

# RECORD OF PROCEEDINGS

Minutes of **MIFFLIN TOWNSHIP BOARD OF TRUSTEES** Meeting

OPS Center, 400 W Johnstown Rd, Gahanna OH 43230

---

Held	<b>September 3,</b>	<b>2025</b>
------	---------------------	-------------

---

I. **CALL TO ORDER** – 10:00 a.m.

II. **PLEDGE OF ALLEGIANCE** - Chair Cavener led the Pledge of Allegiance

III. **ROLL CALL** Present: Trustees Kevin Cavener, Richard Angelou, and Jamie Leeseberg.

Also present: Fiscal Officer **Darlene Wildes**; Fire **Chief Dunlevy**; Police **Chief Briggs**; Service Director **Roger Boggs**; IT Director **Craig Main**; HR Director **Mindy Owens**; Asst Fiscal Officer **Cynthia Lampkins**; Asst Chief **Davis**; and Deputy Chief **Lee**.

## IV. **CONSENT AGENDA**

Approval of **Minutes**: Regular Meeting, August 19, 2025

### **Resolution 131-25**

Approval of **Warrants** of 8/19/2025 – 9/2/2025

There were no **“Then and Now”** Certificates to approve.

Approval of Consent Agenda

Mr. Leeseberg motioned to approve. Mr. Angelou seconded on the motion.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

## V. **CORRESPONDENCE**

- Invitation from State Representative Beryl Brown Piccolantonio to attend a Town Hall meeting on November 1<sup>st</sup>, 1:00 pm, Gahanna Library, Rooms 1, 2, and 3.

## VI. **NEW BUSINESS**

### **Resolution 133-25 (FISCAL)**

Amend agreement with Boyer Financial Group to provide a deferred compensation program.

**Discussion:** The township currently has two deferred compensation plans, Ohio Deferred Compensation 457 Plan and Empower managed by Boyer

## RECORD OF PROCEEDINGS

Minutes of **MIFFLIN TOWNSHIP BOARD OF TRUSTEES** Meeting

OPS Center, 400 W Johnstown Rd, Gahanna OH 43230

**Held**

**September 3,**

**2025**

Financial. This resolution is to limit the participation in the Empower plan to those employees currently enrolled in that plan. All employees will be able to participate in the Ohio 457 plan as it is the approved plan for all Ohio governments. We are limiting the participation to the one plan due to the administrative burden of monitoring IRS compliance with deferring employee compensation. Those who are already participating in the Empower plan will not be impacted.

Mr. Leeseberg motioned to approve. Mr. Angelou seconded on the motion.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

### **Resolution 134-25 (HR)**

Amend and adopt the personnel policies and procedures manual.

**Discussion:** Chair Cavener stated he received a phone call from an employee who did not like the policy with a donor being taxed. He also said that he had never heard of such a thing and Columbus Fire does not do it like this. HR Director Owens clarified that the policy contains an IRS compliant portion that is only taxable to the recipient. The revision included an additional allowance for employees who have a workplace injury, qualifying them for temporary total, and employees on light duty. Both are not IRS compliant therefore the donor and recipient are taxed. Fiscal Officer Wildes stated this is an IRS regulation. HR Director Owens also stated the policies have been reviewed and approved by our legal counsel. In order to have the revised policies approved, HR Director Owens asked if we want to remove the portion of the policy regarding those on light duty and/or with workplace injuries resulting in them not being able to receive leave donation. Trustees agreed.

Mr. Cavener motioned to approve. Mr. Angelou seconded on the motion.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

**Discussion:** Chair Cavener addressed converting the hourly rate when Fire employees are placed on light duty as their hours worked will be reduced from 56 hours to 40 hours.

## RECORD OF PROCEEDINGS

Minutes of **MIFFLIN TOWNSHIP BOARD OF TRUSTEES** Meeting

OPS Center, 400 W Johnstown Rd, Gahanna OH 43230

---

**Held** **September 3,** **2025**

---

### **Resolution 135-25 (CODE ENFORCEMENT)**

Approved code violations to be placed as a lien on the tax duplicate per ORC §505.87(B)(2).

Mr. Leeseberg motioned to approve. Mr. Angelou seconded on the motion.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

### **Resolution 136-25 (POLICE)**

Amend and adopt the Mifflin Township Police Department Records Maintenance and Release Policy.

Mr. Leeseberg motioned to approve. Mr. Cavener seconded on the motion.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

### **Resolution 137-25 (POLICE)**

Authorize expenditure of \$4,690.00 to Watts Up Electric

Mr. Cavener motioned to approve. Mr. Leeseberg seconded on the motion.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

### **Resolution 138-25 (FIRE)**

Approve personnel actions.

## RECORD OF PROCEEDINGS

Minutes of **MIFFLIN TOWNSHIP BOARD OF TRUSTEES** Meeting

OPS Center, 400 W Johnstown Rd, Gahanna OH 43230

---

**Held** **September 3,** **2025**

---

Mr. Cavener motioned to approve. Mr. Leeseberg seconded on the motion.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

### **Resolution 139-25 (FIRE)**

Approve to complete and submit an application for a BWC EMS grant.

Mr. Cavener motioned to approve. Mr. Angelou seconded on the motion.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

### **VII. UNSCHEDULED BUSINESS**

There was no unscheduled business.

### **VIII. DEPARTMENT REPORTS/TRUSTEE COMMENTS**

#### **Fiscal Department**

**Service Department/Code Enforcement** - See attached report.

**Police** - See attached stats.

#### **Fire Division & Township**

### **IX. EXECUTIVE SESSION**

At 11:11 a.m., Mr. Cavener motioned to enter into Executive Session per ORC §121.22 (G) (2) Purpose: to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. Mr. Leeseberg seconded.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

## RECORD OF PROCEEDINGS

Minutes of **MIFFLIN TOWNSHIP BOARD OF TRUSTEES** Meeting

OPS Center, 400 W Johnstown Rd, Gahanna OH 43230

**Held** **September 3,** **2025**

Present for the Executive Session were Mr. Cavener, Mr. Angelou, Mr. Leeseberg, Fiscal Officer Wildes, Fire Chief Dunlevy, Deputy Fire Chief Lee, and Assistant Fiscal Officer Lampkins.

At 11:24 a.m., Mr. Cavener motioned to exit Executive Session. Mr. Leeseberg seconded.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

### **Resolution 140-25 (FIRE)**

Approve to contract with Tina Wedebrook for the sale of property located at 219 N. Hamilton Rd.

Mr. Cavener motioned to approve. Mr. Leeseberg seconded on the motion.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

### **X. ADJOURNMENT**

At 11:24 a.m., Mr. Cavener motioned to adjourn. Mr. Leeseberg seconded.

