement

It is the City of Sharonville's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that employees are paid properly for all time worked and that no improper deductions are made, employees must record correctly all work time and review paychecks promptly to identify and to report all errors. Employees also must not engage in off-the-clock or unrecorded work.

2. Review Pay Stub

The City makes every effort to ensure employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes happen and are called to the City's attention, Administration will promptly make any correction that is necessary. Please review pay stubs when received to make sure they are correct. If employees believe a mistake has occurred or if there is a question, please use the reporting procedure outlined below.

3. Non-exempt Employees

- A. If employees are eligible for overtime pay or extra pay (including pay due under the policy manual or a collective bargaining agreement), employees must maintain a record of the total hours worked each day. These hours must be accurately recorded on a time sheet that will be provided to employees.
- B. Each employee must sign his or her time sheets to verify that the reported hours worked are complete and accurate (and that there is no unrecorded or "off-the-clock" work). Employees' time sheets must accurately reflect all regular and overtime hours worked, any absences, early or late arrivals, early or late departures and meal breaks.
- C. At the end of each week, employees should submit completed time sheets for verification and approval. When employees receive each pay check, please verify immediately that payment is correct for all regular and overtime hours worked each workweek.

4. Exempt Employees

- A. If employees are classified as exempt salaried, employees will receive a salary which is intended to compensate for all hours that may be worked for the City of Sharonville. This salary will be established at the time of hire or when employees become classified as an exempt employee. While it may be subject to review and modified from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work employees perform.
- B. Employees will receive full salary for any workweek in which work is performed. However, under federal law, salary is subject to certain deductions. For example, absent contrary state law requirements, salary can be reduced for the following reasons in a workweek in which work was performed:
 - 1) Full day absences for personal reasons, including vacation.
 - 2) Full day absences for sickness or disability. Sharonville has a sick day pay plan and voluntary short-term disability insurance plan.
 - 3) Family and Medical Leave absences (either full or partial day absences).

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- 4) To offset amounts received as payment for jury and witness fees or military pay.
 - 5) Unpaid disciplinary suspensions of one or more full days for significant infractions of major workplace conduct rules set forth in written policies.
 - 6) The first or last week of employment in the event an employee works less than a full week.
 - 7) Salary also may be reduced for certain types of deductions, such as: employees' portion of health, dental or life insurance premiums; state, federal or local taxes, social security; voluntary contributions to deferred compensation plans or voluntary benefits. In any workweek in which employees performed any work, salary will not be reduced for any of the following reasons:
 - 8) Partial day absences for personal reasons, sickness or disability.
 - 9) Employees absence because the facility is closed on a scheduled work day.
 - 10) Absences for jury duty, attendance as a witness, or military leave in any week in which employees have performed any work.
 - 11) Any other deductions prohibited by state or federal law.
 - 12) Please note: Employees will be required to use accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability. However, salary will not be reduced for partial day absences if employees do not have accrued paid time off.

5. To Report Violations of This Policy, Communicate Concerns, or Obtain More Information

- A. It is a violation of the City of Sharonville's policy for any employee to falsify a time sheet, or to alter another employee's time sheet. It is also a serious violation of City of Sharonville policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked or alter another employee's time sheet to under- or over-report hours worked. If any manager or employee instructs employees to (1) incorrectly or falsely under- or over-report employees' hours worked, (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, or (3) conceal any falsification of time records or to violate this policy, do not do so. Instead, report it immediately to the Deputy Safety Service Director.
- B. Employees should not work any hours outside of the scheduled work day unless a supervisor has authorized the unscheduled work in advance. Do not start work early, finish work late, work during a meal break or perform any other extra or overtime work unless authorized to do so and that time is recorded on the time sheet. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work employees may perform but fail to report on the time sheet. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge.
- C. If employees have questions about deductions from pay, please contact the Deputy Safety Service Director immediately. If employees believe wages have been subject to any improper deductions or pay does not accurately reflect all hours worked, employees should report concerns to a supervisor immediately. If a supervisor is unavailable or if employees believe it would be inappropriate to contact that person (or if employees have not received a prompt and fully acceptable reply within five business days), employees should immediately contact the Deputy Safety Service Director. If employees have not received a satisfactory response within five business days after reporting concern to the Deputy Safety Service Director and are

unsure who to contact to correct the problem, please immediately contact the Safety Service Director.

- D. Every report will be fully investigated and corrective action will be taken, up to and including discharge of any employee(s) who violates this policy.
- E. In addition, the City of Sharonville will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the City of Sharonville's investigation of such reports. Retaliation is unacceptable. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge.

NEPOTISM & EMPLOYMENT OF MINOR CHILDREN OF EMPLOYEES

Although differing from it, this policy is established in compliance with the Ohio Ethics Law, and related statutes, which provide for significant criminal penalties, including imprisonment, for violations. Therefore, this policy exists to safeguard the City of Sharonville, its' employees and officials; and, to guard against impropriety, or the appearance of impropriety.

1. Definitions

- A. Family Member – Includes the following, regardless of where they reside: (1) spouse; (2) children (whether dependent or not); (3) siblings; (4) parents; (5) grandparents; and (6) grandchildren. It also includes any other person living in the same household, and any other person with such a close bond as to suggest conflict in the employment relationship (for example, a fiancé or other personal/private significant relationships).
- B. Nepotism – The use of a public position to gain employment for a family member with the City of Sharonville, through either direct authority or influence.
- C. Supervisor – Any employee or official with the authority to participate in any decision affecting the continuation, implementation, or terms and conditions of another's employment. Examples include, but are not limited to: (1) making changes in compensation or benefits; (2) assignment of duties; (3) giving evaluations; and (4) taking actions involving promotions, discipline, lay-offs and removals.

2. Nepotism

- A. Public Officials & City Employees shall not:
 - 1) Use their direct authority to secure a position of employment for a family member; nor
 - 2) Use their influence with other public officials or employees, especially subordinates, to secure a position of employment for a family member.
- B. Members of an official's or employee's family will be considered for employment based on their individual merits. No person shall be hired into, or remain in, a position, if such employment would:
 - 1) Create or continue a supervisor/subordinate relationship with a family member, such supervisor/subordinate relationship need not be direct, and includes each employees full chain of command;
 - 2) Allow one family member to occupy a position of influence over another family member;
 - 3) Require the vote or approval by a public official or employee of their own family member;
 - 4) Cause a disruption to the normal and regular performance of any person's employment duties; or
 - 5) Create a reasonable appearance of impropriety.
- C. Changes in family member status between employees must be reported to the Director of Human Resources. Should a familial relationship arise between employees, such relationship will be deemed to create a conflict of interest for each employee, if it is a violation of any provision of 2(B), above.
- D. The City may take any reasonable steps necessary to eliminate a conflict of interest, including but not limited to: (1) transfer, (2) re-assignment and/or (3) other actions as necessary, including termination of one or both employees. The determination of which employee will modify their role/employment status, as necessary, will be made by the affected employees, unless they fail to render such decision within a reasonable time frame, which shall not extend beyond one week.
- E. The prohibitions in this policy do not apply where a family member has an indirect interest or where a family member may indirectly benefit, such as a general budgetary appropriation for a class of employees.

3. Employment of Minor Children of Public Officials & Employees

- A. The minor children, and step-children, of Public Officials or Employees are ineligible for employment with the City of Sharonville, consistent with Ohio Ethics Commission Opinion #93-008.