
VILLAGE OF NEW MADISON PERSONNEL POLICIES AND PROCEDURES

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ARTICLE I - PREFACE, AMENDMENT OF RULES, AND OBJECTIVES 2

1.1 HOW TO USE THIS DOCUMENT

The Village of New Madison has a long history of serving its citizens well. To maintain this tradition, the Village must perform its services with efficiency and responsiveness to the public.

This means that all employees have responsibilities, but they also have benefits. To clarify these responsibilities and benefits, we are presenting them in this booklet. We urge you to read it as soon as possible.

This document for employees of the Village of New Madison serves two purposes:

*A summary of personnel policies and practices, benefits, responsibilities, and opportunities available to you as a full-time employee;

*An official document governing the personnel administration of all employees of the Village with references to the Ohio Revised Code and other administrative orders and resolutions.

All employees will be provided a copy of the document. It is required that all employees take time to go over this document and make sure they are aware of its contents and how it applies. Please keep this booklet handy. You may want to refer to it from time to time. If you have any questions, your supervisor will be happy to answer them. From time to time this document will be updated. It is recommended that any changes received be immediately included in the employee's copy of the document to avoid any misunderstandings.

If an employee has a question or a problem regarding a specific policy, benefit, or practice, the discussion of it can be found by referring to the Table of Contents in the front of this document or by looking up the content area in the index at the end. These statements are written in a manner designed to apply generally to all full-time, part-time, and/or seasonal employees. In some cases, an employee may want details or information which was not included in this document for the sake of brevity. A complete set of all source documents can be made available to all employees at any time. Additional references to specific job responsibilities and operating procedures may be contained in the separate "Standard Operating Procedures" document designed for various departments or the set of position descriptions for all employees.

If there is a question regarding a written policy, it should be directed to the Village Council. If there should be, at any time, any conflict between the summary in this document and the source material, the reference or source material which is current at the time is the official statement.

1.2 PURPOSE

It is the purpose of these Rules and Regulations to implement the provisions of the Ohio Revised Code and Village personnel ordinances and resolutions by establishing standards and procedures. These regulations are also provided as a guideline to be followed when a situation occurs which is not specifically considered in the Ohio Revised Code, personnel resolutions, or specifically modified by an applicable labor contract. The Village Council reserves all rights authorized them by the Ohio Revised Code for personnel administration.

It shall be the responsibility of the Village to ensure that each new employee is fully informed as to the rights and obligations of employees, working conditions, duties, and general functions of the Village department in which he/she works and other personnel policies. The employee's supervisor or other

qualified persons shall train all new or promoted employees prior to charging the employee with complete job responsibilities.

1.3 AMENDMENTS

Amendments to these Personnel Rules and Regulations shall be made by the Mayor/Council President with the approval of a majority of Village Council. The Mayor/Council President may consult with the various department and division heads or other knowledgeable persons prior to making recommendations and amendments.

1.4 ADMINISTRATION

The Village Council shall be charged with applying the provisions of this chapter to provide for the orderly conduct of dealing effectively with the employees of the Village in its pursuit to serve its citizens efficiently.

The following provisions of this chapter are hereby adopted and enacted as part of the Personnel Regulations of the Village, in accordance with the relevant sections of federal and state law.

The intention of the Village in establishing the provisions of this chapter is to provide for employees' benefits and responsibilities in order to promote better development of services to the public.

1.5 ADMINISTRATIVE ORDERS

Nothing contained in these rules shall prohibit the promulgation of department work rules, standing orders, general orders, or other instructions either oral or written. However, when in conflict, the more definite shall apply. To the extent that contractual obligations exist, these Personnel Rules and Regulations shall provide details where said documents are silent, but shall not supersede negotiated contract obligations or legal requirements relating to personnel rules and practices. Contract obligations will apply to the appropriate bargaining unit only.

1.6 POSITIONS COVERED

All full-time, part-time, and seasonal employees of the Village shall be supplied a copy of these Policies and Procedures. All newly appointed employees shall be given a copy of these Policies and Procedures at the time of their appointment.

Any amendment to these Policies and Procedures shall be made available to the employees in writing or through means deemed appropriate by the Village Council. It shall be the obligation of each employee to read and become familiar with these rules.

1.6.1 STREET SUPERINTENDENT

The Street Superintendent is appointed by the Mayor with approval of the Village Council.

1.7 CLASSIFICATION

Note: A Position Classification Plan may be adopted as part of a Comprehensive Personnel System. The Village is, at present, not large enough to warrant the need for a Position Classification Plan. Thus, information pertaining to a Position Classification Plan is referenced for the time when the Village of New Madison is large enough to warrant such a plan.

The official name of the classification of positions for an individual position shall be known as the "Classification." It shall be used as applicable including and not limited to any announcement of competitive examinations. Nothing herein shall preclude the use of a generic title if the Village chooses to use a jointly administered selection procedure.

1.8 INTERPRETATION

The policies are intended to cover most personnel problems and actions which arise. Those not specifically covered shall be interpreted by the Village Council. Such interpretations shall be in concert with the spirit and letter of Article I, Section 2 - Purpose.

1.9 DELEGATION

The Village Council may delegate such duties and functions as they deem appropriate.

1.10 MERIT SYSTEM

In the application of the **merit system**, employees and applicants shall be evaluated solely on merit without regard to race, sex, religion, disability, national origin, or any factor precluded by applicable law.

These policies and procedures provide for the recruitment, selection, training, evaluation and retention of the best employee for each position in the Village of New Madison. They provide for the orderly establishment of procedures for personnel administration which are consistent with the following merit principles:

- (A) Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open competition of qualified applicants for initial appointment, where appropriate;
- (B) Establishing pay rates consistent with the principle of providing comparable pay for comparable work;
- (C) Training employees, as needed, to assure high quality performance;
- (D) Retaining employees on the basis of their satisfactory performance; correcting unsatisfactory performance and separating employees whose unsatisfactory performance cannot be corrected;
- (E) Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, handicap, race, color, age, national origin, citizenship, sex, or religion;
- (F) Assuring that employees are protected against coercion from partisan, political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the results of an election or a nomination for office.

1.11 EQUAL OPPORTUNITY EMPLOYER/AMERICANS WITH DISABILITIES ACT

The Village of New Madison is an equal opportunity employer. Village Council (or the Village Administrator if established) shall implement these policies in accordance with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination on the basis of race, color, religion, national origin, citizenship, sex, age, disability, marital status, and political affiliation both in the employment and supervision of Village employees.

If an employee feels he/she has been discriminated against on the job, he/she shall have the right to file a complaint with their immediate supervisor. The employee also has the right to file discrimination complaints with the Ohio Civil Rights Commission and the federal Equal Employment Opportunity Commission under Title VII of the Civil Rights Act of 1964 (as amended).

1.12 DISCLAIMER

Information included in these personnel policies and procedures, classification plan, compensation plan, and performance evaluation system are not to be considered a contract and may be changed by the Village Council without notice.

1.13 SEVERABILITY CLAUSE

If sections of these policies and procedures are held invalid, the remaining sections shall not be affected and shall remain in effect.

1.14 REPEAL

Any prior resolutions, memorandum, or other written documents in conflict with these policies and procedures are hereby repealed. All oral statements past, present, and future in conflict with these policies and procedures are invalid.

1.15 MANAGERIAL RIGHTS

Any employee may be transferred from one department to another as long as he or she is assigned to basically the same type and level of work. Transfers may be either temporary or permanent in order to meet the needs of the Village. Transfers may also be made at the request of the employee in order to provide the employee with new supervision and experience. The Village reserves the right and authority to administer the business of the Village, direct its operations, and promulgate rules and regulations and to otherwise exercise the prerogatives of management, more particularly including:

- (A) to manage and direct its employees, including the right to select, hire, promote, transfer, assign, evaluate, layoff, recall, reprimand, suspend, demote, discharge or discipline, and to maintain order among employees;
- (B) to manage and determine the location, type and number of physical facilities, equipment, programs, and the work to be performed;
- (C) to determine the Village's goals, objectives, programs, services and budget and to utilize personnel and technology in a manner designed to effectively meet these purposes;
- (D) to determine the size and composition of the work force and the employer's organizational structure, including the right to relieve employees from duty by layoff or job abolishment;
- (E) to determine the hours of work and work schedules and to establish the necessary work rules for all employees;
- (F) to determine when a job vacancy exists, what duties are to be included in all job classifications, and what standards of quality and performance are to be maintained;
- (G) to maintain the security of records and other pertinent information;
- (H) to determine and implement necessary actions in emergency situations.

1.16 NOTICE

The Village Council, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this document at any time without prior notice. Any such action shall apply to existing as well as future employees with continued employment being the consideration between the employer and employee.

Employees may not accrue eligibility for monetary benefits (provided for in writing) that they have not earned through actual time spent at work. Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day worked. No one other than the Village Council may alter or modify any of the policies in this document. No statement or promise by a supervisor, manager, or department head may be interpreted as a change in policy nor will it constitute an agreement with an employee.

1.17 DEFINITIONS

Active Pay Status - includes time on duty, vacation leave, sick leave, holidays, and funeral leave.

Appeal - the response of an employee to the decision made based on a disciplinary action

Appointing Authority - the person or agency that, based on the Ohio Revised Code, has the authority to employ persons to perform the required duties of the office or agency. Included is the companion authority to dismiss, promote, and other normal activities.

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 class may include only one position in some circumstances.

Discipline - an action taken against an employee by the supervisor or management as the result of an employee's lack of adherence to rules and procedures of the organization and the community.

Exempt Employee - employees not covered by the Fair Labor Standards Act (FLSA) overtime provisions and do not receive either pay or compensatory time in lieu of overtime pay.

Employer - the Village Council, or the designee of the Village Council specifically authorized to make policy decisions on their behalf.

Full-Time Employee - permanent appointments are made to positions which are of a continuous nature and involve a standard full work week (a minimum of 36 hours), subject to the satisfactory performance of the employee.

Grievance - an action initiated by an employee concerning work rules, policies, or procedures.

Immediate Family - the immediate family of an employee includes the employee's spouse, child, grandchild, parent, grandparent, brother or sister, mother or father in-law, brother or sister in-law, as well as step-son, step-daughter, step-mother, step-father, step-brother, and step-sister. Also included in this definition is legal guardian or other person who stands **in** place of a parent.

Non-Exempt Employee - employees who are covered by the Fair Labor Standards Act (FLSA) overtime provisions, and can receive pay or compensatory time in lieu of overtime pay.

Part-Time Employee - permanent appointments made to positions which are of a continuous nature and involve less than a standard full work week (less than 36 hours), subject to the satisfactory performance of the employee.