Vote	Yes	No	Abstain	Absent
Mr. Cavener	X			
Mr. Angelou	X			
Mr. Leeseberg	X			

**BOARD OF TRUSTEES and FISCAL OFFICER**  
**MIFFLIN TOWNSHIP, FRANKLIN COUNTY**

**Kevin Cavener, Chair** \_\_\_\_\_

**Jamie Leeseberg, Trustee** \_\_\_\_\_

**Richard Angelou, Trustee** \_\_\_\_\_

**Darlene Wildes, Fiscal Officer** \_\_\_\_\_



**MIFFLIN TOWNSHIP**  
**Peace. Safety. Welfare.**

**TRUSTEES REGULAR MEETING AGENDA**

Wednesday, September 3, 2025, 10:00 a.m.

OPS Center

400 W Johnstown Rd., Gahanna  
2<sup>nd</sup> Floor, EOC Conference Room B

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. PUBLIC COMMENT**

Limit to five minutes per person. Township-related business only. (Time cannot be yielded to another person.)

**V. APPROVAL OF CONSENT AGENDA**

- Approval of Minutes: September 3, 2025, Regular Meeting
- **Resolution 131- 25** Warrants of 8/19/2025 – 9/2/2025
- **Resolution 132- 25** Then and Now Certificates

**VI. CORRESPONDENCE**

- Invitation from State Representative Beryl Brown Piccolantonio to attend a Town Hall meeting on November 1<sup>st</sup>, 1:00 pm, Gahanna Library, Rooms 1, 2, 3

**VII. NEW BUSINESS**

**Resolution 133-25**

Amend agreement with Boyer Financial Group to provide a deferred compensation program.

**Resolution 134-25**

Amend and adopt the personnel policies and procedures manual.

**Resolution 135-25**

Approve code violations to be placed as a lien on the tax duplicate per ORC §505.87(B)(2)

**Resolution 136-25**

Amend and adopt Mifflin Township Police Department Records Maintenance and Release Policy

**Resolution 137-25**

Authorize expenditure of \$4,690.00 to Watts Up Electric

**Resolution 138-25**

Approve personnel actions

**Resolution 139-25**

Approve applying for BWC EMS Grant Funding totaling \$74,000

**VIII. UNSCHEDULED BUSINESS**

**IX. DEPARTMENT REPORTS/TRUSTEE DISCUSSION**

Fiscal Department

Service Department/Code Enforcement Department

Police Department

Division of Fire & Township

**X. EXECUTIVE SESSION**

Executive Session per ORC §121.22 (G)(2) Purpose: to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is averse to the general public interest.

**XI. ADJOURNMENT**

**Reminders**

1. Tuesday, September 16, 1:30 p.m., Regular Trustees Meeting
2. Sunday, October 5, 1 – 4 p.m., Open House “Fire Safety Week”, Station 132, Rocky Fork Blvd.
3. Monday, October 6, 10:00 a.m., Regular Trustees Meeting
4. Tuesday, October 21, 1:00 p.m., Swearing-in of Fire Officers
5. Tuesday, October 21, 1:30 p.m., Regular Trustees Meeting
6. Saturday, November 1, 1:00 p.m., Gahanna Town Hall, Gahanna Library, Rooms 1 – 3

# Mifflin Township

## Check Report by Check Number

Banks: All

Payment Method: Checks, ACH, EFT

Vendors: 1-800 Flowers to ZZZZZZZZCoverall North America, Inc.

Checks: All

Check Dates: 8/19/2025 to 8/28/2025

As Of Check Cashed Date: 1/1/1900 to 8/31/2025

Include Voids: No

Check Status: Cashed And Outstanding

Check Number	Check Date	Vendor Code	Vendor Name	Check Type	Check Status	Cashed Date	Void Amount	Amount
<b>Bank: 01. A/P BANK - 5/3 Bank A/P</b>								
0000351689	08/22/2025	ABM	ABM Industry Groups, LLC	Check	Cashed	08/25/2025	\$0.00	\$2,914.70
0000351690	08/22/2025	AFFILIATED	Affiliated Resource Group	Check	Cashed	08/26/2025	\$0.00	\$3,646.27
0000351691	08/22/2025	Atlantic -Finley Fire	Atlantic Emergency Solutions	Check	Cashed	08/26/2025	\$0.00	\$230.18
0000351692	08/22/2025	Brosius, Johnson &	Brosius, Johnson & Griggs, LLC	Check	Cashed	08/25/2025	\$0.00	\$2,565.00
0000351693	08/22/2025	IBS	INTERSTATE BATTERIES	Check	Cashed	08/27/2025	\$0.00	\$447.00
0000351694	08/22/2025	Kelly and Askew, In	Kelly & Askew, Inc	Check	Outstanding		\$0.00	\$1,470.00
0000351695	08/22/2025	IAFF Deduction	Mifflin Twp. Local IAFF 2818	Check	Cashed	08/27/2025	\$0.00	\$1,780.00
0000351696	08/22/2025	Ohio Fire Chiefs' As	Ohio Fire Chiefs' Association	Check	Outstanding		\$0.00	\$300.00
0000351697	08/22/2025	Quality Rubber Sta	Quality Rubber Stamp	Check	Cashed	08/26/2025	\$0.00	\$315.00
0000351698	08/22/2025	RingCentral Inc.	RingCentral Inc.	Check	Cashed	08/25/2025	\$0.00	\$1,660.70
0000351699	08/22/2025	Robert Half	Robert Half	Check	Cashed	08/25/2025	\$0.00	\$2,600.00
0000351700	08/22/2025	Smith and Hale LLC	Smith & Hale LLC	Check	Cashed	08/22/2025	\$0.00	\$180.00
0000351701	08/22/2025	Stericycle, Inc.	Stericycle	Check	Cashed	08/25/2025	\$0.00	\$31.91
0000351702	08/22/2025	Breathing Air	Sub-Aquatics, Inc	Check	Cashed	08/26/2025	\$0.00	\$364.00
0000351703	08/22/2025	The Center for Resil	The Center for Resilience & Wellness	Check	Cashed	08/25/2025	\$0.00	\$2,950.00
0000351704	08/22/2025	Fire House	The Fire House	Check	Cashed	08/25/2025	\$0.00	\$750.00
0000351705	08/22/2025	OARNET/Client Ser	The Ohio State University	Check	Outstanding		\$0.00	\$270.00
0202501015	08/20/2025	AEP	American Electric Power	EFT	Outstanding		\$0.00	\$194.57
0202501016	08/19/2025	MM Self-Insured Ins	Medical Mutual Self-Insured	EFT	Outstanding		\$0.00	\$3,893.98
0202501017	08/19/2025	Spectrum	Spectrum	EFT	Outstanding		\$0.00	\$101.03
0202501018	08/21/2025	Child Support Dedu	Ohio Child Support Payment Central	EFT	Outstanding		\$0.00	\$1,505.99
0202501019	08/21/2025	Mifflin Payroll	Mifflin Township Payroll	EFT	Outstanding		\$0.00	\$306,473.48
0202501020	08/21/2025	Payroll TAX	Mifflin Payroll TAX	EFT	Outstanding		\$0.00	\$85,547.55
0202501021	08/21/2025	Staples Advantage	Staples Business Credit	EFT	Outstanding		\$0.00	\$1,758.46
0202501022	08/22/2025	AEP	American Electric Power	EFT	Outstanding		\$0.00	\$280.98
0202501023	08/22/2025	AEP	American Electric Power	EFT	Outstanding		\$0.00	\$244.25
0202501024	08/22/2025	AEP	American Electric Power	EFT	Outstanding		\$0.00	\$38.07
0202501025	08/21/2025	AEP	American Electric Power	EFT	Outstanding		\$0.00	\$1,555.73
0202501026	08/21/2025	AEP	American Electric Power	EFT	Outstanding		\$0.00	\$22.94
0202501027	08/21/2025	Amazon Mkt Place	Amazon Market Place	EFT	Outstanding		\$0.00	\$1,038.16
0202501028	08/25/2025	AEP	American Electric Power	EFT	Outstanding		\$0.00	\$54.86
0202501029	08/25/2025	AEP	American Electric Power	EFT	Outstanding		\$0.00	\$1,512.42
0202501030	08/25/2025	AEP	American Electric Power	EFT	Outstanding		\$0.00	\$180.59
0202501031	08/25/2025	Empower 457 Dedu	Empower 457 Deduction	EFT	Outstanding		\$0.00	\$6,225.00
0202501032	08/26/2025	AEP	American Electric Power	EFT	Outstanding		\$0.00	\$457.93



