

**SECTION 8
EMPLOYEE CONDUCT**

8.01 CODE OF ETHICS

**State of Ohio Ethics Law
Conflicts of Interest
Wayne County Ethics**

8.02 ATTENDANCE

**Absence Reporting
Frequency of Absences
Tardiness/Early Departure
Emergency Closings**

8.03 OUTSIDE EMPLOYMENT

**8.04 DEPARTMENT EQUIPMENT &
PERSONAL PROPERTY**

8.05 POLITICAL ACTIVITY

8.06 DISCRIMINATORY HARASSMENT

**Definition
Responsibility
Complaint Procedure
Disciplinary Procedure**

8.07 WORKPLACE VIOLENCE

8.08 DRUG FREE WORKPLACE

8.09 ON-THE-JOB INJURY

8.10 USE OF TELEPHONES

8.11 GARNISHMENTS

Continued on Next Page

**SECTION 8
EMPLOYEE CONDUCT
(CONTINUED)**

8.12 DRESS STANDARDS

8.13 GAMBLING

8.14 SOLICITATION AND DISTRIBUTION

8.15 SMOKE-FREE ENVIRONMENT

8.16 CONCEALED WEAPONS

8.17 PUBLIC RECORDS

8.18 COMPUTER NETWORK USAGE

8.19 ADHERENCE TO LAWS

8.20 CONVICTION OF A FELONY

8.21 WCCC VISITATION

8.22 WCCC EMPLOYEE GIFTS

8.23 WCCC VIOLATION OF RESIDENT RIGHTS

8.24 WCCC EMPLOYEE PARKING

8.25 IDENTITY THEFT PREVENTION PROGRAM

**8.26 GENERAL STANDARDS OF CONDUCT FOR SOCIAL
MEDIA USE**

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A. STATE OF OHIO ETHICS LAW

1. No public employee shall knowingly authorize or use his/her authority or influence to: (a) secure a public contract for himself/herself, his/her family or his/her business associates; or (b) secure the investment of public money in any security in which he/she, his/her family, or his/her business associates has an interest, or for which he/she, his/her family, or his/her business associates act as an underwriter or receive brokerage, origination, or servicing fee. No public employee shall knowingly profit, during his/her term of office or for one (1) year after, from the execution of a public contract authorized by himself/herself or by a legislative body, commission, or board for which he/she was a member when the contract was authorized, if the contract was not competitively bid or the contract was not with the lowest and best bidder.
2. No public employee shall knowingly have an interest in the profits or benefits of a public contract. Employment with a public office is considered to be a contract with the public office. Therefore, the use of one's position to obtain employment for a family member is prohibited by law.
3. In accordance with RC 102.09(D), Wayne County Appointing Authorities will provide new employees with a copy of RC 102 and RC 2921.42 within fifteen (15) days after the employee is hired. The employee shall acknowledge receipt of the documents in writing (see Acknowledgment of Receipt of the Ohio Ethics Law and Related Statutes).

B. CONFLICTS OF INTEREST

1. No employee shall participate as a public official in any license or rate-making proceeding that directly affects the license or rates of any person, partnership, trust, business trust, corporation, or association in which he/she or his/her immediate family owns or controls more than five percent (5%), or any business which he/she or his/her immediate family has sold goods or services of more than one thousand dollars (\$1,000.00) during the preceding year.
2. No employee shall use or authorize the use of the authority or influence of employment to secure anything of value or the offer or promise thereof that is of such a character as to influence his/her duties.
3. No employee shall solicit or accept anything of value that is of such a character as to influence his/her duties.

C. WAYNE COUNTY ETHICS

All County employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the State of Ohio and other policies,

procedures, rules, and regulations, as may be set forth by the Appointing Authority. This manual is not all-inclusive with regards to such policies, rules, and regulations. Conduct that interferes with normal office operations, brings discredit to the department/agency, is illegal, or is offensive to the public or fellow employees will not be tolerated. Examples of proper employee conduct include, but are not limited to, the following:

1. An employee must always conscientiously perform all assigned job duties.
 2. An employee must be tactful, patient, and courteous in the conduct of County business.
 3. No employee may grant special consideration to any citizen or group of citizens.
 4. No employee may engage in any outside employment or have a financial interest that will conflict with his/her duties or be detrimental to the County.
 5. No employee may use or permit the use of County vehicles, equipment, materials, or property for personal convenience or profit.
 6. No employee may accept (except those of little or nominal value) or ask for any gift or consideration that is granted as a result of his/her employment with the County.
 7. No employee may use the County name or tax exempt status for his/her personal advantage on any purchases.
 8. No employee may discuss or reveal confidential County information to anyone, under any circumstances, except within the scope of his/her job duties.
- D. It is important to remember that employee compensation is paid through taxes. Therefore, each employee assumes responsibility to serve the public in an effective, courteous, and professional manner, and to conscientiously perform all assigned job duties.

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A. ABSENCE REPORTING

1. When an employee is unable to report to work, he/she must notify the immediate supervisor or another designated person within fifteen (15) minutes before the start of his/her scheduled working hours. This must occur on the first day of absence and each day thereafter, unless emergency conditions make it impossible or prior arrangements have been made with the supervisor. **WCCC** requires that employees notify the immediate supervisor no later than two (2) hours prior to the start of their shift if they are unable to work.
2. On the day the employee returns to work after an absence, he/she must report to his/her supervisor. He/she must supply any requested documents. These documents will be reviewed by the supervisor to determine if the employee's absence is an approved absence.

B. FREQUENCY OF ABSENCES

1. Regular attendance is expected of all employees.
2. A pattern of absences or frequent absences that affect the County's ability to provide services will result in disciplinary action.
3. An employee who develops a pattern of absences, tardiness, or leaving work early will have his/her absences reviewed for possible abuse of sick leave or the attendance policy. (For example, calls in sick every Friday before a Monday holiday.)

C. TARDINESS/EARLY DEPARTURE

1. Employees are expected to arrive at work promptly and remain at work until the end of the scheduled work day.
2. Tardiness/early departure is defined as late arrival at the employee's work location, early departure, or overstaying scheduled meal periods five (5) minutes or more. An employee who will be late reporting to work must call the supervisor within fifteen (15) minutes before the scheduled start time. Tardiness and/or absences not reported in accordance with the rules might not be approved. Unapproved absences may be a basis for appropriate discipline.
3. Any deviation from an employee's work schedule must be authorized by his/her supervisor in advance and noted on the weekly time sheet.
4. Repeated tardiness is grounds for disciplinary action.

5. Make-up time lost due to being tardy is at the Appointing Authority's discretion only. The tardiness shall still be counted regardless if time is made up afterward.

D. EMERGENCY CLOSINGS

1. If a weather emergency is declared by the Board of County Commissioners, employees will be compensated for the time they were scheduled to work during the emergency period. If employees are released from work because of a non-weather-related emergency situation (fire, natural gas leak, etc.), the employees will be compensated for the time they were scheduled to work during the emergency period.
2. Employees not scheduled to work because of scheduled vacation or continuing sick leave will be charged for the leave regardless of the declared emergency.
3. An employee, who is absent, tardy, or leaves work early on a day when weather conditions interfere with travel, but when no emergency has been declared by the state or County, is absent without leave and therefore in non-pay status. The employee may, with approval of the Appointing Authority, account for time during which he/she was absent from his/her job due to inclement weather by charging it to vacation, compensatory time, or to leave without pay. Inclement weather is not a valid use of sick leave.
4. If County offices are closed due to weather-related or some other emergency condition, certain essential personnel may be required to work despite the closing of the County offices. Each Appointing Authority will determine which personnel shall be considered essential. Those employees who are required to continue working when County offices are closed due to weather-related or other emergency conditions will receive their normal straight time pay for the time worked. No additional compensation will be received as a result of the emergency.
5. If an emergency is declared and the County Administration Building is closed on a scheduled payday, the Auditor will then make the payroll available for pickup on the next regularly scheduled business day that the County Administration Building is open. Direct deposits will be made as originally scheduled and should not experience a delay, unless caused by circumstances beyond the control of the Auditor.