Personnel Policies and Procedures - the rules and regulations governing the day to day relationships between employer and employee, and which explain the privileges, benefits, and rights of the employee as well as the responsibilities of the employer.

Probationary Period - the period of time at the beginning of employment or following a promotion which constitutes a trial period for the employee in order to ascertain his or her suitability.

Seasonal Employee - appointments made to positions which are filled only at certain busy periods which reoccur regularly.

Supervisor - an individual who has been authorized by the Village Council/Village Administrator (if established) to oversee and direct the work of subordinate employees on a daily basis.

Temporary Employee - appointments made to positions for periods of not more than one year and generally used to fill a position which is not expected to continue beyond one year or to fill a permanent position which is temporarily vacant until such time as the permanent position can be filled.

Volunteer Employee - appointments made, on the recommendation of the applicable Department Head or Village Council, to volunteer positions which continue indefinitely subject to satisfactory performance of the volunteer employee.

Workweek - seven consecutive 24-hour periods, i.e. 168 consecutive hours, designated by the employer.

2.1 PROBATIONARY PERIOD

Upon appointment by the Village Council, all new classified appointees shall serve a minimum probationary period of 120 days. Unclassified employees, however, serve at the pleasure of the Council and do not serve a probationary period. At the end of the probation period, the employee may be eligible for full-time status. Until so appointed, prior to the end of the probation period, the employee shall be considered a probationary appointee.

2.2 FULL-TIME STATUS

At the completion of the probationary period, non-safety personnel shall attain full-time status. Such full-time appointment shall be automatic unless the department head or immediate supervisor, upon approval of the Village Council, extends the probationary period. Such extension must be made in accordance with applicable state and local law. The probationary period may be extended a maximum of one (1) year.

The probationary period for safety personnel shall be 180 days and in accordance with state law. No extension to the probationary period may be granted. Final appointment of safety personnel must be recommended by the Mayor and approved by the Village Council.

2.3 DISCIPLINARY ACTION

Probationers may be removed, demoted, or disciplined at any time during the probationary period by written notice to the employee by the Village Council if and when the department head or immediate supervisor indicates that his/her performance is unsatisfactory. Such removal or demotion shall not be subject to appeal. Copies of all such notices involving removal or demotion shall be filed with the Village Council.

2.4 FALSE CREDENTIALS

If it should come to the attention of an employee's supervisor, either during the probationary period or thereafter, that an employee was hired on the basis of false credentials or other intentional deception, said employee will be subject to disciplinary procedures, up to and including dismissal.

2.5 PROBATIONARY PERIOD FOLLOWING PROMOTION

Whenever an employee is promoted, he or she immediately begins a new probationary period of 120 days. However, if during the probationary period following promotion the employee's services are found unsatisfactory, he or she may be reduced to the position which he or she held prior to promotion. If an employee is demoted during his or her probationary period following promotion, this action will complete the probationary period.

3.1 PAYMENT OF WAGES

Salaries and compensation will be determined by motion of Village Council. Employees will be paid every two weeks (26 pay periods annually). Payroll will be prepared by the Village Clerk. The payroll check is based upon an 80-hour period, consisting often (10) eight (8) hour days, unless the employee is part-time, seasonal, or salaried. Federal, state, and municipal laws require deductions of the appropriate payroll taxes from each employee's check. The Village Clerk shall specify the format of a time sheet to ensure proper documentation of hours worked by all employees. Time sheets must be signed by the employee and/or his/her supervisor before submission to the Village Clerk. If an employee is absent on payday, they should notify either the Clerk or their immediate supervisor. He or she will determine the time and place for the employee to receive their check. It will not be released to anyone else, unless prior arrangements have been made.

3.2 NEW EMPLOYEES

Generally, a new employee shall be paid the minimum rate of pay for his or her class. The minimum rate for each class is based upon the assumption that a new employee meets the minimum qualifications stated in the class/job description. If a new employee more than meets the minimum qualifications for a position, he or she may be appointed at the second step or in unusual cases at a still higher step. Cases will be thoroughly analyzed and measured against objective standards.

3.3 PROMOTIONS

When an employee is promoted to a new position, that employee's salary shall be increased to the minimum rate for the higher class. Except in the case of overlapping ranges and when the employee to be promoted is at or above the minimum step of the class to which promoted, the promoted employee shall, as a minimum, be increased to the dollar step immediately above his or her present salary.

3.4 DEMOTIONS

When an employee is demoted, that employee shall be paid at a rate which is within the approved range for the lower classification. The rate of pay shall be set by the Village Council taking into consideration the circumstances and surrounding reasons for the demotion, and any other factors.

3.5 TRANSFERS

After successful completion of the probationary period, any employee may be transferred to the same or similar position within the department or in a different department without being subject to a probationary period. An employee desiring to be transferred should make the request in a letter to the Village Council. A transfer must be approved by the heads of either divisions or departments involved.

3.6 PAY INCREASES

It is the policy of the Village of New Madison to reward good job performance by establishing an equitable system of providing pay increases. Any salary increase will be effective at the beginning of the pay period which follows the effective date of the approved change. (See salary schedule for Street Commissioner and Water/Wastewater Employees pages 27 & 28) The system herein established shall be governed by the following:

3.6.1 PAY APPROPRIATION

All salary increases are subject to availability of funds as determined by the Village Clerk and the Village Council.

3.7 TEMPORARY, PART-TIME, VOLUNTEER, OR SEASONAL EMPLOYMENT

Compensation for provisional temporary, part-time, or seasonal employees is established by the Village Council. Volunteer employees hired by the Village Council may be paid a minimum rate of \$1.00 per year (or higher as required) for compliance with Workers' Compensation and other liability purposes.

3.8 OVERTIME

All overtime must be approved by the employee's immediate supervisor before it is worked. Overtime will be paid to appropriate employees classified as non-exempt according to the federal Fair Labor Standards Act who work in excess of eighty (80) hours in a two-week pay period at a rate of one and one-half times their calculated hourly rate. Consult your immediate supervisor if you have questions concerning overtime. Employees will take compensatory time in lieu of overtime pay.

3.9 CALL IN PAY FOR HOURLY EMPLOYEES

Employees called in for emergency work will be paid a minimum of three hours at one and one-half times their calculated hourly rate.

3.10 GARNISHMENT/CHILD SUPPORT

A claim may be made against an employee's salary for unpaid debts. This claim is called a garnishment and is a court order which requires the Village Clerk to make a deduction from the employee's paycheck to pay a debt. A claim may also include court ordered child support payments.

3.11 CASH ADVANCE POLICY

It is the policy of the Village that no advance in an employee's pay be made, regardless of need. This policy is necessary for the protection of public funds with which the Village is entrusted.

3.12 SPECIAL WORK SITUATIONS

3.14.1 SUNDAY AND HOLIDAY WORK

When employees, with two exceptions, are required to work on Sundays and Village holidays, they shall receive pay at a rate of one and one-half times their normal hourly rate for each hour worked. The exceptions are Department Heads or FLSA exempt employees and those employees working on shift work (e.g., police officers) whose normal shift requires Sunday or holiday work. Employees will take compensatory time in lieu of overtime pay. With approval of the Village Council, an employee may be permitted to work on a holiday in exchange for taking off a regularly scheduled work day.

3.15.2 COVERING SHIFTS FOR SHIFT-WORK EMPLOYEE

To the maximum extent possible, supervisors shall use other qualified full-time shift work employees to work shifts for which the normal shift-work employee cannot work due to illness or absence from duty.

ARTICLE IV – DISCIPLINE

4.1 OFFENSES

As a Village employee, your rights and responsibilities are guaranteed under the authority of the Ohio Revised Code and ultimately, the United States and State of Ohio Constitutions. The Ohio Revised Code establishes, under Chapter 124.34, a standard of conduct for good behavior and efficient service. This standard includes:

- A. Competency
- B. Efficiency
- C. Honesty
- D. Morality
- E. Subordination
- F. Courteous treatment of the public
- G. Faithful duty
- H. Good behavior

Every employee in the service of the Village shall be expected to exhibit good behavior and perform efficient and effective service. Any employee of the Village may be disciplined for any of the following offenses:

Note: This list is provided only as an example and is not exhaustive.

- A. Conviction of any criminal offense.
- B. Fighting, threatening, or attempting bodily injury to another; stealing; malicious mischief resulting in the injury or destruction of property of other employees or the Village of New Madison.
- C. Consumption of alcohol while on the job or during work hours.
- D. Use, or possession, of habit-forming drugs or hallucinogens.
- E. Unethical conduct on Village time.
- F. Insubordination, including but not limited to, refusal or failure to perform work assignments and the use of profane or abusive language to supervisors, employees or officers of the Village, and absence from duty without notice or permission of the supervisor.
- G. Willful neglect in the care or use of Village property and equipment.
- H. Failure to satisfactorily perform the duties for which employed.
- I. Gross or habitual carelessness or recklessness, playing of tricks, jokes, or other dangerous pranks upon others. Disregard for safety and comfort of fellow employees.
- J. Engaging in outside employment without notification and approval of the Village Council.
- K. Repeated failure to report to work on time and report ready for work.
- L. Incurring costs or obligations in the name of the Village without the authority or prior approval.
- M. Discourteous and/or unprofessional treatment of the public.
- N. Loss of any required licenses or certificates as stipulated in an employee's position description.
- O. Failure to comply with the provisions of this document.
- P. Any violation of Section 124.10 of the Ohio Revised Code.
- Q. Any violation of Village Work Rules, Regulations, or Standard Operation Procedures documents.

4.2 TYPES OF DISCIPLINE

Disciplinary action shall consist of one or more of the following:

1. Verbal warnings.

2. Written warnings.
3. Suspension from duty without pay.
4. Demotion in rank and/or salary.
5. Dismissal.

4.3 DISCIPLINARY PROCEDURE

The Village Council or the Department Head concerned shall be responsible for the discipline of employees. Discipline may be progressive in nature and shall be applied based upon a combination of factors, including the severity of the offense, past history of the employee, and past disciplinary actions against the employee.

4.3.1 DEPARTMENT HEAD DISCIPLINARY AUTHORITY AND RESPONSIBILITY

Department Heads may issue verbal warnings and written warnings to members of their departments and should provide any documentation to the Village Council and/or Board of Public Affairs.

4.3.2 VILLAGE COUNCIL DISCIPLINARY AUTHORITY

The Village Council may enforce any of the types of discipline, including termination, where appropriate and in accordance with any applicable statutes or local laws.

4.3.3 EMPLOYEE NOTIFICATION

- (A) For disciplinary measures that are more severe than a verbal warning, the disciplined employee will be informed in writing of the right to appeal the disciplinary action to the Village Council.
- (B) The written order will be provided to the employee prior to the effective time of the order for all disciplinary actions.