**As Of Check Cashed Date: 1/1/1900 to 8/31/2025**

Check Number	Check Date	Vendor Code	Vendor Name	Check Type	Check Status	Cashed Date	Void Amount	Amount
0202501033	08/26/2025	MM Self-Insured Ins	Medical Mutual Self-Insured	EFT	Outstanding		\$0.00	\$1,950.98
0202501034	08/26/2025	HSA Employee Pd	HSA Employee Pd Deduction	EFT	Outstanding		\$0.00	\$13,157.20
0202501035	08/26/2025	OPEDC Deduction	Ohio Deferred Compensation	EFT	Outstanding		\$0.00	\$6,425.00
0202501036	08/26/2025	OPEDC Deduction	Ohio Deferred Compensation	EFT	Outstanding		\$0.00	\$1,150.00
0202501037	08/25/2025	5th/3rd Bank Credit	Fifth Third Bank	EFT	Outstanding		\$0.00	\$3,170.46
01. A/P BANK - 5/3 Bank A/P Total:							\$0.00	\$459,414.39
Grand Total:							\$0.00	\$459,414.39

## Melanie Barnette

---

**From:** Rep04 <Rep04@ohiohouse.gov>  
**Sent:** Friday, August 15, 2025 10:34 AM  
**To:** Trustees  
**Subject:** Please Save the Date for Gahanna Town Hall November 1

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

CAUTION: This email originated from outside of the Mifflin Township domain. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mifflin Township Trustees,

You are invited to attend a Town Hall meeting that I will be hosting in Gahanna on Saturday, November 1. I will be providing an overview of the recently passed State Operating Budget, my work at the Statehouse, and other topics of interest to our community.

**Date:** Saturday, November 1

**Time:** 1:00 p.m.

**Location:** Gahanna Library, Rooms 1+2+3

If you have any questions, or would like to RSVP, you may contact my office at [rep04@ohiohouse.gov](mailto:rep04@ohiohouse.gov) and 614-466-4847.

Sincerely,



### Beryl Brown Piccolantonio

State Representative, Ohio House District 4

Minority Whip

Ranking Member, Workforce and Higher Education Committee

77 South High Street, 14th Floor, Columbus, Ohio 43215

Office: 614.466.4847

[Rep04@OhioHouse.gov](mailto:Rep04@OhioHouse.gov) | [Newsletter](#) | [Website](#)

**RESOLUTION #133-25**

**RESOLUTION TO AMEND AGREEMENT WITH BOYER FINANCIAL GROUP TO PROVIDE A  
DEFERRED COMPENSATION PROGRAM**

**WHEREAS**, Mifflin Township adopted a resolution on July 16, 2024, permitting Boyer Financial Group to provide a deferred compensation program that will be made available and optional to all employees;

**WHEREAS**, the Township does not endorse or promote Boyer Financial Group;

**WHEREAS**, Mifflin Township will permit voluntary deductions to continue for current employee deductions and will not permit new enrollment through employer payroll deductions with Boyer Financial Group. Employees who terminate their contribution will not be permitted to re-enroll.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Township Trustees of Mifflin Township, Franklin County, Ohio, that:

- 1) Current enrollment and employee deductions may continue with Boyer Financial Group in a deferred compensation plan at no cost or expense to the Township, and
- 2) New enrollment with Boyer Financial Group through employer payroll deductions will not be permitted.

Mr. \_\_\_\_\_ motioned to approve. Mr. \_\_\_\_\_ seconded on the motion.

<b>Vote</b>	Yes	No	Abstain	Absent
Mr. Cavener				
Mr. Angelou				
Mr. Leeseberg				

This Resolution shall be in force and become effective immediately upon its execution.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kevin Cavener, Chair

CERTIFIED BY:

\_\_\_\_\_  
Richard Angelou, Trustee

\_\_\_\_\_  
Darlene Wildes, Fiscal Officer

\_\_\_\_\_  
Jamie Leeseberg, Trustee

**RESOLUTION #134-25**

**A RESOLUTION OF AMENDING AND ADOPTING THE PERSONNEL POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, the policies are revised periodically to comply with State and Federal Laws and regulations as well as to provide additional policies concerning Township operations.

**WHEREAS**, the policies have been reviewed by the Township Attorney; and

**Now, Therefore Be it Resolved, by the Mifflin Township Board of Trustees, Franklin County, Ohio**, that the attached Personnel Policies and Procedures Manual, are hereby adopted.

Mr. \_\_\_\_\_ motioned to approve. Mr. \_\_\_\_\_ seconded on the motion.

<b>Vote</b>	Yes	No	Abstain	Absent
Mr. Cavener				
Mr. Angelou				
Mr. Leeseberg				

This Resolution shall be in force and become effective immediately upon its execution.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kevin Cavener, Chair

\_\_\_\_\_  
Richard Angelou, Trustee

\_\_\_\_\_  
Jamie Leeseberg, Trustee

**RESOLUTION #135-25: CODE ENFORCEMENT PER ORC §505.87(B)(2):**

**Whereas**, the Service Director is requesting approval of the following code violations to be placed as a lien on the tax duplicate per ORC §505.87(B)(2):

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF MIFFLIN TOWNSHIP, FRANKLIN COUNTY, OHIO:**

to approve liens on the following properties:

1.	2052 Loretta Ave.	Trash	\$300.00
2.	2052 Loretta Ave.	Trash	\$300.00

Mr. \_\_\_\_\_ motioned to approve. Mr. \_\_\_\_\_ seconded on the motion.