6. **WCCC** is required to maintain twenty-four (24) hour service for the residents. It is our policy to use all available personnel in the case of a weather emergency. As a condition of employment, the employees of the **WCCC** may be required to be available beyond regularly scheduled hours if deemed necessary by the Appointing Authority.
 - a. Compensation for employees required to work beyond their regular shift shall be paid overtime in accordance with the overtime policy. Time spent in off duty status, such as sleep or recreation, shall not be compensated.
 - b. Employees that are scheduled to work but unable to get to and from work may be requested by the Appointing Authority to make themselves available for pickup by methods of local safety forces, national guard, or other available means.
 - c. Employees are required to provide a phone number where they can be reached in the event of an emergency or staffing shortage.
 - d. **WCCC** recognizes the need for flexible scheduling. Once work schedules are posted, employees may trade days with co-workers in the same classification and department providing the days traded occur during the same week of work and shift. Trade days must have prior written approval of the supervisor on the trade day form. Trade days are not permitted if use of trade days results in overtime liability.
 - e. Employees requesting days off must request such days by the first of the month prior to departmental scheduling for such a request to be considered.

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- A. Outside employment is allowed when the following provisions are met:
1. The employee must notify his/her employer, in writing, of any outside employment.
 2. The interests of the second employer do not conflict with those of the County;
 3. The second job does not have a negative impact on the employee's job performance; and
 4. Employment with the County is the employee's primary job and time conflicts are resolved in favor of the County.
- B. When an employee's supervisor has reason to believe the demands of a second job are having a negative impact upon the employee's performance or availability, the employee will receive instruction and cautioning. If the situation is not resolved, appropriate disciplinary action may result.

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- A. When tools, supplies, and equipment needed to perform job duties are provided by the Employer, including computer hardware and software, it is the responsibility of supervisors to see that they are properly used and maintained.
- B. Misuse, personal use, neglect, loss, theft, or abuse of tools, supplies, and equipment, including computer hardware and software, is prohibited. Accidents involving misuse of tools or equipment will be cause for disciplinary action. (See Section 3.10 - Health & Safety)

Loss of tools or equipment may require payment by the employee for those items lost, at the discretion of the Appointing Authority.

- C. All tools, supplies, and equipment utilized by the employee in the performance of his/her job, including computer hardware and software, are subject to the prior approval of the Appointing Authority.
- D. All employees are responsible for safeguarding all County assets, including cash and other types of funds. Failure by an employee or supervisor to exercise due care in handling all County assets may result in discipline. Intentional acts, or lack of action by an employee that results in the loss or destruction of a County asset, is grounds for immediate termination.
- E. Unauthorized actions by an employee that causes the County to incur an expense may be subject to discipline. The employee may also be required to provide restitution.
- F. The Employer is not responsible for any personal property that an employee elects to have in or on county property. In the event of loss for any reason, including theft or damage due to fire or flood, the employee will not be compensated for the loss of personal property

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A. Classified employees are prohibited from participating in partisan political activities.

B. **POLITICAL ACTIVITIES PERMITTED TO CLASSIFIED EMPLOYEES**

The following are examples of permissible activities for classified employees:

1. Registering and voting;
2. Expressing opinions, either orally or in writing;
3. Making voluntary financial contributions to political candidates or organizations;
4. Circulating non-partisan petitions or petitions stating views on legislation;
5. Attending political rallies;
6. Signing nominating petitions in support of individuals;
7. Displaying political stickers, badges, and buttons on their cars or person; and
8. Serving as a precinct election official under RC 3501.22.

C. **POLITICAL ACTIVITIES PROHIBITED TO CLASSIFIED EMPLOYEES**

The following are examples of prohibited activities for classified employees:

1. Participating in a partisan election as a candidate for office;
2. Declaring candidacy for an elected office that is filled by partisan election or through the circulation of nominating petitions identified with a political party;
3. Filing or circulating official nominating petitions for any candidate for office filled by partisan election;
4. Holding an elected or appointed office in any partisan political organization;
5. Accepting a party-sponsored appointment to any office normally filled by partisan election;
6. Campaigning by writing for publications, by distributing political material, or by making speeches on behalf of a candidate for partisan elective office;
7. Soliciting, either directly or indirectly, any assessment, contribution, or subscription for any party or candidate for partisan office;
8. Soliciting the sale or selling political party tickets, materials, or other political matter;

**POLITICAL ACTIVITY
(CONTINUED)**

9. Engaging in partisan political activities at the polls, such as soliciting votes for other than non-partisan candidates and non-partisan issues;
10. Engaging in political caucuses of a partisan nature;
11. Servicing as a witness or challenger for any party or partisan committee;
12. Participating in a political action committee that supports partisan activity.

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STATEMENT OF POLICY

It is the policy of the Wayne County Appointing Authorities to maintain an environment free from all forms of discrimination, including gender-based discrimination due to sexual harassment. In order to maintain this environment, discriminatory harassment, whether committed by or against supervisors, co-workers, clients or members of the public, is strictly prohibited.

A. DEFINITION

Discriminatory harassment is any type of harassing conduct that is based upon an employee's race, color, sex, national origin, age, religion, disability, or protected activity. Sexual harassment, which is a form of sex discrimination, includes, but is not limited to the following:

1. Repeated unwanted and/or offensive sexual flirtations, advances, or propositions;
2. Repeated verbal abuse of a sexual nature;
3. Graphic or degrading verbal or written comments about an individual, the individual's appearance, or the individual's sexual orientation;
4. The display of sexually suggestive objects, pictures, or the display of same through other media;
5. The implication or threat that an employee's or applicant's employment, assignment, compensation, advancement, career development, or other condition of employment will depend on the employee or applicant's submission to sexual harassment in any form; and
6. Any offensive, abusive, or unwanted physical contact.

B. RESPONSIBILITY

1. It is the responsibility of all employees to aid the employer in maintaining a work environment free from discrimination, including sexual harassment. Therefore, it is the responsibility of each employee, including supervision and management, to immediately report any instances of discriminatory harassment to the proper authority (see reporting procedure below). Any employee, who observes any conduct that may constitute discriminatory harassment of a co-worker, but fails to report the conduct, may be subject to disciplinary action. Moreover, any employee who receives a complaint alleging conduct which may constitute discriminatory harassment of any County employee, but fails to report same, may be subject to disciplinary action.

2. It is further the responsibility of each supervisor to ensure that all employees who report to the supervisor are aware of the policy against discriminatory harassment, that they are aware of the complaint and reporting procedures, and that they are aware of the consequences of engaging in discriminatory harassment.
3. It is the responsibility of management to maintain an environment free from discriminatory harassment. Management shall ensure that its supervisors are sufficiently trained in recognizing discriminatory harassment, the complaint and reporting procedures, the proper methods of investigating complaints of discriminatory harassment, and the disciplinary procedure regarding discriminatory harassment.
4. Management shall also ensure that all employees are aware of this policy and will ensure that all employees receive sufficient training to maintain an environment free from discriminatory harassment. Additionally, each newly-hired employee will receive training in this policy as a part of their employee orientation.

C. COMPLAINT PROCEDURE

Once a complaint of discriminatory harassment has been received, or an instance of discriminatory harassment has been reported, the complaint shall be immediately forwarded to the proper member of management for investigation (see reporting procedure below). The proper member of management shall then immediately investigate the matter in accordance with the investigation procedure. The complaining employee and/or the reporting employee will be informed of the results of the investigation.