4.4 APPEAL PROCEDURES

Disciplinary actions need not be deferred pending the possible submission of an appeal.

4.4.1 EMPLOYEE'S RESPONSIBILITY

Employees, with the exception of Department Heads, feeling aggrieved by either a suspension of more than three (3) days or a change of status (e.g., dismissal or demotion) may, in writing, appeal the disciplinary action to the Village Council.

- (A) The appeal must be filed in writing with the Village Clerk and Village Council within ten working (10) days of the employee's receipt date of the written notification of the disciplinary action from the Village Council. If the ten (10) working day appeal filing time is exceeded, the Village Council will take no action in the matter. This appeal:
 1. Must be signed by the individual who is appealing and include both his or her department and grade therein; and
 2. Must have attached thereto a copy of the disciplinary order.
- (B) The employee will present the written request for an appeal hearing in dispassionate language and shall not vilify the character or motivation of the Department Head or Village Council. The written request should specify either or both of the following grounds for appeal:
 1. There was a failure on the part of a Village official to observe or correctly apply the provisions of the Personnel Rules or the terms of the subject's appointment; and/or
 2. There was not a complete consideration of the facts regarding the disciplinary action taken against the appellant.

- (C) The appeal hearing request should contain all written material truly relevant to the case.
- (D) The Village Council will be provided a copy of all material presented in the request for an appeal hearing when it is filed.
- (E) Hearings will normally be closed to the public. However, the appellant may request that it be open at the time he or she submits the written appeal. The Village Council reserves the right to deny the request.

4.4.2 VILLAGE COUNCIL RESPONSIBILITY AND AUTHORITY

- (A) The Council shall set a time for an appeal hearing promptly and should strive to have the hearing date no later than ten (10) working days after receiving the request for an appeal hearing.
- (B) The Council will review all written material submitted to it. If present, the Council shall hear the appellant or his or her counsel. If present, the Council shall hear the Village Council and the Department Head or their counsel. The Council will examine evidence upon the matter that may be pertinent and relevant.
- (C) The Council may affirm, disaffirm, or modify the disciplinary measure taken against the employee.

4.5 GRIEVANCE PROCEDURE

A grievance is defined as an allegation that there has been a failure of the Village to comply with the law or the provisions of the Village rules and regulations, or other complaints or disputes concerning employee relations, working conditions and/or unjust or inequitable treatment.

It is the policy of the Village Council to provide for orderly, harmonious, and cooperative employee relations, in the interest of all employees, citizens, and officials of the Village. Moreover, all employees have the right to voice their complaints. We recognize the meaningful value and importance of full discussion in resolving misunderstandings and preserving good relations between management and our employees. It also protects the employer's and employee's rights. Accordingly, we believe that the following procedure will ensure that complaints receive full consideration.

4.5.1 PROCEDURE

- (A) **Step 1:** When an employee has a grievance, or complaint, he/she shall first attempt to resolve it informally in a verbal discussion with their immediate supervisor within five (5) working days of the incident or circumstances giving rise to the grievance.
- (B) **Step 2:** In the event the employee feels a problem remains unresolved following discussions with the supervisor, the employee may submit the complaint in writing for reconsideration within five (5) working days following the verbal discussion. A Grievance Report (see Section 4.5.3) is to be submitted to the immediate supervisor, Mayor, and the Department Head. Upon reviewing the complaint, the immediate supervisor should arrange a meeting with the employee within three (3) working days after receipt of the written complaint and return a decision in writing within five (5) working days of the meeting. Normally, complaints will be resolved at this step of the grievance procedure.
- (C) **Step 3:** An employee who feels the complaint has not received adequate attention in Step Two may direct the complaint to the Village Clerk. Such complaints are to be made in writing within five (5) working days of receiving the answer provided. The Clerk will review the complaint with the immediate supervisor and arrange a meeting with the employee within three (3) working days of receiving the complaint. Upon reviewing the complaint, the Clerk will render a decision in writing within five (5) working days of the meeting.
- (D) **Step 4:** An employee who feels the complaint has not received adequate attention in Step Three may direct the complaint to the Village Council. Such complaints are to be made in writing within three (3) working days of receiving the written decision of the Clerk. The Council will review the complaint with the immediate supervisor and arrange a meeting with the employee within three

(3) working days of receiving the complaint. The Village Council shall have final authority in all such grievances and appeals, and their decision shall be rendered in writing within three (3) working days of the meeting. All other means should be exhausted prior to bringing a complaint to the Village Council.

4.5.2 RIGHT OF COUNSEL

The employee/grievant shall have the right to have a grievance counselor present at any of the steps, with the exception of the preliminary step. However, in the interest of resolving the grievance, at the earliest possible step of the grievance procedure, it may be beneficial that other representatives not specifically designated, be in attendance. Therefore, it is intended that either party may bring in additional representatives to any meeting in the grievance procedure, but only upon advance initial agreement among the parties specifically designated to attend.

4.5.3 GRIEVANCE REPORT

Grievances should be in writing in order to:

- (A) Reduce the possibility of conflicting decisions.
- (B) Reduce the number of arguments over facts.
- (C) Reduce the number of unfounded grievances.
- (D) Aid record keeping and grievance analysis.

The Grievance Report is used by the employee to report and describe the grievance. The report should be completed with copies for the employee, the employee's personnel file, and the immediate supervisor. It must be completed in full, dated, and signed by the employee and presented to the immediate supervisor who will distribute the copies. It is to be used only after a meeting and verbal discussion with the immediate supervisor.

4.6 TERMINATION

At the time an employee is terminated, for whatever reason, the following steps must be taken prior to receipt of final pay:

- (A) Provide the Village Clerk with the proper forwarding address in order to receive W-2 forms and any other pertinent information needed to file the current year's income tax returns.
- (B) Turn in uniforms, tools, building keys, keys to Village offices and/or any other Village property to his or her immediate supervisor. A receipt will be issued to the employee for all property returned.
- (C) Advise the Village Clerk as to the type of action desired with regard to employee's retirement plan.

ARTICLE V - LAYOFF/RECALL

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5.1 WORK FORCE REDUCTION

Should a reduction **in** the work force of the Village of New Madison be necessary due to lack of work, lack of funds, or job abolishment, that reduction shall occur in the manner prescribed as follows: The Village Council shall determine those employees which shall be reduced **in** number. Such reduction will take place solely in those employees as determined by the Village Council. Employees may be laid off at the time and in the number specified by the Village Council, in inverse order of their relative merit as established by employee performance evaluations. All part-time employees may be laid off before the probationary employees and all probationary employees before full-time employees.

5.2 RECALL ELIGIBILITY LIST

The names of individuals laid off in accordance with this section shall be placed on a recall eligibility list for a period of 12 months at which time the list is declared invalid. The order of that list shall be in inverse order of the order in which the layoff occurred.

5.3 RECALL TO WORK

When situations so warrant, those employees who have been laid off shall be called back to work in the order as indicated on the recall eligibility list. Should an employee be unavailable to return to work **in** a period of time as deemed reasonable by the Village Council, or refuse to return to work, that employee's name shall be removed from the re-employment list. Any such employee shall be eligible to apply for original appointment **in** accordance with the appropriate section of these Personnel Rules and Regulations.

ARTICLE VI - HOURS OF WORK AND COMPUTATION OF PAY

6.1 STANDARD WORK WEEK

The standard work week for full-time employees shall be forty (40) hours per week, eight (8) hours per day, five (5) days per week unless otherwise specified.

6.2 COMPUTATION OF PAY

An hourly employee's pay shall be computed by multiplying the hourly rate by the hours in the standard work week. A salaried employees pay shall be computed on the basis of a bi-weekly pay period for each year.

6.3 AUTHORIZED LEAVE

Employees are required to be at work during the prescribed hours unless on authorized leave as determined in Article VII. Should employees be unable to report for work, it will be incumbent upon the employee to report that inability prior to commencement of the regular work shift. Employees shall notify the Village immediately as to when they will return to work.

7.1 GENERAL POLICIES

7.1.1 COMBINING PAID TIME OFF/LEAVES

Employees who are currently on authorized leave may extend the leave by combining two forms of leave. In any instance, after a type of leave has expired, vacation time will be used for any remaining days away from work.

7.1.2 UNSCHEDULED ABSENCE FROM WORK

Employees who are going to be absent from work on a non-scheduled basis shall notify their immediate supervisor at least two (2) hours prior to the start of the normally scheduled work period. Employees shall not absent themselves from duty without the permission of the Department Head. Department Heads shall not absent themselves from duty without the permission of the Mayor.

7.1.3 SPECIAL PERIODS

The Village Council may deny leave requests of any kind during special periods such as an emergency situation or departmental need.

7.2 HOLIDAY LEAVE

As a full-time Village employee, twelve (13) paid holidays are observed annually. The following holidays shall be observed as holidays by full-time employees of the Village of New Madison: New Year's Day (January 1), Martin Luther King Day (third Monday in January), Presidents' Day (third Monday in February), Memorial Day, Juneteenth (third Monday in June), Independence Day (July 4), Labor Day (first Monday in September), Columbus Day (second Monday in October), Veterans' Day (November 11), Thanksgiving Day (fourth Thursday in November), Friday after Thanksgiving, Christmas Day (December 25), Day after Christmas (December 26).

When a holiday falls on a Saturday, the preceding Friday is observed. When a holiday falls on a Sunday, the following Monday is observed. To be eligible for a paid holiday, the employee must work his/her regularly scheduled shift the day before and the day after the holiday or present just cause to his or her supervisor justifying the absence. With approval of the Village Council, an employee may be permitted to work on a holiday in exchange for taking off a regularly scheduled work day.

7.2.1 WORKING ON A HOLIDAY

When an employee is required, by schedule, to work on any of the above holidays, he or she shall receive 1 ½ times the regular rate of pay. With approval of the Village Council, an employee may be permitted to work on a holiday in exchange for taking off a regularly scheduled work day.

7.2.2 HOLIDAY DURING LEAVE

Employees will not be paid for holidays which occur during a leave of absence or disciplinary action. If a holiday occurs during a period of sick leave, the employee will be regarded as having taken the holiday and will not be charged for sick leave. A holiday occurring while an employee is on vacation will be counted as a holiday and not as a vacation day.

7.2.3 RELIGIOUS HOLIDAY

Special holidays of a religious nature may be allowed without pay upon advance request of the individual employee. Requests submitted to the Department Head and/or Village Council at least one month in advance will, as much as possible, be authorized. Reasonable effort shall be made by the Department Head or Village Council to accommodate all requests submitted after that period.