<b>Vote</b>	Yes	No	Abstain	Absent
Mr. Cavener				
Mr. Angelou				
Mr. Leeseberg				

This Resolution shall be in force and become effective immediately upon its execution.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kevin Cavener, Chair

CERTIFIED BY:

\_\_\_\_\_  
Richard Angelou, Trustee

\_\_\_\_\_  
Darlene Wildes, Fiscal Officer

\_\_\_\_\_  
Jamie Leeseberg, Trustee

**RESOLUTION #136-25**

**A RESOLUTION OF AMENDING AND ADOPTING MIFFLIN TOWNSHIP POLICE  
DEPARTMENT RECORDS MAINTENANCE AND RELEASE POLICY**

**WHEREAS**, policies are revised periodically to comply with State and Federal Laws and regulations as well as to provide additional policies concerning Police Department operations;

**WHEREAS**, effective April 3, 2025, state and local law enforcement agencies are permitted to charge the actual cost (capped at \$75 per hour not to exceed \$750) to prepare law enforcement video records for inspection or production; and

**WHEREAS**, the policy aligns with the Ohio Sunshine Law

**Now, Therefore Be it Resolved, by the Mifflin Township Board of Trustees, Franklin County, Ohio**, that the attached Mifflin Township Police Department Records Maintenance and Release Policy, is hereby adopted.

Mr. \_\_\_\_\_ motioned to approve. Mr. \_\_\_\_\_ seconded on the motion.

<b>Vote</b>	Yes	No	Abstain	Absent
Mr. Cavener				
Mr. Angelou				
Mr. Leeseberg				

This Resolution shall be in force and become effective immediately upon its execution.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kevin Cavener, Chair

\_\_\_\_\_  
Richard Angelou, Trustee

\_\_\_\_\_  
Jamie Leeseberg, Trustee

**RESOLUTION #137-25**

**Authorize expenditure of \$4,690.00 to Watts Up Electric.**

**WHEREAS**, repairs are needed at the Police Station to update electrical systems, add new lighting, circuits, and GFI protection, as well as run low voltage cable for new cameras that will be purchased in the future.

**NOW, THEREFORE, BE IT RESOLVED, BY THE MIFFLIN TOWNSHIP BOARD OF TRUSTEES OF FRANKLIN COUNTY, OHIO**, to authorize an expenditure not to exceed \$4,690.00 payable to Watts Up Electric, for electrical work to the Police Station.

Mr. \_\_\_\_\_ motioned to approve. Mr. \_\_\_\_\_ seconded on the motion.

<b>Vote</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Mr. Cavener				
Mr. Angelou				
Mr. Leeseberg				

This Resolution shall be in force and become effective immediately upon its execution.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kevin Cavener, Chair

\_\_\_\_\_  
Richard Angelou, Trustee

\_\_\_\_\_  
Jamie Leeseberg, Trustee

**RESOLUTION #138-25**

**RESOLUTION IN THE MATTER OF APPROVING PERSONNEL ACTIONS**

**WHEREAS**, the Mifflin Township Fire Department has vacant positions due to the retirement of Battalion Chief Christopher Brake, and

**WHEREAS**, the recommended candidates have successfully completed the promotional process, and

**WHEREAS**, Fire Chief Brian Dunlevy recommends promoting the following:

Firefighter Steven Lewis to Lieutenant  
Lieutenant Gregory Gilbert to Captain  
Captain Anthony Torres to Battalion Chief

**NOW, THEREFORE BE IT RESOLVED, BY THE MIFFLIN TOWNSHIP BOARD OF TRUSTEES, FRANKLIN COUNTY, OHIO**, to approve promoting Firefighter Steven Lewis to Lieutenant, Lieutenant Gregory Gilbert to Captain and Captain Anthony Torres to Battalion Chief, effective September 14, 2025.

Mr. \_\_\_\_\_ motioned to approve. Mr. \_\_\_\_\_ seconded on the motion.

<b>Vote</b>	Yes	No	Abstain	Absent
Mr. Cavener				
Mr. Angelou				
Mr. Leeseberg				

This Resolution shall be in force and become effective immediately upon its execution.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kevin Cavener, Chair

\_\_\_\_\_  
Richard Angelou, Trustee

\_\_\_\_\_  
Jamie Leeseberg, Trustee



**RESOLUTION #139-25**

**RESOLUTION FOR THE FIRE DIVISION TO COMPLETE AND SUBMIT AN APPLICATION FOR A  
BWC EMS GRANT.**

**WHEREAS**, Mifflin Township has the need for funding to replace four (4) CPR Lucas devices; and

**WHEREAS**, the Mifflin Township Fire has the opportunity to apply for a BWC EMS grant totaling \$74,000. If approved and awarded, Mifflin's portion would be \$21,000 and BWC would pay \$53,000; and

**NOW, THEREFORE BE IT RESOLVED, BY THE MIFFLIN TOWNSHIP BOARD OF TRUSTEES, FRANKLIN COUNTY, OHIO**, to approve the Fire Division to complete and submit an application for a BWC EMS Grant totaling \$74,000 for the purpose of replacing four (4) CPR Lucas devices.

Mr. \_\_\_\_\_ motioned to approve. Mr. \_\_\_\_\_ seconded on the motion.

<b>Vote</b>	Yes	No	Abstain	Absent
Mr. Cavener				
Mr. Angelou				
Mr. Leeseberg				

This Resolution shall be in force and become effective immediately upon its execution.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kevin Cavener, Chair

\_\_\_\_\_  
Richard Angelou, Trustee

\_\_\_\_\_  
Jamie Leeseberg, Trustee



**New Business**

1. Resolution #133-25

Request to amend agreement with Boyer Financial Group to provide a deferred compensation program

**Updates:**

N/A

**Human Resources Department**  
**Sep 3, 2025**



**New Business**

1. Resolution #134-25  
Request to amend and adopt the personnel policies and procedures manual

**Updates:**

N/A



**MIFFLIN TOWNSHIP**  
**Peace. Safety. Welfare.**

# **EMPLOYEE POLICY MANUAL**

Revised September 2025

# Mifflin Township Policy Manual

## RECEIPT FOR TOWNSHIP POLICIES

I have received my copy of the Mifflin Township Policy Manual, which includes the following policies:

INTRODUCTION, APPLICABILITY AND ADMINISTRATION	INJURY LEAVE AND SALARY CONTINUATION
DEFINITIONS	SICK LEAVE
PROFESSIONAL CONDUCT	BEREAVEMENT LEAVE
EQUAL EMPLOYMENT	PARENTAL LEAVE
AMERICANS WITH DISABILITIES	UNPAID LEAVE (NON-FMLA MEDICAL AND PERSONAL LEAVE)
PROFESSIONAL CERTIFICATION/LICENSING	MILITARY LEAVE
INVESTIGATIONS, CORRECTIVE ACTION, AND DISCIPLINE	INSURANCE BENEFITS
UNLAWFUL DISCRIMINATION AND HARASSMENT	VACATION
MEDICAL EXAMINATIONS AND DISABILITY SEPARATION	HOLIDAY COMPENSATION
TOWNSHIP PROPERTY	FLEXIBLE WORK ARRANGEMENT
EMPLOYEE PERSONAL PROPERTY	RETIREMENT
DRIVING AND VEHICLE OPERATIONS	EMPLOYEE ASSISTANCE PROGRAM (EAP)
NEPOTISM	FAMILY MEDICAL LEAVE (FMLA)
NON-TOWNSHIP EMPLOYMENT	LACTATION BREAKS
CONCEALED CARRY (CCW)	PREGNANT WORKERS FAIRNESS ACT
SMOKE FREE WORKPLACE	COMPUTER USE & CYBERSECURITY POLICY
REHIRE	EMAIL COMMUNICATION
PROBATIONARY PERIOD	PERSONNEL FILE
PERFORMANCE REVIEWS	TELEPHONES AND PERSONAL DEVICES
CIVIC DUTY LEAVE	PUBLIC RECORDS REQUESTS
HOURS OF WORK AND OVERTIME	SOLICITATION
SAFE HARBOR PROVISION	SOCIAL MEDIA
SUBSTANCE-FREE WORKPLACE PROGRAM	MEDIA STATEMENTS
ETHICS	OHIO AUDITOR OF STATE'S FRAUD REPORTING
WORKPLACE VIOLENCE	OFFICIAL TRAVEL
WORKERS' COMPENSATION	PURCHASE CARDS
	ADDITIONAL POLICIES FIRE DEPARTMENT EMPLOYEES
	DRUG FREE WORKPLACE

● I agree that I am responsible for reading and adhering to the policies set forth. ● I understand if I have any questions, I will contact my supervisor or the Human Resources Department. ● I understand that these policies are not all inclusive of the policies that I must follow as a Mifflin Township employee. ● I understand that each department may have departmental specific policies and I will become familiar with the policies that I am required to follow. ● I understand that the Policy Manual is available on the HR SharePoint site for my review. ● I acknowledge and understand that this manual does not create a contract of employment with the Township for any purpose. ● I agree and understand that all provisions of this manual may be modified or eliminated, without advance notice to me, at any time.

---

Printed Name

---

Signature

---

Date

# Mifflin Township Policy Manual

## Table of Contents

<b>I.</b>	<b>INTRODUCTION, APPLICABILITY AND ADMINISTRATION .....</b>	<b>3</b>
<b>II.</b>	<b>DEFINITIONS.....</b>	<b>4</b>
<b>III.</b>	<b>PROFESSIONAL CONDUCT .....</b>	<b>5</b>
<b>IV.</b>	<b>EQUAL EMPLOYMENT.....</b>	<b>6</b>
<b>V.</b>	<b>AMERICANS WITH DISABILITIES .....</b>	<b>7</b>
<b>VI.</b>	<b>PROFESSIONAL CERTIFICATION/LICENSING.....</b>	<b>8</b>
<b>VII.</b>	<b>INVESTIGATIONS, CORRECTIVE ACTION, AND DISCIPLINE .....</b>	<b>9</b>
<b>VIII.</b>	<b>UNLAWFUL DISCRIMINATION AND HARASSMENT .....</b>	<b>10</b>
<b>IX.</b>	<b>MEDICAL EXAMINATIONS AND DISABILITY SEPARATION .....</b>	<b>12</b>
<b>X.</b>	<b>TOWNSHIP PROPERTY.....</b>	<b>13</b>
<b>XI.</b>	<b>EMPLOYEE PERSONAL PROPERTY .....</b>	<b>14</b>
<b>XII.</b>	<b>DRIVING AND VEHICLE OPERATIONS.....</b>	<b>15</b>
<b>XIII.</b>	<b>NEPOTISM .....</b>	<b>18</b>
<b>XIV.</b>	<b>NON-TOWNSHIP EMPLOYMENT .....</b>	<b>19</b>
<b>XV.</b>	<b>CONCEALED CARRY (CCW).....</b>	<b>20</b>
<b>XVI.</b>	<b>SMOKE FREE WORKPLACE.....</b>	<b>21</b>
<b>XVII.</b>	<b>REHIRE.....</b>	<b>22</b>
<b>XVIII.</b>	<b>PROBATIONARY PERIOD.....</b>	<b>23</b>
<b>XIX.</b>	<b>PERFORMANCE REVIEWS .....</b>	<b>24</b>
<b>XX.</b>	<b>CIVIC DUTY LEAVE .....</b>	<b>25</b>
<b>XXI.</b>	<b>HOURS OF WORK AND OVERTIME .....</b>	<b>26</b>
<b>XXIV.</b>	<b>SAFE HARBOR PROVISION .....</b>	<b>33</b>
<b>XXV.</b>	<b>SUBSTANCE-FREE WORKPLACE PROGRAM.....</b>	<b>34</b>
<b>XXVI.</b>	<b>ETHICS .....</b>	<b>35</b>
<b>XXVII.</b>	<b>WORKPLACE VIOLENCE.....</b>	<b>36</b>
<b>XXVIII.</b>	<b>COMPENSATION.....</b>	<b>37</b>
<b>XXIX.</b>	<b>INJURY LEAVE AND SALARY CONTINUATION .....</b>	<b>38</b>
<b>XXX.</b>	<b>SICK LEAVE .....</b>	<b>40</b>
<b>XXXI.</b>	<b>BEREAVEMENT LEAVE .....</b>	<b>43</b>
<b>XXXII.</b>	<b>PARENTAL LEAVE.....</b>	<b>44</b>
<b>XXXIII.</b>	<b>UNPAID LEAVE (NON-FMLA MEDICAL AND PERSONAL LEAVE) .....</b>	<b>45</b>
<b>XXXIV.</b>	<b>MILITARY LEAVE.....</b>	<b>46</b>
<b>XXXV.</b>	<b>INSURANCE BENEFITS.....</b>	<b>47</b>