If, after a thorough and prompt investigation, it is determined that discriminatory harassment has occurred, the employee who has been found to have committed discriminatory harassment will immediately be disciplined in accordance with the disciplinary procedure for discriminatory harassment. The complaining and/or reporting employee(s) will be informed of the results of the disciplinary procedure.

If, after the investigation, it is determined that no discriminatory harassment occurred, or that there is insufficient evidence to determine whether or not discriminatory harassment has occurred, the complaining employee and/or reporting employee will be informed of same.

Any employee who believes that he/she has been the subject of discriminatory harassment, and/or any employee who has witnessed an incident, or incidents, of

**DISCRIMINATORY HARASSMENT
(CONTINUED)**

**SECTION 8.06
PAGE 3 OF 4**

discriminatory harassment, should report the matter to the proper authority immediately as follows:

1. Any employee who believes that he/she has been the subject of or witness to discriminatory harassment should immediately report the alleged act(s) to his/her immediate supervisor, department head, or Appointing Authority.

If there is no one in the office or department to which the employee can report the alleged act(s) (for example, the Appointing Authority is the subject of the complaint), the employee should report to the County Prosecutor. If the County Prosecutor is the subject of the complaint, the employee should report the matter to the County Coroner or the Board of County Commissioners.
2. Each Appointing Authority with second and third shift employees must establish a hotline number that said employees may use to immediately report instances of discriminatory harassment during off shift hours.
3. The employee alleging discriminatory harassment shall complete a written complaint form provided for that purpose (see Appendix L). The employee should provide:
 - a. The employee's name;
 - b. The name of the subject of the complaint;
 - c. The act(s) complained of;
 - d. The date(s) of the act(s);
 - e. Any witnesses to the alleged acts; and
 - f. The remedy the employee is seeking.
4. If the employee alleging discriminatory harassment is unwilling to complete the complaint, the matter should be addressed under the "duty to report" section and the form completed by the person to whom the verbal complaint was made.
5. After the complaint form has been completed, the complaint will promptly be investigated by the proper member of management. This form should be completed by the Employer as soon as possible, and no later than two (2) working days after the date the alleged harassment occurred. A copy of this form must immediately be forwarded to the County Administrator. If it is alleged that the County Administrator is the subject of the complaint, then a copy of this form must immediately be sent to the County Prosecutor.
6. If the investigation reveals that the complaint is valid, prompt action will be taken to end the harassment immediately.

7. Any employee who is found, after appropriate investigation, to have engaged in discriminatory harassment of another employee or a member of the public shall be subject to disciplinary action, up to and including termination.

D. DISCIPLINARY PROCEDURE

When it is determined that there is cause for believing that discriminatory harassment has occurred, the following steps will be followed:

1. The charged party will immediately be placed on administrative leave with pay or temporarily transferred pending the final resolution of the complaint.
2. If the charged party requests it, a meeting will be held during which the charge will be explained to the charged party, and the charged party will be given the opportunity to respond to the charge.
3. Subsequent to the meeting, a final determination will be made. If it is determined that a prima facie case of discriminatory harassment has been established, the charged employee will be subject to discipline up to and including termination. An employee found to have committed discriminatory harassment may, depending upon the severity of the harassment, be given the option of being immediately suspended without pay until such time as the employee completes a program in discriminatory harassment awareness conducted by a recognized professional. If a program is not completed, employer may proceed to discipline as outlined in Section 10; this is the right of the employer. All costs for this program will be borne by the employee. This program must be successfully completed within a reasonable time. Upon successful completion of the program, the employee may apply for reinstatement, and will be reinstated upon presenting proof of successful completion of the program. The reinstatement will be conditional upon the employee's good behavior. Any future act of discriminatory harassment by the employee will result in immediate termination without recourse to this option, or resignation.

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The safety and security of employees, clients, contractors, and the general public are of vital importance to Wayne County Appointing Authorities. Therefore, threats, threatening behavior, or acts of violence made by an employee or anyone else against another person's life, health, well-being, family, or property will not be tolerated. Employees found to have violated this policy may be subject to disciplinary action up to and including termination of employment.

The purpose of this policy is to provide guidance to employees of the County should they encounter a situation that they believe is or could result in an act of violence.

The word "violence" in this policy shall mean any act or behavior that:

1. is physically or emotionally assaultive;
2. a reasonable person would perceive as obsessive (e.g., intensely focused on a grudge, grievance, or romantic interest in another person and likely to result in harm or threats of harm to persons or property);
3. consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of another;
4. would be interpreted by a reasonable person as carrying a potential for harm to the person;
5. a reasonable person would perceive as intimidating or menacing;
6. involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or
7. consists of a communicated or reasonably perceived threat to destroy property.

Wayne County Appointing Authorities prohibit the following:

1. Any act or threat of violence by an employee against another person's life, health, well-being, or property.
2. Any act or threat of violence, including, but not limited to, intimidation, harassment, bullying or coercion.
3. Any act or threat of violence which endangers the safety of employees, clients, contractors, or the general public.
4. Any act or threat of violence made directly or indirectly by words, gestures, or symbols.

5. Use or possession of a weapon on County property, on an Employer-controlled site, or an area that is associated with County employment. (This provision does not apply to those permitted to carry weapons pursuant to 8.16.)

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on County property shall be removed from the premises as quickly as safety permits and shall remain off the premises pending the outcome of an investigation.

It is a requirement that all employees report, in accordance with this policy, any behavior that compromises the Employer’s ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job-related or might be carried out on an Employer-controlled site, or is associated with County employment.

All incidences of suspected or potential violence should be reported to the employee’s immediate supervisor, Department Head, or the Appointing Authority. Do not take the position that the incident is too minor to report or that it does not appear to be a “real problem.” Do not wait until it is too late to be proactive.

All employees who apply for, obtain, or are the subject of a restraining order which lists department locations as being protected areas, must provide to the Appointing Authority a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

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A. STATEMENT OF POLICY

Employer is legally, morally, and philosophically committed to workplace safety. By implementing this policy, Employer is renewing its commitment to workplace safety while, at the same time, recognizing that substance use, and abuse, must be addressed as a part of any such program.

1. **“Zero Tolerance” Policy:** Substance Abuse, in violation of this policy, will not be tolerated; and substance abusers will be terminated.
2. **Prohibited Behaviors:** Employer will not tolerate substance abuse by its Employees. For the purpose of this policy, “Substance Abuse” means:
 - a. Use of illegal substances or drugs would include those items listed in R.C. 2925.01 and R.C. 3719.01, including but not limited to, items listed in Schedules I, II, III, IV, and V, and all harmful intoxicants. “Use of” includes consumption while at work, or reporting to work while under the influence, as that term is used in R.C. 4511.19.
 - b. Misuse of lawfully obtained drugs which can encompass either prescription or over-the-counter preparations whenever dosages are exceeded, or where safety warnings are ignored (i.e. driving or operating machinery while under the influence).
 - c. Misuse of alcohol which includes both the consumption of alcohol while on duty; as well as the act of reporting to duty or working while having sufficient alcohol in blood, breath, or urine to constitute a “positive” result under R.C. 4511.19; or the CDL standard, for those Employees who operate commercial motor vehicles.
 - d. The sale, purchase, manufacture, transfer, use, or possession of any illegal substances or unlawfully obtained prescription drugs while at work.
 - e. The arrival at work, or return to work, or execution of work on work time, while under the influence of drugs or alcohol, or under circumstances where the laws of Ohio, or where testing confirms the presence of a drug of abuse or a blood alcohol concentration at a level indicated in Appendix N of this policy.

3. Limited Allowance of Rehabilitation: An Employee who voluntarily acknowledges a substance use/abuse problem, before it is discovered as a violation of this policy, will receive support and assistance, and may enter the Employee Assistance Program (EAP), or other program approved by the Appointing Authority, for counseling and/or rehabilitation.