7.3 VACATION LEAVE

In order to use vacation time, a full-time employee must have completed one (1) year of service with the Village. Part-time, Seasonal, Temporary, and/or Contract employees do not accrue vacation. Employees receive annual vacation leave as follows:

- | | |
|---------------------------|--------------------------------|
| • Less than one (1) year | no vacation |
| • After one (1) year | 80 hours (10 days or 2 weeks) |
| • After three (3) years | 120 hours (15 days or 3 weeks) |
| • After twenty (20) years | 160 hours (20 days or 4 weeks) |

Vacation leave, upon approval of the Village Council, may be carried over for a maximum period of one (1) year. Accrued vacation leave shall be cancelled upon termination of employment.

Employees will be granted vacation leave credit in accordance with Ohio Revised Code Section 9.44.

7.4 MILITARY LEAVE

The Village shall not refuse to employ nor shall it discharge any person because of membership with the Ohio National Guard, the Ohio Defense Corps, the Ohio Naval Militia, the Armed Services of the United States or their auxiliaries or prevent him or her from performing any military service as he or she may be called upon to perform, by proper authority.

An employee of the Village shall be granted a leave of absence to be inducted or otherwise enter military duty. If not accepted for such duty, he or she shall be reinstated in his or her position without loss of seniority or reduction in his or her pay rate.

When such military service (including National Guard and reserve duty) is carried out at the option of the employee, the Village will grant the employee a military leave of absence without pay.

7.5 CIVIL LEAVE

An employee shall be given necessary time off without loss of pay when performing jury duty, appearing in court as a witness in answer to a subpoena, in an official capacity in connection with the Village or as an expert witness either because of professional or observed knowledge, performing emergency civilian duty in connection with national defense, and for the purposes of voting when the polls open at least two hours before or after the employee's scheduled hours of work. An employee must notify his or her supervisor as soon as possible prior to jury duty or service date. Any compensation received while on civil leave will be deducted from the employee's pay. If jury pay is higher than that paid by the Village, the employee is permitted to keep the difference. If the employee is on vacation or personal leave, he or she is allowed to keep the pay.

If an employee is involved in court in a personal case either as plaintiff or as defendant in a suit not resulting from his duties with the Village, he or she may be granted leave without pay unless the employee elects to utilize any available vacation time.

7.6 INJURY LEAVE

Injury leave is time away from work because the employee is disabled due to an injury whether caused by external accidental means or accidental in character received in the course of or arising out of the injured employee's employment with the Village. The determination of eligibility for commencement and termination of injury leave status shall be made by the Village Council subject to review by the Village Council upon written request by the employee within ten (10) days of any such determination. The employee shall be required as a condition of eligibility for injury leave status to furnish the Village Council information as required by them necessary to make a determination.

7.7 FUNERAL AND BEREAVEMENT LEAVE

Regular employees are given three days of funeral or bereavement leave per occurrence. Employees are permitted to use up to three days of funeral leave whenever there is a death in the immediate family (spouse and children) or whenever one of the following dies: father, mother, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparent, or other person designated by the Village Council. The funeral must be held during the bereavement leave period.

Leave of absence without pay is allowed for other funerals when approved by the employee's supervisor. Employees seeking to use sick leave or funeral leave are required to call their supervisor at least 2 hours prior to their regular starting time. Failure to do so will result in the employee being counted as missing, thus no sick leave or funeral leave benefit will be paid, and the employee is subject to further disciplinary action. Persons working shift work should give at least two hours' notice so that a replacement can be found.

In order for leave to be paid, the employee may be required to provide documentation to the Village Council. This information may consist of either a letter from the funeral home or a newspaper obituary.

7.8 SICK LEAVE

Purpose: To establish guidelines for the use of sick leave for personal illness and on-the-job injuries for the Village of New Madison employees.

- A. All regular full-time (non-probationary) employees shall be entitled to sick leave.
- B. A regular full-time employee shall not be entitled to sick leave until he/she shall have sick leave accrued as provided herein from the date of initial employment. Sick leave shall be granted at the rate of eight (8) hours for each calendar month of service.
- C. Sick leave so granted and not used shall accrue to the credit of each such employee, up to a maximum total accumulation of seven hundred and twenty (720) hours. Accrued sick leave shall be cancelled upon termination of employment. In the event any person having accrued sick leave ceases to be employed by the Village of New Madison and is thereafter re-employed within one (1) month of the date of termination of former employment, accrued sick leave of the employee shall be reinstated; but in the event such re-employment occurs later than one month after the termination of the first employment, the accrued sick leave of the employee shall not be reinstated, and the employee shall thereafter accrue sick leave in the same manner as if a new employee.
- D. Employees entitled to sick leave may remain away from work with pay, where such absence is the result of personal illness, or physical incapacity not job connected, sickness of an immediate family member, involuntary or enforced quarantine, or death in the family of such employee. An employee who is collecting Worker's Compensation Temporary Disability Benefits as a result of an on-the-job injury shall receive sick leave benefits to supplement such Worker's Compensation benefits in an amount sufficient to equal the employee's regular rate of pay during the period of temporary disability, provided however such supplementary benefits shall not be paid in excess of the accrued sick leave credited to the employee.
- E. In the event of an employee's retirement or death, twenty-five percent (25%) of the employee's accumulated sick leave will be paid to the retiring employee, dependent spouse or child or the dependent's estate for a maximum of $\frac{1}{4}$ of one hundred twenty (120) days or thirty (30) days (the equivalent of two hundred forty (240) hours).
- F. Sick leave benefits shall apply to bona-fide cases of sickness, accidents, doctor or dental appointments, maternity leave, and requests for the employee's presence by immediate family, doctor or clergy due to family illness or emergency.
- G. A full-time employee who is on sick leave as above-specified for a period of three (3) days or longer shall, prior to being entitled to any compensation therefore, furnish without delay, a report from a qualified doctor which shall contain a diagnosis of the sickness, whenever possible. "Qualified doctor" shall be a duly licensed doctor of medicine.
- H. When an employee goes on Sick Leave, he/she must notify his or her Department Head or designated supervisor immediately. Notification should be within thirty (30) minutes after the beginning of the scheduled work day. Failure to do so may result in denial of such leave pay. The employee should let the supervisor know when he/she expects to return to work.
- I. An employee who is on disability or sick leave shall keep his/her supervisor advised on a daily basis as to condition and expected date of return to duty. (Exception: FMLA leaves require status

reports every thirty (30) days.) If requested, the employee shall file a doctor's certificate stating the cause of the absence and the nature of the illness before sick leave payment is authorized.

- J. Sick leave shall be rounded off to the nearest half hour. When possible, sick leave should be taken in increments of no less than two (2) hours.
- K. No sick leave will be given to an employee in excess of the amount earned and available to the employee.

7.9 MATERNITY LEAVE

A full-time female employee with over six months of continuous service shall be entitled to maternity leave. Upon confirmation of her pregnancy, the employee shall provide the Village with a statement stating the expected date of delivery. The start of maternity leave may begin earlier than this date if requested by the employee and approved by the Village. After delivery, the employee will be reinstated without any break in service, provided she has notified the Village within thirty (30) days of delivery indicating her desire to return to work. Maternity leave may be taken without pay and considered as a leave of absence. An employee who has vacation time or sick leave may elect to use all or part of this as maternity leave.

Maternity leave will be taken in accordance with the federal Family and Medical Leave Act (FMLA) (see Section 7.12).

7.10 LEAVES OF ABSENCE

A leave of absence may be approved by the Village Council under the following conditions:

- (A) Leave of absence is always without pay.
- (B) Leave of absence may only be granted to regular, full-time employees who have successfully completed their probationary period.
- (C) The request for a leave of absence must be in writing from the employee outlining the reasons for the leave.
- (D) On any approved leave of absence in excess of one month, the employee shall pay the total premium cost for his medical and life insurance for the duration of the leave. This cost is to be paid in advance of the first month of the leave and prior to each month thereafter or the coverage will be terminated.
- (E) Failure to return from a leave of absence at the specified date will be considered as a resignation.
- (F) All approved leaves of absence shall be confirmed in writing to the employee by the Mayor with a copy to the employee's file.
- (G) Vacation and sick leave do not accrue on a leave of absence in excess of one month. Vacation allowance is paid at the time of departure on the amount unused and accrued. Any sick days accumulated prior to the leave may be reinstated immediately upon return.
- (H) Re-employment, if applicable, should be part, or the condition of, the leave of absence. If not, the employee is subject to the availability of employment at the time of his or her requested return. Employees returning from military service are subject to the Veterans Re-Employment Rights Act.
- (I) There are several types of leaves of absence. They include:
 - (1) Medical: Time away from the job because of accident or illness not covered by sick leave.
 - (2) Self-improvement: Schooling
 - (3) Personal: Time needed to handle personal problems.

7.11 UNAUTHORIZED LEAVE

Any absence from work which is not detailed in this section of these Personnel Rules and Regulations shall be considered an unauthorized absence from duty. Any such unauthorized absence from duty shall constitute just cause for disciplinary action.

The Village will provide eligible employees a leave of absence for specific reasons and subject to guidelines as defined by the federal Family and Medical Leave Act. Eligible employees shall be provided up to twelve (12) weeks of leave during any twelve (12) month period in connection with specific qualifying events. Employees must be restored to the position occupied when the leave began or to an "equivalent position" with equivalent conditions of employment.

ARTICLE VIII - COMPENSATORY TIME

8.1 ESTABLISHED

Employees of the Village of New Madison shall be entitled to compensatory time (accrued at 1.5 hours for each hour of overtime), instead of paid overtime. The Village Council may, from time to time, establish the use of compensatory time for individual departments if the situation necessitates such a policy.

8.2 USE OF COMPENSATORY TIME

Accumulated compensatory time during one pay period must be used during the same pay period it is accrued unless permission is given by the Village Council for use at a later time. No more than 8 hours may be accrued at any time.

8.3 COMPENSATORY TIME FOR SALARIED EMPLOYEES

Salaried employees are not subject to Sections 8.1 through 8.3.

9.1 PERS CONTRIBUTION

Generally, all employees are required to be a member of the State of Ohio Public Employee Retirement System (PERS). The Village will deduct 10 percent of the employee's gross wages or salary as the employee's contribution to PERS. The Village is required to submit a contribution on behalf of the employee monthly to PERS. The Village contribution may vary-- the current amount is 14 percent of the employee's gross wages or salary. Employee contributions are deducted from their gross earnings before taxes are applied.