## Mifflin Township Policy Manual

<b>XXXVI. VACATION .....</b>	<b>48</b>
<b>XXXVII. COMPENSATION.....</b>	<b>50</b>
<b>XXXVIII. FLEXIBLE WORK ARRANGEMENT .....</b>	<b>51</b>
<b>XXXIX. RETIREMENT .....</b>	<b>53</b>
<b>XL. EMPLOYEE ASSISTANCE PROGRAM (EAP) .....</b>	<b>54</b>
<b>XLI. FAMILY MEDICAL LEAVE (FMLA) .....</b>	<b>55</b>
<b>XLII. LACTATION BREAKS .....</b>	<b>62</b>
<b>XLIII. PREGNANT WORKERS FAIRNESS ACT.....</b>	<b>63</b>
<b>XLIV. COMPUTER USE &amp; CYBERSECURITY POLICY .....</b>	<b>64</b>
<b>XLV. EMAIL COMMUNICATION.....</b>	<b>67</b>
<b>XLVI. PERSONNEL FILES.....</b>	<b>68</b>
<b>XLVII. TELEPHONES AND PERSONAL DEVICES.....</b>	<b>69</b>
<b>XLVIII. PUBLIC RECORDS REQUESTS .....</b>	<b>70</b>
<b>XLIX. SOLICITATION .....</b>	<b>71</b>
<b>L. SOCIAL MEDIA.....</b>	<b>72</b>
<b>LI. MEDIA STATEMENTS .....</b>	<b>74</b>
<b>LII. OHIO AUDITOR OF STATE'S FRAUD REPORTING.....</b>	<b>75</b>
<b>LIII. OFFICIAL TRAVEL .....</b>	<b>76</b>
<b>LIV. PURCHASE CARDS.....</b>	<b>79</b>
<b>LV. LEAVE DONATION POLICY .....</b>	<b>82</b>
<b>ADDITIONAL POLICIES FIRE DEPARTMENT EMPLOYEES .....</b>	<b>85</b>
<b>I. FIRE SERVICE AUTHORITY .....</b>	<b>86</b>
<b>II. LIABILITY CLAIMS .....</b>	<b>87</b>
<b>III. SOLICITATION OF FUNDS.....</b>	<b>88</b>
<b>IV. DISPOSITION OF VALUABLES .....</b>	<b>89</b>
<b>V. SAFE HAVENS FOR NEWBORNS LAW .....</b>	<b>90</b>
<b>VI. PERSONAL PROJECTS ON-DUTY .....</b>	<b>92</b>
<b>VII. PHYSICAL FITNESS .....</b>	<b>93</b>
<b>VIII. FAMILY SUPPORT LIAISON.....</b>	<b>94</b>
<b>IX. FIREFIGHTER/EMT-B APPRENTICE TUITION REIMBURSEMENT POLICY .....</b>	<b>95</b>
<b>X. HOLIDAY COMPENSATION (FIRE DEPARTMENT INCLUDING MECC).....</b>	<b>96</b>
<b>Appendix A.....</b>	<b>97</b>

## Mifflin Township Policy Manual

### **I. INTRODUCTION, APPLICABILITY AND ADMINISTRATION**

The provisions of the Mifflin Township Policy Manual are applicable to all employees, except as specifically provided herein. This manual's purpose is to provide a systematic and organized approach to the establishment, implementation, and administration of the personnel policies and practices relevant to all affected employees. This manual is not a contract of employment or a guarantee of any rights or benefits but is merely intended to be used to assist and guide employees in the day-to-day direction and performance of their duties. Any promises or statements made by any individual that conflicts with this manual is unauthorized, expressly disallowed, and should not be relied upon. Any questions relating to the purpose, goals, and/or interpretation of these policies should be directed to the Human Resources Department.

The policies adopted in this manual supersede all previous written and unwritten personnel policies. When the contents of this manual conflict with department specific policies, procedures or rules, the department policies, procedures or rules will prevail. This manual is also intended to be construed in such a manner as to comply with all applicable federal and state laws and regulations. Employees are responsible, as a condition of their employment, to familiarize themselves with, and abide by, these policies and procedures.

The Township will endeavor to give employees advance notice of any manual changes. However, the Township may revise these policies with or without advance notice. Notice of revisions shall be provided to all employees. Employees are encouraged to make suggestions for improvements in personnel policies and practices to the Human Resources Department.

If any article or section of this manual is held to be invalid by operation of law, the remainder of this manual and amendments thereto shall remain in force and effect. Should a conflict arise between the Ohio Revised Code (O.R.C.) or applicable federal law and this manual, law shall prevail.



## II. DEFINITIONS

Board of Trustees: The Board of Township Trustees, Mifflin Township, Franklin County, Ohio; the appointing and legislative authority of Mifflin Township.

Department Head: The employee charged with the management and supervision of processes or persons assigned to their department.

At-Will Employment: All employees, other than those protected under the Ohio Revised Code are considered at-will employees who serve at the pleasure of the Board of Trustees and may be terminated at any time for cause or for no cause.

Employee: An employee is a person who is hired by the Township and regularly works for the Township on an hourly wage or salary basis. Employees are subject to the control and direction of the Township Board of Trustees in the performance of their duties. Unless otherwise provided by law, employees are employed at will and serve at the pleasure of the Board of Trustees.

Exempt Employee: An employee not covered by the Fair Labor Standards Act (FLSA) overtime provisions does not receive overtime pay.

Full-Time: Employees scheduled to work thirty (30)-forty (40) hours per week are considered full-time employees.

Part-Time: Employees working less than thirty (30) hours per week are considered to be part-time employees. These employees are hired with the expectation that they will work less than 1500 hours per year unless they receive the Department Head's authorization to exceed this amount.

Uniformed Full-Time Rotating Unit: Employees in the Fire Department, scheduled to work a rotating shift of 24 hours on duty followed by 48 hours off duty are within the uniformed full-time rotating unit. These employees are subject to this employee policy as well as any fire department work rules.

Temporary/Seasonal: Employees hired to fulfill temporary work needs are temporary/seasonal employees and will be paid an hourly wage but will generally not be eligible for benefits provided by the Township. Temporary/seasonal appointments include, but are not limited to, college interns, student help, interim and intermittent employees and will be part-time.

Intermittent: Employees who do not work continuously and may consist of periodic intervals of weekly work, intervals of no weekly work, or no fixed schedule.

### III. PROFESSIONAL CONDUCT

Employees have an obligation to observe and follow the Township's policies, procedures and directives of management. Noncompliance will be subject to progressive disciplinary action and, in some cases, may lead to immediate termination of employment. When formal disciplinary action is warranted, the steps set forth below will be followed to the extent possible. However, the Township reserves the right to decide the form, order, and manner of discipline to be administered. Nothing in this section changes an employee's at-will status or the rights and obligations within Ohio Revised Code, nor does anything in this policy require the Township to adhere to any of the below steps in making or executing any employment decision, up to and including termination. Progressive discipline includes verbal warning, written warning, suspension (unpaid and working) and termination.

Employees are expected to maintain a satisfactory and harmonious relationship with fellow employees and the public to sustain normal and effective operations. Therefore, the Township requires that all employees maintain high standards in interpersonal relationships with internal and external customers. Interpersonal skills include, but are not limited to, professional, positive and effective communication, active and efficient listening skills, positive attitudes and professional demeanor.