B. PROGRAM PROTECTION

This is a “safety” policy, designed to protect Employees from hazards caused by substance users. This program has, as built-in controls, the following:

1. Those Employees who self-identify a problem, and seek a referral to the Employee Assistance Program, will enjoy confidentiality as to that referral, per R.C. 149.43(A)(7)(b).
2. On the other hand, the results of any alcohol or drug screening, required under this policy, cannot be regarded as “medical records,” and may be “public” under R.C. 149.43. (See *State, ex rel. Multimedia, Inc. v. Snowden*, (1995) 42 Ohio St.3d 141.)
3. Nonetheless, any substance test results will be separately maintained, and will not be commingled with personnel records in a personnel file.
4. All supervisors will be trained on this policy, and their respective duties relative to drug testing, before this policy is implemented, and annually thereafter.
5. Employees will receive substance awareness education from a qualified person to help identify problems and learn where to turn for help.
6. Testing will be done through an approved laboratory that uses the highest level of care in ensuring accurate results. This process is accurate in detecting the substances present in the Employee’s system in sufficient quantity to lead to behaviors that may endanger the person or other Employees. The approved laboratory will work closely with a local hospital to ensure fairness and accuracy. Employer will have a Medical Review Officer (MRO) who is a trained physician responsible for checking whether there is a valid reason for the presence of the substance within the Employee’s system.
7. The testing program consists of an initial screening test. If the initial results are positive, then a second test is used. For the most part, the cutoff levels found in Appendix N for each drug are established based on federal guidelines,

except in those cases where state law provides for a lower cutoff point.

8. An Employee's violation of this policy will not be reported to law enforcement unless required by a regulatory body such as conduct related to drug trafficking. However, in protection of the workforce, law enforcement may be requested to come onto Employer property in conjunction with a referral for criminal prosecution.
9. Cutoff levels are used to determine when an Employee has enough of a certain drug or alcohol in his/her system so that it should be considered a positive test. Employer recognizes that many of the standards adopted were designed for either CDL drivers or Ohio drivers; however, Employer has adopted Appendix N as the standard for all Employees.

C. PROGRAM DESCRIPTION

Every Employee will be required to review materials on substance abuse awareness prepared by qualified personnel and distributed by their supervisor. There will be an opportunity to ask questions, and each Employee will be expected to sign an acknowledgement that they received the materials as well as a copy of the Drug Free Workplace Policy. [See Appendix N] Such acknowledgement will constitute proof that the Employee is "on notice" of this program.

There will be a qualified trainer who will explain why, and how, substance use is a workplace problem, the effects, signs, and symptoms of use, and how to get help. New Employees will receive information during orientation and will be given substance education as soon as possible thereafter.

D. DRUG AND ALCOHOL TESTING

1. **Reasonable Suspicion Testing:** Reasonable suspicion testing, for the purpose of this policy, encompasses "reasonable cause," as that term is used in R.C. 4123.54, and includes:
 - a. Observed behavior such as direct observation of drugs and/or alcohol use or possession during working hours, or in such proximity, either in time or distance, as to implicate workplace safety;
 - b. Observed physical symptoms during working hours or in such proximity, either in time or distance, as to implicate workplace safety, of drugs and/or alcohol use;

- c. A pattern of abnormal conduct or erratic behavior during working hours;
 - d. Information provided by a reliable and credible source or independently corroborated regarding an Employee's substance use or being under the influence of drugs or alcohol, during working hours;
 - e. Newly discovered evidence that the Employee has tampered with a previous drug or alcohol test;
 - f. Repeated or flagrant violations of the safety or work rules of the Employee's employer, that are determined by the Employee's supervisor to pose a substantial risk of physical injury or property damage, and that appear to be related to the use of alcohol or a controlled substance, and that do not appear attributable to other factors.
2. **Post Accident Testing:** This type of testing will be conducted whenever there is a "reasonable suspicion" that the Employee's use of alcohol or a controlled substance contributed to a workplace accident.
 3. **Return to Work following voluntary acceptance of EAP counseling.** Employees who self-identify a substance problem, and who are, by virtue of that problem, unable to work, must agree to testing and present a negative test result prior to resuming paid duty.
 4. **Safety-Sensitive Testing** – certified peace officers and CDL drivers, who fall within the policy, unless subject to other requirements by virtue of a collective bargaining agreement, will be subject to additional testing as follows:
 - a. Random testing
 - b. Suspicion-less post-accident testing

E. TESTING PROTOCOL AND PROCEDURE

Drug testing, under this policy, will be carried out by certified collection sites, working in conjunction with certified testing laboratories. Drug tests will utilize urinalysis, while alcohol testing will be by breathalyzer.

1. **Positive Result:** The initial and confirmatory cutoff levels are set forth in Appendix N.

2. **Specimen Collection and Testing Procedure:** Testing will be conducted by trained collection personnel who meet quality assurance and observe requirements for chain of custody for urine collection and breath-alcohol testing. Confidentiality is required from any laboratory used. Any individual subject to testing under this policy shall be permitted to provide urine specimens in private, but subject to strict scrutiny by collection personnel so as to avoid any alteration or substitution of the specimen. Collection personnel may use such procedures as deemed necessary to ensure the proper provisions of samples to be tested, including but not limited to, specimen temperature measurement, urine adulteration testing, and, if requested, observed urine specimen collection by a same-sex observer. Collected specimens will be sealed in appropriate containers in a manner that will permit a demonstration that requirements for chain of custody were met.
3. **Test Review Results:** Drug test results will be reported by the testing laboratory to an MRO contracted by Employer to ensure the accuracy of the tests, and to the Appointing Authority. The MRO will be able to determine whether there are any valid reasons for the presence of substances for which the Employee has presented a positive test result.
4. **Status Pending Results:** Any Employee who is selected for testing will be driven to and from the collection site by another county worker, and may not drive county vehicles or operate county machinery until the initial test result has been received and reviewed by the Employer and the MRO. At that time, if all tests are negative, the Employee will resume all prior duties, and those with a positive test result will be terminated.

F. REPORTING AND RECORDKEEPING

The Employer will be responsible for maintaining all records and reports concerning the Drug Free Workplace Policy and Program. The Employer will be responsible for integrating substance abuse programs where more than one program exists. The Employer will also be responsible for statistical recordkeeping and report, both internally and externally, as the Bureau of Workers' Compensation or other regulating agencies may require.

All records, test results, communications, and reports regarding the Employer Drug Free Workplace Policy shall be forwarded to the Employer to ensure confidentiality of recordkeeping. No manager, supervisor, or Employee will keep any Employee-specific information concerning this program with an unauthorized third party.

G. TESTING NONCOMPLIANCE

Employees who refuse, or willingly fail, to cooperate in testing may be disciplined up to, and including, discharge.

H. NOTICE UPON HIRING

1. Prior to hiring, all applicants who have accepted an offer of employment in a department [a "Prospective Employee"] receiving federal money will receive an information package containing:
 - a. A current copy of the Employer's published statement;
 - b. A current copy of the Employer's Drug Free Workplace policy;
 - c. Information concerning the dangers of drug abuse in the workplace;
 - d. Information concerning any available drug counseling, rehabilitation, and the employee assistance program;
 - e. Information concerning the penalties that will be imposed for the breach of the Employer's Drug Free Workplace policy; and
 - f. Notice to the Employee who is responsible for the performance of a federal grant that any work-related conviction of any federal or state criminal drug statute must be reported in writing to the Employer within five (5) calendar days after such conviction.
2. In addition, all Prospective Employees who will be "responsible for performance of a federal grant" will be required to sign a written statement to the effect that:
 - a. They have received and read a copy of the Employer's Drug Free Workplace statement and policy.
 - b. That they understand that as a condition of their employment:
 - i. They will abide by the terms of the statement and policy; and

- ii. They will notify the Employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

I. CURRENT EMPLOYEES IN DEPARTMENTS RECEIVING FEDERAL MONEY

1. All current Employees in departments receiving federal money will receive a copy of the Employer's Drug Free Workplace statement and policy.
2. All current Employees who "are responsible for performance of a federal grant" will be required to sign a written statement as outlined in (H) (2) above.
3. Any Employee who is responsible for the performance of a federal grant and is convicted of any federal or state criminal drug statute violation occurring in the workplace, must notify the Employer of that fact within five (5) calendar days of the conviction.