9.2 WORKERS' COMPENSATION

All Village employees are protected at Village expense under the Ohio Workers' Compensation Program. From this fund, medical expenses are covered for workers who suffer injury or certain kinds of illness in the course of their employment. In addition, if workers are temporarily unable to work as a result of such injury or illness, weekly disability payments are made to them after they complete an initial waiting period.

Benefits include payment of reasonable medical, surgical, and hospital service expenses, and payment for medication and equipment required for treatment. If the accident or illness causes you to miss more than seven (7) consecutive working days, you may also be eligible for temporary total compensation due to loss of wages.

9.2.1 NOTIFICATION OF INJURY

If you are injured, a report must be filed with your immediate supervisor for all accidents. Accident report forms and Workers' Compensation forms may be obtained from your immediate supervisor, or the Village Clerk, who will also assist you in completing the forms. All required information must be supplied and submitted within five (5) working days following the injury. All injuries should be reported at once. Failure to report an injury may preclude approval by the Bureau of Workers' Compensation and can result in disciplinary action against the employee for failure to comply.

In each case of injury on the job, it is the responsibility of the supervisor or the Village Council to establish the validity of the claim. This includes a determination that the injury was actually sustained in the performance of the employee's duties. Should a supervisor find that the injury did not occur on the job, the facts of the case should be reported to the Village Council in writing.

9.3 UNEMPLOYMENT COMPENSATION

As an employee of the Village, past employees may receive unemployment compensation benefits upon separation from their job. To be eligible for benefits, one must have worked at least twenty (20) weeks in the past year, unemployment must be involuntary, and one must be actively seeking work, and must have an employment application on file with the Ohio Bureau of Employment Services (OBES). The determination of eligibility for unemployment benefits is made by OBES.

9.4 INSURANCE

Note: This section may be adopted once the Village has two or more full-time employees.

All full-time employees, working at least thirty-six (36) hours per week and after thirty (30) days of employment, are eligible to participate in the Village sponsored health insurance program. More information will be provided by the Village Council.

The Village of New Madison provides comprehensive and extensive insurance coverage for Village vehicles, buildings, and contents. The Village also carries comprehensive general liability coverage and Public Employees Blanket Honesty Bond coverage. For more information, contact your immediate supervisor or the Village Clerk.

9.5 UNIFORM ALLOWANCES

The Village may furnish uniforms to Village employees as designated by the Village Council. These uniforms and all other items issued by the Village remain the property of the Village and must be returned when the employee leaves the Village's employment. The employee's final paycheck may be held until all Village property has been returned.

9.6 TRAVEL EXPENSES

Travel expenses must be authorized in advance by the Village Council. Full-time regular employees will be reimbursed for necessary expenses incurred while attending schools of instruction, institutes, or conventions of a nature relating to the art and science of their particular employment. Full-time regular employees will be reimbursed for expenses when using their private automobile while discharging duties connected with their employment. If Village employees use their private automobile in the conduct of official business outside the boundaries of the Village of New Madison, they shall be compensated at the rate equal to that allowed by the Federal Government for private auto travel or another rate determined by the Village Council.

Note: An Employee Evaluation System may be adopted as part of a Comprehensive Personnel System. One possible plan includes the following provisions:

10.1 EVALUATIONS

Each employee will be evaluated upon completion of the probationary period and, from that point further, at least once every year. A probationary employee or a promoted employee will be additionally evaluated at another point during their first year of service. Such evaluation will be in writing and carried out by the employee's supervisor and placed permanently in his or her personnel file. All such evaluations shall be shown to the employee being rated and discussed thoroughly with him or her.

10.2 PERFORMANCE RATINGS

The Village Council may establish a system of service ratings based upon standards of performance. Such standards shall measure the quantity of work performed, the manner in which such service is rendered, the faithfulness of the employee to their duties, and other such characteristics that may measure the value of the employee to the Village. Performance ratings shall be considered in determining salary increases and decreases within the fixed limits of the compensation plan, as a factor in determining order of layoff, and as a factor in determining the demotion or dismissal of an employee. Such service ratings shall be available for review by the employee rated.

10.3 PERSONNEL STATUS CHANGE FORMS

The Village Council shall prescribe the necessary forms to report all personnel changes in Village service which shall be used by all appointing officers and supervisors.

11.1 RETIREMENT

Employees of the Village of New Madison who are eligible to retire under the applicable rules, regulations, and statutes of the State of Ohio shall be permitted to do so in accordance with the rules of the Public Employees Retirement System.

11.1.1 NOTICE OF INTENT

Employees shall file with the Village Council, by the beginning of the year prior to effective retirement, a notice of their intent to retire. Although this notice should include the actual date of retirement, it will not be a formal resignation.

11.1.2 CASHING OF SICK LEAVE

An employee who retires and meets the age and length of service requirements of the Public Employees Retirement System (PERS) and who was also in the service of the Village for a period often (10) continuous years prior to retirement may redeem accumulated sick leave.

Employees may elect to be paid in cash for twenty-five percent (25%) of their accrued sick leave up to a maximum of $\frac{1}{4}$ of one hundred twenty (120) days or thirty (30) days (the equivalent of two hundred forty (240) hours). Accepting this payment, at the rate of pay at the time of retirement, eliminates all remaining sick leave credit accrued up to that time.

11.2 DISABILITY RETIREMENT

Any employee of the Village of New Madison who desires to apply for disability retirement through the Public Employees Retirement System may be required to submit to an examination by a physician.

12.1 PROPER NOTICE

Employees who resign their employment should give a minimum of two weeks' notice in writing prior to the effective date of the resignation.

12.2 SICK LEAVE

An employee may be eligible to carry forward accumulated sick leave from the Village of New Madison to another public employer in Ohio. Generally, the cashing out of sick leave is only available in cases of retirement from public service.

12.3 PROCEDURE

At the time an employee resigns, for whatever reason, the following steps must be taken prior to receipt of final pay:

- (A) Notify the Village Clerk to ensure that the proper forwarding address is recorded in order to receive W-2 forms and any other pertinent information needed to file the current year's income tax returns. Also, provide the Village Clerk as to the type of action desired with regard to employee's retirement plan.
- (B) Turn in uniforms, tools, building keys, keys to Village plants or offices and/or any other Village property to his or her immediate supervisor.

13.1 PERTINENT INFORMATION

The Village Council shall create, or cause to be created, a personnel file for each employee of the Village. Such a file shall include the original application and the notice of appointment in addition to other information that may be pertinent. The file will be maintained by the Village Clerk.

13.2 ACCESSING FILES

Access to the personnel files shall be in accordance to the Ohio law regarding public records. Internally, personnel files will be limited to the Village Council and those individuals who have the expressed permission of the Village Council to have access to the personnel files. Employees have the right to read any memoranda placed in their personnel file. The employee must sign such memoranda acknowledging that it has been read. An employee's signature does not indicate agreement with the content of the memoranda, but indicates only that it has been read. In addition, the employee has the right to reply to such material in a written statement to be attached to the file copy.

13.3 UPDATING FILE

It is the responsibility of the employee to initiate any needed changes. An employee's education, training and experience, and background information are important factors in the promotion procedure. These items should be reviewed by the employee periodically to be sure that they are up-to-date. Also, the employee should notify the Village Clerk of any changes in marital status or dependents as they may be related to insurance.

ARTICLE XIV – POSITION DESCRIPTION & POSITION CLASSIFICATION PLAN

NOTE: In larger Villages, a Position Classification plan may be adopted as part of a Comprehensive Personnel System. The development of position descriptions is a critical component of a Position Classification Plan. The Village of New Madison has developed position descriptions as part of their personnel system. However, the Village is, at present, not large enough to warrant the need for a Position Classification Plan. Thus, the sections of this article that pertain to a Position Classification Plan are not being adopted as part of this document, but are provided here if the time comes for the Village of New Madison to adopt such a plan. One possible plan includes the following provisions:

14.1 Explanation

The Position Classification Plan is the official or approved system of grouping positions into appropriate classes, including the guidelines for administration. Position Classification is a system identifying and describing the different kinds of work in an organization and them grouping positions together with respect to nature of work, level of difficulty, responsibility, and training and experience. Position Descriptions will be used in developing the classification plan. A Position Description may include but is not limited to, the following information: job title, listing of essential functions, and outline of all required and preferred job-related knowledge, skills and abilities.

14.2 Use of a Classification Plan

The Position Classification Plan is the foundation upon which all major phases of a personnel program are constructed. Class and position specifications are analyses of the nature, degree of difficulty, degree of responsibility, and type of qualifications, that are required of an individual for successful performance of the job.

The classification plan, therefore, forms the basis of an objective recruitment and retention program as well as a number of other personnel functions.

14.3 Development of Plan

Development of the classification plan is a necessary prerequisite to the preparation of a pay plan. In order to have comparable pay for comparable work, it is necessary to know first what the work of each position is and then decide which work is, in fact, comparable. This is accomplished in the course of preparing and maintaining a position classification plan. The plan thus permits consideration of pay to be made in relation to duties, responsibilities, and work requirements. For the employee it assures that his or her position has been that he or she will receive similar treatment in salary and other merit considerations as other employees who have similar responsibilities. Class and position descriptions assist employees in obtaining a concept of the activities of their own department, of their own specific work assignments, and of the organization as a whole. The plan provides a basis for designing in-service training programs that seek to develop abilities and skills known to be necessary to the Village's programs.

From an administrative point of view, the logical grouping of similar positions under meaningful job titles provides a common language for everyone concerned with planning and budgeting. The analysis of division of work and responsibility provided by the plan can be used to advantage of management in perfecting or revising organization structure, clarifying line of authority, fixing responsibility, and assessing the need for positions. When it is determined that work requirements indicate the need for the establishment of new positions, management may, by proper use of the classification plan, place the new positions within established classes or determine whether a new classification need be established. If the former is the case, questions as to the type of personnel to be recruited and the proper pay level for the position are immediately resolved. If it appears that the work requires establishment of a new class, there is a framework into which the class can be inserted. The proper pay level often then can be determined by an evaluation of the new class in relation to already existing classes.

Village of New Madison
Salary Schedule for Water/Wastewater & Streets
 Revised 12/2020

Pay Grade	Step A	Step B	Step C	Step D	Step E
14	21.88	22.98	24.11	25.30	26.55
15	22.98	24.11	25.30	26.55	27.89
16	24.11	25.30	26.55		
17	25.73	26.69	29.10		

Grade	Classification	Top Step
14	Water treatment plant maint and/or plant operator (uncertified or trainee)	E
14	Wastewater treatment plant maint and/or plant operator (uncertified or trainee)	E
16	Water, wastewater treatment plant operator or maint operator - Class I	C

15.1 ATTENDANCE POLICY

Regular attendance during all scheduled hours of work, reporting for work on time, and continuing to work to the end of the work day is expected of each employee. Most employees are required to work a thirty (30) to forty (40) hour work week, although the actual work schedule in each division may vary.