The Township also believes that all employees should be able to work in an environment free of threatening speech or actions. Threatening behavior consisting of any words or actions that intimidate a staff member or cause anxiety concerning their physical well-being is strictly prohibited. Anyone who is found to have threatened a member of the staff or the public will be subject to discipline up to and including termination following applicable policies.

In order to maintain the integrity of Mifflin Township, and the confidence that the public has in it, and to provide an orderly, positive, and productive workplace, it is essential that employees of Mifflin Township observe a professional standard of conduct following all applicable policies set forth in the Township employee handbook and the established department procedures. Such a higher standard of conduct will benefit and protect both the Township and the employee, as well as provide the highest standard of service to the citizens for whom we are employed.

In pursuit of providing the highest quality standard of service to the customers, employees are expected to perform their duties within the policies, procedures and directives of management. Employees are expected to be efficient and to utilize their hours at work to conduct the public work. Employees are subject to disciplinary action for inefficiency and loss of production if personal issues interfere with productivity.

Employees must also professionally provide services to the public. Conduct that is abusive, discourteous, neglectful, purposefully performed incorrectly and against policy or standard procedure, or not performed when required will not be tolerated. Further, speech that is disparaging of the Township, its officers, management or employees and not constitutionally protected shall not be tolerated. To be constitutionally protected, speech must:

- a) Address a matter of public concern, and
- b) Outweigh any governmental interests.

Speech that is purely job related or of purely personal interest is not a matter of public concern.

An employee's conduct or misconduct while not on duty that brings discredit to the Township, interferes with the Township's ability to provide services to the public, or violates any policy, procedure, or agreement of the Township will not be tolerated.

An employee who is arrested for any criminal offense, including, but not limited to, any crime that constitutes a misdemeanor or felony and any arrest or charge of operating a motor vehicle while under the influence of drugs and / or alcohol must report that arrest immediately to their supervisor or department director who will inform Human Resources, or the employee may report the incident directly to Human Resources. The Township will carefully consider the impact that the arrest or criminal charge makes on its operations and consider any applicable employment decisions based on that impact.

Any employee found to be in violation of this Section shall be subject to possible disciplinary action up to and including removal and/or criminal prosecution. Any employee who has a question as to whether or not their actions or activities are in violation of this Section should direct such an inquiry to their immediate supervisor, Human Resources or appointing authority.

**IV. EQUAL EMPLOYMENT**

Mifflin Township is an equal employment opportunity employer. Employment decisions are based on merit and business needs, and not on race, color, religion, national origin, sex (including sexual orientation), familial status, military status, disability, or any other status protected by applicable law. The Board of Trustees and all employees of the Township have the responsibility for assuring that their actions do not violate this Policy. All employees engaging in discriminatory practices will be subject to disciplinary action up to and including termination.

Employees who believe that they have been a victim of or witness to a violation of this Policy should promptly report the facts of the incident or incidents and the names of the individuals involved to Human Resources, who will investigate all such claims and take appropriate action. If Human Resources is the subject of the report, the employee should promptly report the incident or incidents to the Board of Trustees. Reports should be in writing. Retaliation against an employee who makes a good faith report or complaint of a violation of this Policy is strictly prohibited. However, false reports, false complaints, or those made in bad faith may lead to disciplinary action, up to and including termination.

**V. AMERICANS WITH DISABILITIES**

The Township is committed to providing equal opportunity in employment to qualified individuals with disabilities. The Township agrees to treat qualified individuals without regard to their disability in all employment practices.

The Township will attempt to accommodate employees and job applicants with disabilities to enable them to perform the essential functions of their jobs in a safe and efficient manner. The Township will afford reasonable accommodation to qualified applicants and employees with a known disability, provided that the accommodation does not cause undue hardship to the Township or, irrespective of the accommodation, that such individuals do not pose a direct threat to the health and safety of themselves or others.

Applicants and employees with disabilities may inform Human Resources of the disability and may suggest, on a confidential basis, how the Township may reasonably accommodate them. While verbal requests will be considered, employees are strongly encouraged to submit written requests for accommodation to avoid confusion and facilitate effective dialogue regarding proposed accommodation.

**VI. PROFESSIONAL CERTIFICATION/LICENSING**

All employees in a position for which certifications/licensure are required by applicable state and/or federal statutes or regulations must maintain an active certification/license. Employees whose professional certificate/license lapses may use vacation or comp leave only if the employee has submitted for renewal of the professional certificate/license and is pending approval. Employees who do not have sufficient vacation or comp leave may apply for an unpaid leave of absence.

Employees who have not met the educational requirements or other standards to renew the professional certificate/license are subject to discharge.

**VII. INVESTIGATIONS, CORRECTIVE ACTION, AND DISCIPLINE**

The Township has the right to investigate all alleged disciplinary violations. Employees are required to cooperate fully during investigations. For all employees, the failure to respond, to respond truthfully, or to otherwise cooperate in an investigation, shall be considered insubordination and may result in termination. Employees involved in an investigation shall not discuss the facts of the investigation during the pendency of the investigation. Investigations shall be conducted upon receipt of an allegation of potential misconduct. Investigations shall be conducted promptly and in a reasonable and efficient manner to determine whether the alleged misconduct occurred.

The Board of Trustees or designee may place an employee on paid administrative leave pending an investigation. Any recommendations for administrative leave without pay must be approved by the Board of Trustees.

Police and Fire employees who have completed their probationary may only be disciplined for just cause. Disciplinary action will be commensurate with the offense. Discipline for minor infractions will normally be imposed in a progressive manner with consideration given to the nature of the offense, prior disciplinary action, length of service, the employee's position, the employee's record of performance and conduct along with all other relevant considerations. Nothing in the policy shall be construed to limit the Township's discretion to impose a higher level of discipline under appropriate circumstances. Discipline resulting in a suspension without pay, reduction in pay and/or rank, or removal of a uniformed, sworn police or fire employee shall be in accordance with the Ohio Revised Code.

The following forms of misconduct constitute grounds for disciplinary action: is guilty in the performance of his official duty, of bribery, misfeasance, malfeasance, nonfeasance, misconduct in office, gross neglect of duty, gross immorality, or habitual drunkenness.

The property and image of the Township is to be respected at all times; as such, an employee's off duty conduct that has a nexus to the workplace or could reasonably negatively impact the Township may form the basis for discipline. Any comments or questions concerning the standard of conduct expected should be directed toward the employee's immediate supervisor.

Employees have an obligation to immediately inform the Township of any on-duty or off-duty arrests or convictions. An arrest or conviction may, or may not, result in discipline depending on the nature of the incident, the job performed, and other relevant considerations. Employees will not be granted vacation leave in order to serve jail time.