J. LOCAL DRUG AND ALCOHOL TREATMENT AGENCIES:

Employees experiencing problems resulting from drug or alcohol abuse or dependency are encouraged to seek counseling or rehabilitation services.

The following agencies are examples of where Employees may look for treatment of alcohol or drug dependency:

1. STEPS at Liberty Center
104 Spink Street
Wooster, OH 44691
Phone: 330-264-8498
2. Your Human Resource Center
2587 Back Orrville Road
Wooster, Ohio 44691
Phone: 330-264-9597
3. Wayne County EAP Program
For more information, call Wayne County Benefits Administrator
330-287-5409

OUT-OF-COUNTY AGENCIES (Primarily for In-Patient & Residential Treatment Services)

1. Summa Health System
444 North Main Street
Akron, OH 44310
Phone: 330-379-5257

2. Interval Brotherhood Home
3445 South Main Street
Akron, OH 44319
Phone: 330-644-4095

3. Edwin Shaw Hospital
405 Tallmadge Road
Cuyahoga Falls, OH 44221
Phone: 330-436-0910

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>4</u>	<u>10/16/13</u>	<u>10/16/13</u>

- A. Whenever an employee is injured on the job, the first action of the employee's supervisor should be to ensure that the injured employee receives proper medical treatment.
- B. An employee who is injured during employment with the County must notify the supervisor immediately and must complete an accident report containing all pertinent and factual information about the accident. (This occurs after medical treatment is received, if such is necessary.) This report must be completed on all work-related injuries, whether or not they required medical attention. The report is to be forwarded to the Appointing Authority within one (1) work day of the accident. Any workers' compensation claim for an unreported injury will not be certified unless the injury required immediate medical attention and was documented by the supervisor. For further information, please see the Wayne County Safety Manual, which by reference, is hereby incorporated into this policy manual.
- C. See Section 5.01(C), Workers' Compensation
- D. Appointing Authorities or their designee should notify and forward copies of all injury and/or accident reports and information to the Safety and Loss Coordinator within twenty-four (24) hours after the accident or the next business day.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>3</u>	<u>10/16/13</u>	<u>10/16/13</u>

- A. Personal use of all County telephones, including cell and other phones, is discouraged. Personal toll calls should be limited and must be charged to a personal calling card or made collect.
- B. Excessive use of telephones for personal use or charging personal toll calls to the County may result in disciplinary action.
- C. Employees are encouraged to review their phone bills. All personal calls, whether charged or not, should be identified. The employee may be responsible for reimbursing the county actual charges for personal calls and a percentage of the cost for providing the phone based on the amount of personal calls.
- D. Employees who are issued county-owned cell phones are required to complete a monthly report of their usage and submit the same to the Auditor. The indirect personal use of county-owned cell phones must be claimed as income and will be added to the employee's total gross wages for payroll purposes. All direct charges for personal use of cell phones must be reimbursed monthly by the employee. Please use the "Personal Use Of County Cellular Phone Monthly Report", Appendix O.
- E. Non-work related use of personally owned cellular phones should be limited to the employee's breaks and lunch period. Employees should avoid using personally owned cellular phones during work periods. The County understands that there may be occasional use to address unexpected personal issues. However, excessive, non-work-related use of personally owned cellular phones during work periods may result in disciplinary action.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>4</u>	<u>10/16/13</u>	<u>10/16/13</u>

- A. A court-ordered legal claim by a creditor against the wages of a County employee for non-payment of a debt and served by the constituted legal authority is a garnishment and will be recognized and executed by the County.
- B. When a garnishment is received by the County, the Appointing Authority will discuss the garnishment with the employee.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>2</u>	<u>7/06/05</u>	<u>7/06/05</u>

Employees are expected to dress in an acceptable, professional manner. Clothing must be clean, neat, in good repair, and appropriate for the assigned duties. Each Appointing Authority may determine the proper dress standards for their departments.

1. Employees are required to dress in accordance with their job tasks.
2. Clothing shall be conducive to the safe and effective performance of required job duties.
3. Failure to follow these guidelines may result in progressive disciplinary action.
4. Employees shall dress and present themselves in a professional manner. Clothing shall appear neat and clean and also be appropriate in accordance with the guidelines set forth by the Appointing Authority.
5. **WCCC** employees shall dress in an acceptable, professional manner. Clothing must be neat, clean, appropriate, and conducive to the safe and effective performance of required job duties. The Appointing Authority will determine the proper dress standards. Failure to comply with appropriate dress, cleanliness, or hygiene may result in disciplinary action. Each employee will be required to sign a compliance form at the time of hire stating they will comply with the uniform regulations.

Original Adoption Date7/31/96**Revision Number**3**Date**10/16/13**Approved**10/16/13

The County does not permit legal or illegal gambling in any form by County employees during paid working hours. The County does not permit illegal gambling in any form on County property. Violation of this policy may be cause for disciplinary action.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>2</u>	<u>7/06/05</u>	<u>7/06/05</u>

In order to maintain a productive, appropriate, and safe working environment, Wayne County reserves the right to govern solicitation and distribution by employees and non-employees in the following manner:

1. Any solicitation by an employee of another employee on the department/agency premises, while either employee is on work time, is prohibited. "Work time" means all time when an employee's duties require that he/she be engaged in work tasks. However, such solicitation is permitted during non-work time in non-work areas.
2. Distribution of any type of literature, brochures, goods, etc. electronically or manually during work time in work areas is prohibited. Employees may distribute goods and written materials during non-work time on approved bulletin boards or as designated by the appropriate authority. .
3. Employees are not permitted access to the interior of County facilities during their off-duty hours without the approval of the Appointing Authority or designee.
4. Non-employees are not permitted access to the premises of any department/agency, including the interior of the facilities and other work areas, for the purpose of solicitation and/or distribution. This section does not apply to agency vendors who are permitted access when scheduled and authorized by the Appointing Authority.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>2</u>	<u>7/06/05</u>	<u>7/06/05</u>

A. There is no smoking in County-owned or leased buildings, areas of ingress and egress, and any County-owned vehicles.

B. **WCCC SMOKE-FREE POLICIES**

The National Fire Prevention Association (Life Safety Code Number 101-193) mandates that all medical facilities have an effective smoking policy.

1. Smoking shall only be permitted outside the building away from areas of ingress and egress.
2. Smoking is strictly prohibited in all other areas.
3. By recommendation of the Board of Commissioners, Medical Director, and the Administrator, this facility is striving to become a smoke-free facility. Employees are encouraged to seek cessation programs to that end.

Original Adoption Date

7/31/96

Revision Number

5

Date

5/13/09

Approved

5/13/09

Unless authorized by law, pursuant to the Ohio Revised Code, and permitted by the Appointing Authority for the performance of an employee's job responsibilities, no person shall knowingly possess, have under the person's control, or convey or attempt to convey a deadly weapon or dangerous ordinance onto or into any County property.

A violation of this may be subject to progressive discipline up to and also including termination.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>4</u>	<u>10/16/13</u>	<u>10/16/13</u>

A. PUBLIC RECORDS POLICY

It is the policy of this Employer that openness leads to a better informed citizenry, which leads to more transparent government and sounder public policy. It is the policy of this Employer to strictly adhere to the state's Public Records Act as well as other state and federal laws.