Unsatisfactory attendance, including reporting late or leaving early, is cause for disciplinary action, including discharge. If, for any reason, an employee cannot report for work, he/she should telephone his/her immediate supervisor or work reporting station as far in advance of his/her starting time as possible. Anyone reporting late for work who has not called in ahead of time shall receive a letter of warning for the first offense, and stronger disciplinary action for the second offense.

The Village of New Madison defines an absence as failure to report for and remain at work as scheduled; this includes late arrival at work and leaving early. Absence then includes all time lost from the job whether excused or unexcused, avoidable or unavoidable. The only exceptions to this definition of absence are holidays, vacations, death in the immediate family, Worker's Compensation cases, approved leaves of absence, and days for which no work is scheduled.

15.2 GENERAL REQUIREMENTS

15.2.1 OHIO ETHICS LAW

The Ohio Ethics Law applies to all Village officers and employees. The Village will provide a copy of the Ohio Ethics Law to all officers and employees within 15 days after they begin service to the Village.

For additional information and assistance with the Ohio Ethics Law, Village officers and employees should contact the Ohio Ethics Commission at (614) 466-7090.

The proper operation of democratic government requires that actions of public officials and employees be impartial; that government decisions and policy be made in the proper channels of government structure; that public office not be used for personal gain, and that the public have confidence in the integrity of its government. Recognition of these goals is established in a Code of Ethics for all officials and employees appointed and employed by the Village:

- (A) No employee shall use his/her official position for personal gain, or shall engage in any business or transaction, or shall have a financial or other interest, direct or indirect, which is in conflict with the proper performance of his/her official duties;
- (B) No employee shall, without proper legal authorization, release confidential information concerning the property, or government affairs of the Village. Nor shall he/she use such information to advance the financial or other private interest of themselves or others.
- (C) No employee shall accept any valuable gift more than \$75.00 dollars, whether in the form of service, loan, item, or promise from any person, firm, or corporation which is interested directly or indirectly in any manner whatsoever in business dealings with the Village. Nor shall employees accept any gift, favor or item of value that may tend to influence any decisions of the employee or their supervisor.
- (D) Any employee offered a gift or favor who is not sure if its acceptance is a violation of the Code of Ethics should inform their supervisor of the gift offer. The supervisor will make the decision or refer the individual to legal counsel. No employee will accept from any contractor or supplier doing business with the Village, any material or service for the private use of the employee.

- (E) No employee shall represent private interest in any action or proceedings against the interest of the Village in any matter in which the Village is part.
- (F) State law prohibits employees and officials from having financial interest in companies which do business with public agencies, with minor exceptions. Employees who have any doubt concerning possible violations of these statutes are advised to consult their own attorney.
- (G) No employee shall engage in or accept private employment or render services for private interest when such employment or service is in conflict with the proper performance of his/her official duties or would tend to impair his dependent judgment or action in the performance of his/her official duties. Any employee having doubt as to the applicability of a provision of this code to a particular situation should consult their supervisor.

15.1.2 CHARACTER AND WORKPLACE BEHAVIOR

- (A) Each employee shall be held accountable for their personal appearance; friendly, courteous, and helpful attitude toward the public; loyalty to the Village; and willingness to cooperate with their superiors and fellow employees. Improper language is in extremely poor taste and displays an unsatisfactory attitude.
- (B) Each employee should be especially careful that they do not engage in gossip, half-truths, or the release of confidential information pertaining to the Village or its operations, employees, customers and residents. The close association of the business and home lives of people in the community makes it necessary that employees use the utmost consideration and good judgment when speaking to others about their work and daily contacts.

15.1.3 BONDS

Village officers and employees are required to post bonds, paid by the Village, prior to assuming the duties of their respective positions. The Village Council may increase the bond amount to match the amount of cash handled during one year if he or she determines that the employee is handling more cash than the approved amounts.

15.1.4 POLITICAL AND RELIGIOUS TESTS; MEMBERSHIPS IN ORGANIZATIONS

Consideration of political or religious opinions as a test for employment or promotion in any position of the Village service shall be prohibited. Village employees will not be required to be members of any organization, unless it is a professional organization and directly connected with employment duties. The Village may pay membership fees required by professional organizations and/or licenses.

15.3 ACCEPTANCE OF GIFTS AND GRATUITIES

An employee may not accept valuable gifts, gratuities, or loans from organizations, business concerns, or individuals with whom he/she has official relationships of business with the Village. These limitations are not intended to prohibit employees from accepting articles of negligible value which are widely distributed to the general public nor from accepting social courtesies which promote good public relations. A general guideline for gifts and gratuities defines a valuable gift as being worth more than \$75.00 dollars. It is particularly important that Village employees guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage, or collusion. The securing of a loan by an employee from a financial institution doing business with the Village does not constitute a conflict of interest.

15.4 DRUG AND ALCOHOL-FREE WORKPLACE

The Village of New Madison prohibits the manufacturing, distribution, possession and use of alcohol, drugs, controlled substances, drug paraphernalia or any combination thereof, on any Village premises or work site; including Village vehicles or private vehicles parked on the Village's property or work sites. Work site is defined to mean the site for the performance of work done in connection with employment by the Village of New Madison.

Employees taking prescribed or over-the-counter medications that may alter their work behavior or ability to perform their duties must report the use of these substances to their supervisors. Any employee taking prescribed medication that leaves him/her unable to perform their job responsibilities satisfactorily should request a leave of absence.

The Village of New Madison requires all employees who hold a Commercial Driver's License as a requirement for their position of employment with the Village to submit to a drug test once every year. Also, the Village requires an employee to submit to a drug test following any accident involving a motor vehicle in which the employee was operating a motor vehicle while conducting Village business. In these situations, the employee must be drug tested within two (2) hours of the incident.

Note: The following guidelines concerning an Employee Assistance Plan (EAP) are applicable if the Village of New Madison's group health insurance coverage contains drug or alcohol treatment provisions.

The Village has, through its health insurance, an existing Employee Assistance Plan (EAP) to assist employees to find suitable treatment for drug and alcohol abuse. The EAP provides that

- (1) the EAP does not excuse participating employees from meeting performance standards while on the job;
- (2) the employer will not immunize a successful employee enrolled from future discipline if their problems recur; and
- (3) the program itself may be handicapped "accommodation" and unsuccessful employees may be discharged.

Treatment of drug and alcohol use may be sought by voluntary referral. An employee who feels that he or she may have an alcohol and/or drug problem is encouraged to seek advice and help through the Employee Assistance Program (EAP). This type of referral will be done in a confidential manner.

Treatment may also be obtained through mandatory referral. Management may refer any employee to EAP because of deteriorating job performance or excessive absenteeism associated with the use of alcohol or drugs.

Any employee of the Village of New Madison, who is convicted of a drug or alcohol related offense, must report their conviction to the Village Council within five (5) days of that conviction. The convicted employee will be required to take part in a rehabilitation program that has been approved by the Village Council, such as a program offered through the EAP.

Failure to follow prescribed medical or psychological treatment and/or to improve work performance to an acceptable level will be justification for termination of employment on the same basis as any other employee whose work performance is unsatisfactory. The Village of New Madison views a violation of this policy as a serious offense that will be investigated. The employee is expected to cooperate with that investigation. Violating this policy or refusing to cooperate in an investigation may result in discipline up to and including termination.

15.5 SEXUAL HARASSMENT

The work place is for work, and conduct which is not part of, or directly related to, work should be left outside the work place. Sexual harassment of employees in the work place is unacceptable and will not be tolerated. The Village will provide a non-hostile environment.

Sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature." Sexual harassment may include such actions as: sex-oriented verbal kidding, teasing or jokes; physical contact such as patting, pinching, or brushing against another's body; coercion, intimidation, or other pressure to engage in sexual activity; physical assault; and demands for sexual favors.

The key element to harassment is the unwelcome behavior of conduct. Conduct which is unrelated to the Village's business and which is offensive to other employees should not take place.

IF AN EMPLOYEE IS THE RECIPIENT OF OFFENSIVE CONDUCT, THE EMPLOYEE SHOULD POLITELY, CLEARLY AND FIRMLY TELL THE PERSON ENGAGING IN THE OFFENSIVE CONDUCT TO CEASE.

Offensive conduct is improper if:

- (A) Submission to the conduct is either an explicit or implicit term or condition of employment;
- (B) Submission to, or rejection of, the conduct is used as the basis for employment decisions affecting the person involved; or
- (C) The conduct has the purpose or effect of substantially interfering with an individual's work performance or environment.

An employee who believes that he or she has been subjected to sexual harassment by a co-worker, supervisor, or other agent of the Village of New Madison, should report the facts to the Village Council for the Village of New Madison immediately. The employee's complaint will be promptly and discretely investigated to determine if it is justified. If the complaint is found to be valid, all involved parties will be notified, and corrective actions will be implemented. Depending upon the circumstances, as determined by the Village Council, corrective action can include discipline up to and including termination.

15.6 POLITICAL ACTIVITY

15.7.1 EMPLOYEES MAY NOT

- (A) Use official authority or influence for the purpose of interfering with an election or nomination to office, or affecting the results thereof; or
- (B) Directly or indirectly coerce or attempt to coerce, command, or advise any other officer or employee to pay, lend, or contribute any part of his or her salary or compensation or anything of value to any party or committee, organization, agency, or person for political purposes; or
- (C) Become a candidate for any political or appointed office exclusive to the Village (e.g., member of Village Council or Village Clerk); or Take any action, including an active part in a political campaign, which will place the Village in a partisan position, and interfere with the employee's ability to perform the duties of their position; or
- (D) Circulate official nominating petitions for any candidate; or Campaign by writing for publications, by distributing political material or by making public speeches on behalf of (or against) a candidate for elective office; or
- (E) Solicit the sale of or selling political party tickets (e.g. raffles or special functions).

15.7.2 EMPLOYEES MAY

Employees may join or affiliate with civic organizations of a partisan or political nature, give financial contributions to political candidates and organizations, circulate petitions on legislation relating to their employment, attend political meetings, and advocate or support the principles or policies of civic or political organizations while on their own time or property.

15.8 OUTSIDE EMPLOYMENT

Full-time employees may not carry on, concurrently with their Village employment, any private business or undertaking, the attention to which affects their working hours or the quality of their Village work. Further, the performance of outside work of full-time employees should be reported to the Department Head or Village Council for approval to ensure that no conflict of interest may arise. When an employee is seeking part-time employment, he or she must submit an "Outside Employment Request" prior to beginning work.

15.9 PUBLIC RELATIONS - OPEN RECORDS ACT -- PUBLIC RECORDS POLICY

Employees shall conduct their activities and actions, both on and off the job, so as to improve relations between the Village and the public. In every contact, whether it is in the nature of trouble, service complaint, or request for information, the employee represent the Village. The employees' manners and attitudes toward the residents, as well as their competence in handling matters, are the basis for good public relations. The Village will meet all open records requirements with requests for information directed to the Village Council.

**VILLAGE OF NEW MADISON
PUBLIC RECORDS POLICY**

INTRODUCTION

Openness leads to a better informed citizenry, which leads to better government and better public policy. It is the mission and intent of the Village of New Madison to at all times fully comply with and abide by both the spirit and the letter Ohio's Public Records Act.

SECTION ONE: PUBLIC RECORDS

Section 1.1 Definition

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

Section 1.2 Organization and Maintenance

It is the policy of the Village of New Madison that, as required by Ohio Law, public records will be organized and maintained so that such records are readily available for inspection and copying. Record retention schedules are to be updated regularly, and shall be available at the Village municipal office, a location readily available to the public as required by Ohio Revised Code § 149.43(B)(2).

SECTION TWO: PUBLIC RECORD REQUESTS AND RESPONSES

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

Section 2.1 Identification of Public Records Request

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

Section 2.2 Method of Public Records Request and Identity of Requestor

The requestor does not have to put a public records request in writing, and does not have to provide his or her identity or the intended use of the requested public record(s). The general

policy of the Village is that this information is not to be requested. However, the law does permit the Village to ask for a written request, the requestor's identity, and/or the intended use of the information requested, but only (1) if a written request or disclosure of identity or intended use would benefit the requestor by enhancing the ability of the Village to identify, locate, or deliver the public records that have been requested; and (2) after telling the requestor that a written request is not required and the requestor may decline to reveal the requestor's identity or intended use.

Section 2.3 Availability of Public Records for Inspection and Production of Copies

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

In processing a request, the Village does not have an obligation to create new records or perform new analysis of existing information. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through simple sorting, filtering, or querying features. Although not required by law, the Village may accommodate the requestor by generating new records when it makes sense and is practical under the circumstances.

In processing a request for inspection of a public record, a Village employee must accompany the requestor during the inspection to make certain original records are not taken or altered.

Section 2.4 Time Constraints for Satisfying Public Records Requests

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

All requests for public records must either be satisfied or acknowledged in writing by the Village within three (3) business days following the receipt of the request. If a request will not be satisfied within three (3) business days, the acknowledgement must include the following:

- A request for clarification (if necessary);
- An estimated cost if copies are requested;
- An estimated number of business days it will take to satisfy the request; and
- Any items within the request that may be exempt from disclosure.

Section 2.5 Denial of Public Records Request

If the requester makes an ambiguous or overly broad request, or has difficulty in making a request such that the Village cannot reasonably identify what public records are being requested, the request may be denied, but the Village must then provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the Village.

If the Village withholds, redacts, or otherwise denies requested records, it must provide an explanation, including legal authority, for the denial(s). If the initial request was made in writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions may be redacted and the remainder of the record must be released. When making public records available for public inspection or copying, the Village shall notify the requester of any redaction or make the redaction plainly visible.

SECTION THREE: COSTS FOR OBTAINING COPIES OF PUBLIC RECORDS

Section 3.1 Charges for Copies and Postage

Those seeking public records will be charged only the actual cost of making copies (not labor), as follows:

- The charge for paper copies is \$0.25 per page.
- The charge for electronic copies downloaded to a compact disc is \$2.00 per disc.
- There is no charge for e-mailed documents.

A requester may be required to pay in advance for costs involved in providing the copy.

Section 3.2 Choice of Medium

The requester may choose whether to have the record duplicated upon paper, upon the same medium in which the public record is kept, or upon any other medium on which the Village determines that the record can reasonably be duplicated as a part of the Village's normal operations.

Section 3.3 Mailing Costs

If a requester asks that documents be mailed, the requester will be charged the actual cost of the postage and mailing supplies.

SECTION FOUR: ELECTRONIC RECORDS

Section 4.1 Definition of Electronic Records as Public Records

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

Section 4.2 Private Accounts or Personal Devices Holding Public Records

Public records transmitted to or from private accounts or personal devices used to conduct public business are subject to disclosure. All employees or representatives of the Village are instructed to retain their e-mail records and other electronic records that relate to public business and to copy such records to their Village accounts and/or to the Village's record custodian.

Section 4.3 Duties of the Records Custodian in Managing Private Accounts

The records custodian is to treat the e-mail records and other electronic records from private accounts that relate to public business of the Village as public records, filing such records in the appropriate way, retaining such records per established schedules, and making such records available for inspection and copying in accordance with the Public Records Act.

15.10 USE OF VILLAGE EQUIPMENT

The use of Village equipment, uniforms, or supplies for personal business or private use is strictly prohibited. Violators are subject to disciplinary action. Such actions include, but are not limited to, automobiles, trucks, cruisers, tools, uniforms, and supplies.

15.11 SAFETY

The Village intends to make everyone's job safe in all respects and requires employees to report any hazardous conditions at once to his or her immediate supervisor or the Village Council. The following is a list of general safety rules and regulations. Additional safety operating procedures for specific work may be provided in an employee Safety Document.

- (A) Learn the right way to do your job. Never hesitate to ask questions about things you do not understand, especially on new jobs.
- (B) Use and maintain in safe condition the correct equipment and tools for your work.
- (C) Observe the recommended work procedures developed for your job.
- (D) Keep your work area in good order. Cluttered floors, aisles, storage, and work areas all make your job more difficult as well as more dangerous.
- (E) Always work at a safe speed. Never hurry foolishly, such as running in aisles or down stairs, taking short-cuts through dangerous areas, or trying to speed up by removing machine guards.
- (F) Avoid horseplay and practical jokes.
- (G) Call your supervisor's attention to any unsafe conditions. Make suggestions when you feel they will improve the safety or performance of an operation.
- (H) If you are injured, report promptly for first aid treatment. Even minor cuts and scratches can become infected unless proper care is taken.
- (I) Learn first aid. Encourage your fellow workers to have a working knowledge of it.
- (J) Respect moving machinery and equipment, electricity, ice on walkways, and excavated areas. Never operate equipment with guards removed.
- (K) Wear protective equipment where appropriate.

15.12 STANDING ORDERS

The Village Council may from time to time issue "Standing Orders", which will have the same force as if included in these regulations.

15.13 APPOINTMENT OF RELATIVES

The Village of New Madison may not hire individuals who have relatives who are employees of the Village of New Madison. Employees shall be defined as all full-time employees and all part-time employees, consultants, members of the Village Council, and members of Council-appointed bodies having direct oversight on expenditures. Persons involved in husband/wife, parent/child, parent/child-in-law, first cousins, aunt-uncle/niece, aunt-uncle/nephew, siblings, grandparent/grandchild relationships shall be considered relatives for the purposes of this regulation. It shall be incumbent upon applicants to make known such relationships. If existing employees become relatives with another or a related employee changes to a job classification which conflicts with this policy after commencement of their employ, the Village shall allow a choice to the persons involved as to who will resign. However, in the case where such a decision is not voluntarily made by the employees, then that person with the greatest seniority will be given an opportunity to remain employed by the Village. The Council reserves the right to make decisions concerning the hiring of relatives on a case by case basis.

15.13.1 EXCEPTIONS

- (A) Existing Appointments;

- (B) Appointments where neither individual involved is employed in a supervisory or management position and where neither individual involved, or the work performed, or the employment of either individual, is or may be directly influenced by the other individual. The determination of such influence shall be at the discretion of the Village Council. To be eligible for this second exemption, employees must make application to the Village Council prior to any event which would require exemption to allow continued employment. Failure to notify may result in the discharge of both parties.

15.14 WORKPLACE VIOLENCE

The Village of New Madison does not tolerate violence within its workplaces. No person employed with the Village shall be the instigator of, or participant in, any of the following:

- (A) Obscenities, ethnic slurs, or epithets directed toward individuals.
- (B) Threats of bodily harm or damage to one's property.
- (C) Actual bodily harm or damage to one's property.
- (D) Callous or intentional disregard to the physical safety or well-being of others.
- (E) Possession of any weapon or the brandishing of any object that could reasonably be perceived as a weapon. (Police Officers and other authorized personnel are accepted.) Any other conduct that a reasonable person would perceive as constituting a threat of violence.

Any such behavior, comments, and/or weapons possession shall be reported immediately to one's supervisor or Department Head. Supervisors shall be required to take appropriate, immediate action to curtail any such behavior or comments. Any known weapon possession or potentially serious violent situations shall be reported immediately by the supervisor to the Police Department. Violations of this policy will lead to immediate disciplinary action up to, and including, termination and any appropriate legal action.

Supervisors may require an evaluation of the offending employee by the Village's Employee Assistance Program (EAP) along with either coaching or progressive discipline depending upon the severity of the offense.

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Supervisors may require an evaluation of the offending employee by the Village's Employee Assistance Program (EAP) along with either coaching or progressive discipline depending upon the severity of the offense.

15.16 INTERNET USAGE POLICY

The availability of fax machines, Internet, e-mail, and on-line services is for purposes of the Village of New Madison. The following uses are strictly prohibited: any uses that interfere with normal Village activities; any uses that involve solicitations; any uses in connection with a business activity that operates for-profit; or, any use that could possibly bring embarrassment or harm to the Village.

Employees of the Village shall not use the fax machine, Internet, e-mail, or on-line services in a manner that would violate any federal, state, or local laws. Village employees shall not use the fax machine, Internet, e-mail, or on-line services to transmit, download, or print obscene, pornographic, threatening, or racially, sexually, or religiously harassing materials. Nor shall Village employees use the fax machine, Internet, e-mail, or on-line services to distribute or copy copyrighted materials, including articles and software, in violation of the copyright laws.

Employees of the Village shall not use the fax machine, internet, e-mail, or on-line services for the purpose of operating a business for personal gain, sending chain letters, or soliciting money for religious or political organizations or causes or any reasons unrelated to the business of the Village.

Employees of the Village shall not use the fax machine, Internet, e-mail, or on-line services to violate the privacy rights of the Village, other employees, or citizens. No Village employee shall provide access to confidential information through the fax machine, Internet, e-mail, or on-line services. The transmission of confidential information shall only be in accordance with the current procedures and regulations. All employees of the Village shall use all reasonable safeguards when using the fax machine, Internet, e-mail, or on-line services to avoid mistaken distribution of information.