Ohio's Public Records Act imposes two primary obligations upon public offices:

1. Provide prompt inspection of public records (R.C. 149.43(B)(1)); and
2. Provide copies of public records within a reasonable period of time (R.C. 149.43(B)(2)).

The Public Records Act evolved from the principle that Ohio's citizens are entitled to access the records of their government. We agree that to advance that principle, the Public Records Act should be interpreted liberally in favor of disclosure.

SECTION 1. PUBLIC RECORDS

Under Ohio law, a public office only creates records that are necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency and for the protection of the legal and financial rights of the state and persons directly affected by the agency's activities. (R.C. 149.40).

In accordance with the Ohio Revised Code and court rulings, "records" are defined as those items that meet all of the following:

1. any document, device, or item, regardless of physical form or characteristic, including an electronic record (which includes but is not limited to e-mail or other record created, generated, sent, communicated, received, or stored by electronic means);
2. that is created or received by, or coming under the jurisdiction of a public office; and
3. that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. (R.C. § 149.011(G)).

The determination of whether a specific item constitutes a “record” will depend on the facts and circumstances surrounding the particular item requested. The Ohio Supreme Court has imposed an actual use standard in defining a “record,” which means that an item is not automatically a “record” simply because the public office could (but did not) use a document it received to carry out its duties and responsibilities.

Furthermore, a public office is not required to create new records to respond to a public records request, even if it is only a matter of compiling information from existing records.

Section 1.1

It is the policy of this Employer that, as required by Ohio law, records will be organized and maintained so that they are made available for inspection to any person at all reasonable times during regular business hours. (R.C. 149.43(B)(1)).

Copies will be made available upon request within a reasonable period of time. (R.C. 149.43(B)(1)).

A current record retention schedule will be readily available to the public upon request. (R.C. 149.43(B)(2))

Section 1.2

Not all of the records of this Employer are “public records.” Certain records are exempt from the Public Records Act. Exempt records include records: (1) the release of which is *prohibited* by state or federal law, or 2) that are subject to an express exception set forth in Ohio’s Public Records Act, which may be released only if this Employer decides to waive the express exception.

Examples of records, the release of which is *prohibited* by state or federal law, include, but are not limited to, the following:

- Attorney-client privileged information;
- Records of a Certified Public Accountant or public accountant in the performance of an audit of a public office (R.C. 4701.19(B));
- Federal tax returns (26 U.S.C. 6103(a));
- Criminal background information and other law enforcement information on the LEADS/CCH/NCIC computer database (42 U.S.C. 3789g);
- Records that have been sealed pursuant to a statutorily authorized court order (*i.e.* R.C. 2953.52);

- Peace officer's home address during the pendency of a criminal case in which the officer is a witness or arresting officer (R.C. 2921.24(A)); and
- Employees' and their family members records that were created for purposes of the Family Medical Leave Act or the Americans with Disabilities Act (29 CFR 825.500(g) and 1630.14(c)(1)).

Examples of records that are subject to an express exception set forth in Ohio's Public Records Act, which may be released only if this Employer decides to waive the express exception include, but are not limited to, the following:

- Peace Officer, firefighter, EMT, prosecutor, assistant prosecutor, children's services worker, or corrections officer, residential and familial information (R.C. 149.43(A)(7));
- Records that pertain to a patient's medical history, diagnosis, prognosis, or medical condition and that were general and maintained in the process of medical treatment (R.C. 149.43(A)(1)(a));
- Records that contain information that was specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding (R.C. 149.43(A)(1)(g)); and
- Records that pertain to a law enforcement matter of a criminal, quasicriminal, civil, or administrative nature and that, if released, would create a high probability of disclosing any of the following (1) the identity of an uncharged suspect, (2) the identity of a confidential source, (3) specific confidential investigatory techniques or procedures; (4) specific investigative work product; or (5) information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential source (R.C. 149.43(A)(2)).

The exemptions to the Public Records Act will be narrowly construed by this Employer in the favor of disclosure. This Employer may seek a legal review prior to determining whether or not an exception applies.

SECTION 2. RECORD REQUESTS

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

Section 2.1

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow this Employer to identify,

retrieve, and review the records. If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records such that this Employer cannot reasonably identify what public records are being requested, then this Employer may deny the request. In such case, this Employer will provide the requester with an opportunity to revise the request by informing him/her of the manner in which records are maintained by the Employer and accessed in the ordinary course of this Employer's duties. (R.C. 149.43(B)(2)).

Section 2.2

The requester does not have to put a records request in writing, and does not have to provide his/her identity or the intended use of the requested public record. However, the records custodian may ask for a written request and may ask for the requestor's identity and/or intended use of the information requested if (1) it would benefit the requestor by helping the public office identify, locate or deliver the records being sought, and (2) the requestor is informed that a written request and the requestor's identity and intended use of the information requested are not required. (R.C. 149.43(B)(5)).

Section 2.21

The Public Records law allows a person to choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon any other medium upon which the public office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or person responsible for the public record. This Employer is not required to allow the requester to make the copies of the public record. (R.C. 149.43(B)(6)).

Section 2.3

Public records will be available for inspection at all reasonable times during regular business hours. Public records will be made available for inspection promptly. (R.C. 149.43(B)(1)). To the extent that this Employer may operate 24-hours-a-day, the records of that Employer will be made available for inspection during normal administrative hours.

Copies of public records will be made available within a reasonable period of time. (R.C. 149.43(B)(1)).

The determination of the terms “prompt” and “reasonable” take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Section 2.4

Each request will be evaluated for an estimated length of time required to gather the records. Routine requests for records will be satisfied immediately if feasible to do so.

Section 2.5

Upon request, this Employer will provide copies of public records to a requester by United States mail or by any other delivery means or transmission that this Employer deems reasonable. (R.C. 149.43(B)(7)).

This Employer will limit to ten the number of copies of public records provided per month to a requester by United States Mail, unless the requester certifies in writing that he/she does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. (The word “commercial” should be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research). (R.C. 149.43(B)(7)).

Section 2.6

By Ohio law, this Employer is not required to permit a person who is incarcerated pursuant to a criminal conviction or a juvenile adjudication to inspect or to obtain a copy of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation if the subject of the investigation or prosecution were an adult, unless the request to inspect or to obtain a copy of the record is for the purpose of acquiring information that is subject to release as a public record under this section and the judge who imposed the sentence or made the adjudication with respect to the person, or the judge’s successor in office, finds that the information sought in the public record is necessary to support what appears to be a justifiable claim of the person. R.C. 149.43(B)(8).

Section 2.7

This Employer, in response to a written request made and signed by a journalist, which must include the journalist’s name and title and the name and address of the journalist’s employer, and which states that the disclosure of the information sought would be in the public interest, will provide the address of the actual personal residence of anyone employed by this

Employer as a peace officer, firefighter, EMT, prosecutor, assistant prosecutor, children's services worker, or corrections officer, and, if such employee's spouse, former spouse, or child is employed by a public office, the name and address of that public office. (R.C. 149.43(B)(9)).

Section 2.8

Any denial of public records requested, in part or in whole, will include an explanation, including legal authority, as to why the request was denied. If the initial request was provided in writing, the explanation for denial will be provided to the requester in writing. (R.C. 149.43(B)(3)).

If portions of a record are public and portions are exempt, the exempt portions will be redacted and the rest released. If there are redactions, this Employer will notify the requester of any redaction or make the redaction plainly visible. Each redaction will be accompanied by a supporting explanation, including legal authority, as to why the redaction was made. (R.C. 149.43(B)(1) and (2)).