ARTICLE I - PREFACE, AMENDMENT OF RULES, AND OBJECTIVES *(recommended)*

- 1.1 How to use this document *(recommended)*
- 1.2 Purpose (required)
- 1.3 Amendments (required)
- 1.4 Administration (required)
- 1.5 Administrative Orders and Bargaining Agreements (required)
- 1.6 Positions Covered (optional)
 - 1.61 Street Superintendent and Police Chief (optional)
 - 1.62 Water/Wastewater Personnel (optional)
- 1.7 Classification (optional)
- 1.8 Interpretation (required)
- 1.9 Delegation *(recommended)*
- 1.10 Merit System *(recommended)*
- 1.11 Equal Opportunity Employer/Americans with Disabilities Act (required)
- 1.12 Disclaimer *(recommended)*
- 1.13 Severability Clause *(recommended)*
- 1.14 Repealer *(recommended)*
- 1.15 Managerial Rights *(recommended)*
- 1.16 Notice *(recommended)*
- 1.17 Definitions *(recommended)*

ARTICLE II - PROBATION *(recommended)*

- 2.1 Probationary Period *(recommended)*
- 2.2 Full-time Status *(recommended)*
- 2.3 Disciplinary Action (optional)
- 2.4 False Credentials (optional)
- 2.5 Probationary Period Following Promotion (optional)

ARTICLE III - PAY SCHEDULE *(recommended)*

- 3.1 Payment of Wages *(recommended)*
- 3.2 New Employees (optional)
- 3.3 Promotions *(recommended)*
- 3.4 Demotions *(recommended)*
- 3.5 Transfers (optional)
- 3.6 Pay Increases (optional)
 - 3.6.1 Pay Appropriation (optional)
- 3.7 Temporary, Part-time, Volunteer, or Seasonal Employment *(recommended)*
- 3.8 Overtime (required)
- 3.9 Call in Pay for Hourly Employees (optional)
- 3.10 Garnishment/Child Support (required)
- 3.11 Cash Advance Policy *(recommended)*
- 3.12 Special Work Situations (optional)

Sunday and Holiday Work (optional)

3.15.2 Covering Shifts for Shift-Work Employee (optional)

ARTICLE IV - DISCIPLINE *(recommended)*

- 4.1 Offenses *(recommended)*
- 4.2 Types of Discipline *(recommended)*
- 4.3 Disciplinary Procedure *(recommended)*
 - 4.3.1 Department Head Disciplinary Authority and Responsibility *(recommended)*
 - 4.3.2 Village Council Disciplinary Authority *(recommended)*
 - 4.3.3 Employee Notification *(recommended)*
- 4.4 Appeal Procedures *(recommended)*
 - 4.4.1 Employee's Responsibility *(recommended)*
 - 4.4.2 Village Council Responsibility and Authority *(recommended)*
 - 4.4.3 Police Officers Right of Appeal (required)
- 4.5 Grievance Procedure *(recommended)*
 - 4.5.1 Procedure (optional)
 - 4.5.2 Right of Counsel (optional)
 - 4.5.3 The Grievance Report (optional)
- 4.6 Termination (optional)

ARTICLE V-LAYOFF/RECALL (optional)

- 5.1 Work Force Reduction (optional)
- 5.2 Recall Eligibility List (optional)
- 5.3 Recall to Work (optional)

ARTICLE VI- HOURS OF WORK AND COMPUTATION OF PAY (required)

- 6.1 Standard Work Week (required)
- 6.2 Computation of Pay (optional)
- 6.3 Authorized Leave (optional)

ARTICLE VII - PAID TIME OFF *(recommended)*

- 7.1 General Policies *(recommended)*
 - 7.1.1 Combining Paid Time Off/Leaves *(recommended)*
 - 7.1.2 Unscheduled Absence from Work (optional)
 - 7.1.3 Special Periods (optional)
- 7.2 Holiday Leave *(recommended)*
 - 7.2.1 Working on a Holiday *(recommended)*
 - 7.2.2 Holiday During Leave (optional)
 - 7.2.3 Religious Holiday *(recommended)*
- 7.3 Vacation Leave (optional)
- 7.4 Military Leave (required)
- 7.5 Civil Leave *(recommended)*
- 7.6 Injury Leave *(recommended)*
- 7.7 Funeral and Bereavement Leave (optional)
- 7.8 Sick Leave *(recommended)*
- 7.9 Maternity Leave *(recommended)*

- 7.10 Leaves of Absence (optional)
- 7.11 Unauthorized Leave (optional)
- 7.12 fAMI

ARTICLE VIII- COMPENSATORY TIME (optional)

- 8.1 Established (optional)
- 8.2 Use of Compensatory Time (optional)
- 8.3 Maximum Accrument (optional)
- 8.4 Compensation Time for Salaried Employees (optional)

ARTICLE IX - BENEFITS: PERS & INSURANCE (required)

- 9.1 PERS & PFDPF Contribution (required)
- 9.2 Worker's Compensation (required)
 - 9.2.1 Notification of Injury (required)

- 9.3 Unemployment Compensation (optional)
- 9.4 Insurance (optional)
- 9.5 Uniform Allowances (optional)
- 9.6 Travel Expenses (optional)

ARTICLE X - EMPLOYEE EVALUATION SYSTEM *(recommended)*

- 10.1 Evaluations *(recommended)*
- 10.2 Performance Ratings (optional)
- 10.3 Personnel Status Change Forms (optional)

ARTICLE XI - EMPLOYEE RETIREMENT *(recommended)*

- 11.1 Retirement *(recommended)*
 - 11.1.1 Notice of Intent (recommended)
 - 11.1.2 Cashing of Sick Leave (optional)
- 11.2 Disability Retirement *(recommended)*

ARTICLE XII- EMPLOYEE RESIGNATION *(recommended)*

- 12.1 Proper Notice *(recommended)*
- 12.2 Sick Leave *(recommended)*
- 12.3 Procedure (optional)

ARTICLE XIII - PERSONNEL FILES & RECORDS (required)

- 13.1 Pertinent Information (required)
- 13.2 Accessing Files (required)
- 13.3 Updating File *(recommended)*

ARTICLE XV- SPECIFIC RULES AND REGULATIONS *(recommended)*

- 15.1 Attendance Policy *(recommended)*
- 15.2 General Requirements

- 15.2.1 Ohio Ethics Law (required)
- 15.2.2 Character and Workplace Behavior (*recommended*)
- 15.2.3 Bonds (*recommended*)
- 15.2.4 Political and Religious Tests; Memberships in Organizations (*recommended*)
- 15.3 Acceptance of Gifts and Gratuities (*recommended*)
- 15.4 Drug and Alcohol Free Workplace(*recommended*)
- 15.5 Physical Examinations (optional)
- 15.6 Sexual Harassment (required)
- 15.7 Political Activity (*recommended*)
 - 15.7.1 Employees May Not (*recommended*)
 - 15.7.2 Employees May (*recommended*)
- 15.8 Outside Employment (*recommended*)
- 15.9 Public Relations - Open Records Act (required)
- 15.10 Use of Village Equipment (*recommended*)
- 15.11 Safety (*recommended*)
- 15.12 Standing Orders (*recommended*)
- 15.13 Appointment of Relatives (optional)
 - 15.13.1 Exceptions (optional)
- 15.16 Workplace Violence (optional)
- 15.17 Internet Usage Policy (*recommended*)

Employee Leave Form

Village of New Madison

Type of Absence	Dates	Hours
Vacation		
Sick		
Bereavement		
Jury Duty		
Family Medical Leave Act Maternity or Medical		
Total Days and/or Hours		

Employee Signature _____ **Date** _____

Supervisor Signature _____ **Date** _____

Employee Performance Evaluation

Village of New Madison

Employee Information	
Employee:	Date:
Department:	Evaluation Period:
Reviewer:	Reviewer Title:

Performance Evaluation	Excellent	Good	Fair	Poor
Job Knowledge				
Comments:				
Productivity				
Comments:				
Work Quality				
Comments:				
Technical Skills				
Comments:				
Work Consistency				
Comments:				
Cooperation				
Comments:				
Initiative				
Comments:				

Performance Evaluation		Excellent	Good	Fair	Poor
Work Relations					
Comments:					
Punctuality					
Comments:					
Attendance					
Comments:					
Dependability					
Comments:					
Communication Skills					
Comments:					
Overall Rating					

Opportunities for Development

Village of New Madison
 Salary Schedule for Water/Wastewater & Streets
 Revised 12/2020

Pay Grade	Step A	Step B	Step C	Step D	Step E
14	21.88	22.98	24.11	25.30	26.55
15	22.98	24.11	25.30	26.55	27.89
16	24.11	25.30	26.55		
17	25.73	26.69	29.10		

Grade	Classifications	Top Step
14	Water treatment plant maint and/or plant operator (uncertified or trainee)	E
14	Wastewater treatment plant maint and/or plant operator (uncertified or trainee)	E
16	Water, wastewater treatment plant operator or maint operator - Class I	C

Public Records Request

Name & Address of Public Body Receiving Request: _____

Date Requested: _____

Request Submitted By: _____ Email _____ U.S. Mail _____ Fax _____ In Person

Name of Requester: _____

Street Address: _____

City/State/County/Zip (required): _____

Telephone: _____ Email: _____

Fax: _____

Records Requested: *Provide as much specific detail as possible to the public body can identify the information that you are seeking.

Do you want copies of the documents? YES or NO (.25 per page for copies)

Do you want electronic copies or paper copies: _____

If you want electronic copies, in what format: _____

2nd & 3rd reading 2/5/18

ORDINANCE NO. 18- 02

AN ORDINANCE ESTABLISHING A PUBLIC RECORDS POLICY IN ACCORDANCE WITH OHIO REVISED CODE SECTION 149.43(E)(1) AND DECLARING AN EMERGENCY

WHEREAS, the Village does not currently have a formal public records policy; and

WHEREAS, a public records policy is necessary in order for the Village to remain in compliance with the Ohio Public Records Act; and

WHEREAS, the Village desires to establish a public records policy;

NOW, THEREFORE, BE IT ORDAINED by the Council for the Village of New Madison, Darke County, Ohio, as follows:

Section One: The Public Records Policy attached hereto as Exhibit "A" and incorporated herein by reference is hereby adopted.

Section Two: For the reasons stated in the preamble, this Ordinance shall be declared an emergency measure and shall take effect immediately upon its passage.

Passed this 5 day of February, 2018.

Mayor's signature: Morgan L. Sedberry, President of Council

ATTEST:

Roberta Hocker, Fiscal Officer

APPROVED by the Mayor this 5 day of February, 2018

Lisa Garland, Mayor