Section 2.9

This Employer has no duty to provide records acquired after a request for records is complete.

SECTION 3. COSTS FOR PUBLIC RECORDS

Those seeking public records may be charged the actual cost of making copies, unless the cost is otherwise set by statute. (R.C. 149.43(B)(1)). Employee time will not be calculated into the charge for copying a public record. However, in the event that circumstances make it reasonable for this Employer to hire an outside contractor to make copies of requested records, the requester will be charged the actual cost paid to the outside contractor for the copying service. (R.C. 149.43(F)(2)(a)). These circumstances may include but not be limited to a lack of in-house photocopying resources or labor.

This Employer has no duty to provide copies of public records free of charge to someone who indicates an inability or unwillingness to pay for them.

Section 3.1

The charge for making copies of records shall be determined by the Appointing Authority and shall reflect the actual cost to the County.

Section 3.2

This Employer may require a requester to pay in advance the cost involved in providing the copy of the public record, as requested. (R.C. 149.43(B)(6)).

Section 3.3

Upon request, this Employer will provide copies of public records to a requester by United States mail or by any other delivery means or transmission that this Employer deems reasonable. This Employer may require such a requester to pay in advance the cost of postage or costs incurred for other supplies used in the mailing, delivery, or transmission. (R.C. 149.43(B)(7)).

Section 3.4

There may be instances when this Employer may be able to provide copies made in-house without disrupting its normal functions, but only over an extended period of time. In that instance, this Employer may offer the requester the options of (1) having the documents produced through a faster method by employing temporary personnel and equipment, (2) using an external private contractor, or (3) having the documents produced in-house by this Employer's normal staff and equipment in a less efficient and more time consuming manner.

SECTION 4. FAILURE TO RESPOND TO A PUBLIC RECORDS REQUEST

- A. This Employer recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, this Employer's failure to comply with a request may result in the requester commencing a mandamus action against this Employer in either the court of common pleas, in the court of appeals, or in the Supreme Court of Ohio. The court may order this Employer to comply with the Public Records Act, as well as order this Employer to pay statutory damages of one hundred dollars for each business day (beginning with the day the requester files the mandamus action) during which this Employer failed to comply (up to a maximum of one thousand dollars), as well as court costs and the requester's reasonable attorney fees.
- B. **CONFIDENTIALITY, GENERAL**
Each employee of Wayne County shall treat all documents, publications, written, and spoken communications of the County as confidential, even if regarded under RC 149.43 as "public records." Employees are expected to exercise reasonable discretion when discussing work related information with all others.

C. SELF-HELP TO PUBLIC RECORDS PROHIBITED

No employee may copy or remove any record or writing, even those regarded as "public" under RC 149.43, without first having received advanced written permission from the Employer.

D. USE OF COUNTY RECORDS IN PERSONAL ACTIONS PROHIBITED

1. No employee may copy or use any County writing, document, or record in any grievance, administrative appeal, or legal action without having first obtained the written permission of the Employer. This particular policy does not apply to matters obtained through formal "discovery" under the Rules of Civil Procedure or the rules of the State Personnel Appointing Authority of Review.
2. Except for official Departmental business, no employee may have any agency writing or document in his/her possession, unless obtained through this policy.

E. TAPE RECORDING PROHIBITED

No employee may tape record any meeting, conversation, or telephone call unless he/she has received advanced written permission from the Employer.

F. PENALTY FOR BREACH OF THIS POLICY

Any employee who is discovered to have violated any of the above-enumerated provisions will be disciplined, up to and possibly including termination. Any former employee who is discovered to have violated this policy by producing unauthorized documents or tape recordings at any grievance, administrative appeal, or civil action against the Employer, will be barred from seeking a remedy of reinstatement and may be subject to civil or criminal penalties.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>4</u>	<u>5/13/09</u>	<u>5/13/09</u>

It is the intent of Wayne County to provide local, network, and Internet access, where implemented, to employees of Wayne County for functional purposes of local government. This access will assist in the collaboration and exchange of information, facilitate personal growth in the use of technology, and enhance information gathering and communication skills.

County users will comply with all of the following local, network, and Internet acceptable use policies and guidelines.

- A. The use of the network is a privilege that may be revoked by the Appointing Authority at any time and for any reason. Appropriate reasons for revoking privileges include but are not limited to:
 - 1. malicious use of the network;
 - 2. altering of system software;
 - 3. placing of unauthorized information, computer viruses, or harmful programs on or through the computer system in either public or private files or messages.
- B. The Appointing Authority reserves the right to remove files, limit or deny access, and refer the user for other disciplinary actions.
- C. The Appointing Authority reserves all rights to any material stored in the files that are generally accessible to others and will remove any material that the Appointing Authority at its sole discretion, believes may be unlawful, obscene, pornographic, abusive, or otherwise objectionable. Users will not use their County-approved computer account/access to obtain, view, download, or otherwise gain access to such materials.
- D. All information services and features contained on local, County, or network resources are intended for the private use of its registered users, and any use of these resources for commercial-for-profit or other unauthorized purposes in any form is expressly forbidden.
- E. The local and County electronic mail network resources are intended for the exclusive use by their registered users. The user is responsible for the use of his/her account/password and/or access privilege. Any problems that arise from the use of a user's account are the responsibility of the account holder. Use of an account by someone other than the registered account holder is forbidden and may be grounds for loss of access privileges.

**COMPUTER NETWORK USAGE
(CONTINUED)**

**SECTION 8.18
PAGE 2 OF 3**

- F. Any misuse of the network will result in suspension of network privileges and/or other disciplinary action determined by the Appointing Authority. Misuse shall include but not be limited to:
1. intentionally seeking information on, obtaining copies of, or modifying files, other data, or passwords belonging to other users;
 2. misrepresenting other users on the network;
 3. disrupting the operation of the network through abuse of the hardware or software;
 4. malicious use of the network through hate mail, harassment, profanity, vulgar statements, or discriminatory remarks;
 5. interfering with others using the network;
 6. extensive use for non-county-related communication;
 7. illegal installation of copyrighted software;
 8. unauthorized downloading, copying, or use of licensed or copyrighted software;
 9. allowing anyone to use an account other than the account holder;
 10. making any personal purchases using any County network connections.
- G. The use of the network resources are for the purposes of (in order of priority):
1. support of Wayne County functions and operations;
 2. telecommunications;
 3. general information.
- H. The County does not warrant that the functions of the network will meet any specific requirements the user may have, or that it will be error free or uninterrupted, nor shall the County be liable for any direct or indirect incidental or consequential damages (including lost data, information, or time) sustained or incurred in connection with the use, operation, or inability to use the system.
- I. The user with an electronic mail account will diligently delete old mail messages from the personal mail directory to avoid excessive use of the electronic mail disk space. The deleting of emails must comply with the Appointing Authority's record retention policy.

**COMPUTER NETWORK USAGE
(CONTINUED)**

- J. The County will periodically make determinations on whether specific uses of the network are consistent with this policy. The County reserves the right to log network use to monitor filesaver space utilization by users and examine specific network usage (as may be deemed necessary) for the maintenance, safety, or security of the network. The County does not warrant that the functions of the network will guarantee privacy. All data transmitting across local and wide area networks have the potential of being read by unintended individuals either by mis-routed data or intentional monitoring. The County reserves the right to remove a user account on the network to prevent unauthorized activity.
- K. The e-mail system is the property of the Appointing Authority and should be used for the County's purposes only. Users should disclose information or messages from an e-mail system only to authorized persons. The County reserves the right, in its discretion, to monitor the e-mail system to assure that its property is being used for County purposes only and to prevent harassment or improper use. Individuals do not have a personal privacy right in any matter created, received, stored in or sent from an e-mail system. Nothing should be entered into the e-mail system without a good reason.
- L. In order to access the network, the employee must sign appropriate forms releasing the County, its operators, and administration from any and all claims of any nature arising from the use of network resources. In addition, the employee must sign agreeing to this policy in whole and accepting responsibility for the actions and use or misuse of the network equipment (see Acknowledgment of Receipt of Computer Network Usage Policy).
- M. Child Support Enforcement Agency employees and Job and Family Services employees are bound by these policies, as well as the Ohio Department of Job and Family Services (ODJFS) Internal Policy and Procedure Manual (IPP), including but not limited to ODJFS Form 7078, ODJFS IPP.3922 Code of Responsibility and ODJFS IPP.10002 Computer and Information Systems Usage. These documents are available for review on the ODJFS Innerweb, Legal/Policy, Emanuals.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>3</u>	<u>10/16/13</u>	<u>10/16/13</u>

- A. All Wayne County employees must follow all local, state, and federal laws while engaged in County business, while on or in County property, and while operating/utilizing County equipment. Failure to adhere to this policy will result in appropriate disciplinary measures.
- B. Wayne County Appointing Authorities also reserve the right to discipline employees for the violation of laws while the employee is off duty. The discipline to be imposed, if any, will be determined by the Appointing Authority who will consider factors such as the nature of the position the employee holds with the County and the severity of the law violated.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>2</u>	<u>7/06/05</u>	<u>7/06/05</u>

- A. Conviction of a felony is a separate basis for reduction in pay or position, suspending, or removing an employee, even if the employee has already been reduced in pay or position, suspended, or removed for the same conduct that is the basis of the felony. An employee may not appeal to the State Personnel Board of Review any disciplinary action taken by an appointing authority as a result of the employee's conviction of a felony. If an employee is removed for any other reason listed in RC 124.34 and is reinstated as a result of an appeal of the removal, any conviction of a felony that occurs during the pendency of the appeal is a basis for further disciplinary action.
- B. Any employee convicted of a felony immediately forfeits his/her status as a classified employee in any public employment on and after the date of conviction for the felony. If an employee is removed under this section as a result of being convicted of a felony or is subsequently convicted of a felony that involves the same conduct that was the basis for the removal, the employee is barred from receiving any compensation after the removal notwithstanding any modification or disaffirmance of the removal, unless the conviction for the felony is subsequently reversed or annulled.
- C. As used in this policy, "felony" means any of the following:
1. a felony that is an offense of violence as defined in RC 2901.01;
 2. a felony that is a felony drug abuse offense as defined in RC 2925.01;
 3. a felony under the laws of this or any other state or the United States that is a crime of moral turpitude;
 4. a felony involving dishonesty, fraud, or theft; or
 5. a felony that is a violation of RC 2921.05, 2921.32, or 2921.42.

Original Adoption Date7/31/96**Revision Number**2**Date**7/06/05**Approved**7/06/05

- A. All visitors to the WCCC are required to register with the Administrative Office prior to visiting with employees and/or residents. During non-business hours visitors are required to register at the appropriate nurses' station. Resident visiting hours are 10:00 am to 8:30 pm. Visitors causing a disturbance will be asked to leave.
- B. Off duty employees are considered visitors.
- C. Employees are not permitted to receive personal visitors in working areas unless permission is granted by the office or Charge Nurse during non-business hours. Visitation is limited to Break Rooms, Dining Room, or Lobby. Potential employee visitors should be informed of this policy.
- D. Administration understands that due to the nature of operations, it may be desirable for employees to request delivery of food to the facility. Employees ordering food outside the facility must notify the supervisor of the delivery (approx. time) and are responsible for instructing the delivery person that they are restricted from entering the building and should ring at the front entrance. Employees in violation of this policy may be subject to disciplinary action.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>2</u>	<u>7/06/05</u>	<u>7/06/05</u>

- A. Employees of the WCCC are not permitted to accept personal gifts or money from the residents of the WCCC. This policy relieves the WCCC and its employees of any criticism or accusations resulting in gifts given as tokens of appreciation and/or inducement.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>3</u>	<u>10/16/13</u>	<u>10/16/13</u>

It is the obligation and duty of all employees of the WCCC to protect the rights of residents. During their initial orientation period new employees will become familiar with the Resident Bill of Rights.

Any employee who fails to protect the rights of residents, who neglects the care of any resident, who verbally, mentally, or physically abuses any resident shall be subject to disciplinary action. Also, if an employee fails to protect the personal property of any resident by converting such personal property to their personal use, or attempts to defraud any resident of personal property shall be subject to disciplinary action up to and including termination.

PROCEDURE

Where a violation of a resident’s rights is suspected to have occurred, evidenced by a report from a resident, an employee, or a supervisor, an incident report will be filed with the Appointing Authority or the Director of Nursing. Failure to file an incident report, either by the supervisor in charge and/or by an employee witness shall be grounds for disciplinary action. Abuse shall be defined as:

1. Active – verbal, mental or physical
2. Passive – through negligence or withholding services

When an allegation of a violation is reported or suspected, the following procedures shall be implemented:

1. The Supervisor shall immediately inform the Administrator of the allegation.
2. The Administrator shall determine the immediate appropriate action to be taken.
3. The Administrator or designee will send home the accused employee until the completion of the investigation (administrative leave with pay).

Discipline for the violation of resident rights shall be determined on a case-by-case basis depending upon the degree of violation. All cases of resident abuse are disciplined according to Section 10 of this manual.

The Administrator must also report any case of abuse to the Ohio Department of Health and the County Prosecuting Attorney for possible criminal action.

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>4</u>	<u>10/16/13</u>	<u>10/16/13</u>

- A. The WCCC provides for and maintains adequate parking facilities for all employees.

- B. All employees are required to park at the rear of the building. Exception: For security reasons, the 3rd shift personnel may park in front of the building and enter through the front entry door.

- C. Employees are not permitted to park in visitors, reserved, or fire lane designated areas. Employees are also not permitted to block exit doors or otherwise park in areas designated “no parking.”

Original Adoption Date	Revision Number	Date	Approved
<u>7/31/96</u>	<u>3</u>	<u>10/16/13</u>	<u>10/16/13</u>

Please see Appendix P.

Original Adoption Date	Revision Number	Date	Approved
<u>5/13/09</u>	<u>2</u>	<u>10/16/13</u>	<u>10/16/13</u>

Employees who utilize social networking sites, blogs, Twitter, discussion forums or other mediums of electronic communication in their off-duty time shall maintain an appropriate level of professionalism and appropriate conduct so as not to broadcast in a manner which is a violation of confidentiality or is detrimental to the mission and function of Wayne County.

- A. Employees shall not use references in these social networking sites or other mediums of communication that in any way represent themselves as an employee of the Employer without prior Employer approval. This shall include but not be limited to:
 - 1. Text which identifies the Employer.
 - 2. Photos that depict the logos, patches, badges or other identifying symbol of the Employer.
 - 3. Accounts of events which occur within the Employer.
 - 4. Any other material, text, audio, video, photograph or image which would be identifiable to the Employer.
- B. Employees are prohibited from using their title as well as any reference to Wayne County in any correspondence to include emails, postings, blogs, Twitter, discussion forums, social network sites such as Facebook, unless the communication is of an official nature and is serving the mission of the Employer. This prohibition also includes signature lines in personal email accounts. An employee may seek Employer approval for such use.
- C. Employees shall not use their Wayne County email address as a means of identification in social media without prior Employer approval.
- D. Employees cannot post information (including emails, postings, blogs, Twitter, discussion forums, social network sites such as Facebook) obtained from their Employer's records unless they have been obtained through the appropriate Public Records request process.

Original Adoption Date	Revision Number	Date	Approved
<u>10/16/13</u>	<u>1</u>	<u>10/16/13</u>	<u>10/16/13</u>