The filing or prosecution of criminal charges or other civil administrative investigations against an employee for alleged misconduct or criminal activity shall not be determinative as to appropriate disciplinary action, if any, under this policy. The Township may investigate the employee's alleged misconduct or activities and determine the appropriate discipline, if any, without regard to pending administrative or criminal charges. The disposition of such administrative or charge is independent of a disciplinary investigation. Although the Township may utilize information obtained during other investigations, the Township's decision to take appropriate disciplinary action may or may not correspond with the filing, or non-filing, of criminal charges or civil actions. A felony conviction while employed with the Township is just cause for termination.

Staff is responsible for reporting any incident or conduct they believe is inappropriate and/or in violation of Township Policies and Procedures whether the conduct occurs on-duty or off-duty. This duty includes incidents observed, reported by residents, reported by staff, or suspected due to other facts.

Disciplinary files will be maintained according to the records retention.

## **VIII. UNLAWFUL DISCRIMINATION AND HARASSMENT**

### **A. POLICY**

The Township is committed to providing a facility that is safe and free from unlawful discrimination and harassment. Unlawful discrimination or harassment is behavior directed toward an employee because of their membership in a protected class such as: race, color, religion, sex, national origin, age, ancestry, disability, genetic information, or military status. Unlawful discrimination and harassment is inappropriate and illegal and will not be tolerated. All forms of unlawful discrimination and harassment are governed by this policy and must be reported and addressed in accordance with this policy.

### **B. DEFINITIONS**

Unlawful discrimination occurs when individuals are treated less favorably in their employment because of their membership in a protected classification. An employer may not discriminate against an individual with respect to the terms and conditions of employment, such as promotions, raises, and other job opportunities, based upon that individual's membership in that protected class. Harassment is a form of discrimination. Harassment may be generally defined as unwelcome conduct based upon a protected classification. Harassment becomes unlawful where:

1. Enduring offensive conduct becomes a condition of continued employment.
2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

### **C. EXAMPLES**

Sexual harassment is one type of unlawful harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Harassment on the basis of an employee's membership in any protected classification is unlawful, will not be tolerated, and must be reported so the Township may investigate and take appropriate action. Unlawful discrimination and harassment does not generally encompass conduct of a socially acceptable nature. However, some conduct that is appropriate in a social setting may be inappropriate in the workplace. A victim's perceived acquiescence in the behavior does not negate the existence of unlawful discrimination or harassment. Inappropriate conduct that an employee perceives as being "welcome" by another employee may still form the basis of a legitimate complaint.

### **D. OFF DUTY CONDUCT**

Unlawful discrimination or harassment that affects an individual's employment may extend beyond the confines of the workplace. Employee conduct that occurs off duty and off premises may also be subject to this policy.

### **E. WORKPLACE ROMANCES**

To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are required to inform their Department Head or Human Resources if they currently are, or if they intend to become, romantically involved with a co-worker. Such relationships are not necessarily prohibited but must be appropriately addressed. Should the Township determine that a conflict exists between an employee's employment and a personal relationship with a co-worker, the Township will attempt to work with the employees to resolve the conflict. Should operational needs prevent resolution, the relationship must cease or one or both of the parties must separate from employment. Supervisors are expressly prohibited from engaging in romantic or sexual relationships with any employee they directly, or indirectly, supervise.

## **F. COMPLAINT PROCEDURE**

Employees who feel they have been subject to unlawful discrimination or harassment by a fellow employee, supervisor, or other individual otherwise affiliated with the Township, as outlined in paragraph J below, shall immediately report the conduct, in writing, to their Department Head or Human Resources, each of whom shall have the authority and responsibility to work directly with Human Resources to investigate and take appropriate action concerning the complaint. Similarly, employees who feel they have knowledge of discrimination or harassment, or who have questions or concerns regarding discrimination or harassment, shall immediately contact their Department Head or Human Resources. Late reporting of complaints and verbal reporting of complaints will not preclude the Township from taking action. However, so that a thorough and accurate investigation may be conducted, employees are encouraged to submit complaints in writing and in an expedient manner following the harassing or offensive incident. All supervisors are required to follow up on all claims or concerns, whether written or verbal, regarding unlawful discrimination and harassment.

When the Township is notified of the alleged harassment, it will timely investigate the complaint. The investigation may include private interviews of the employee allegedly harassed, the employee committing the alleged harassment and any and all witnesses. Information will be kept as confidential as practicable, although confidentiality is not guaranteed. All employees are required to cooperate in any investigation. Determinations of harassment shall be made on a case-by-case basis. If the investigation reveals the complaint is valid, prompt attention and disciplinary action designed to stop the harassment and prevent its recurrence will be taken.

## **G. RETALIATION**

Anti-discrimination laws prohibit retaliatory conduct against individuals who file a discrimination charge, testify, or participate in any way in an investigation, proceeding, or lawsuit under these laws, or who oppose employment practices that they reasonably believe discriminate against protected individuals, in violation of these laws. The law also prevents retaliatory conduct against individuals who are close personal friends or family members with an individual who engaged in protected conduct. The Township and its supervisors and employees shall not in any way retaliate against an individual for filing a complaint, reporting harassment, participating in an investigation, or engaging in any other protected activity. Any employee who feels they have been subjected to retaliatory conduct as a result of actions taken under this policy, or as a result of their relationship with someone who took action under this policy shall report the conduct to their Department Head or Human Resources immediately. Disciplinary action for filing a false complaint is not a retaliatory act.

## **H. FALSE COMPLAINTS**

Legitimate complaints made in good faith are strongly encouraged; however, false complaints or complaints made in bad faith will not be tolerated. Failure to prove unlawful discrimination or harassment will not constitute a false complaint without further evidence of bad faith. False complaints or dishonest statements in a complaint or in an investigation of a complaint are considered to be a violation of this policy.

## **I. COVERAGE**

This policy covers all employees, supervisors, department heads and elected officials. Additionally, this policy covers all suppliers, subcontractors, residents, visitors, clients, volunteers and any other individual who enters Township property, conducts business on Township property, or who is served by Township personnel.

## **J. MANAGEMENT RESPONSIBILITY**

All members of management are responsible for ensuring that no harassment occurs. Upon receiving a complaint of harassment or otherwise becoming aware of possible harassment, management must immediately report the same to the Department Head who will collaborate with Human Resources to investigate the alleged conduct.



**IX. MEDICAL EXAMINATIONS AND DISABILITY SEPARATION**

In situations where it is believed an employee may not be able to fulfill all of the essential duties of their position without restriction due to a chronic medical condition(s) (e.g. physical or mental), the Department Head or designee may require the employee to be examined by a physician (occupational specialist) to determine fitness-for-duty. The Township will choose the examining physician and pay for this examination, including all diagnostic and laboratory tests. The Township will provide the physician with the employee's job description. Together with the job description, medical history, physical and/or mental examination and any diagnostic, laboratory or other testing required, the physician will provide the Township with their determinations. After consulting with the physician, the Department Head or designee may place employee on the appropriate leave.

In the event the employee disagrees with the physician's determination, the employee may obtain, at their cost, an opinion from an occupational physician selected by the employee. If the second opinion differs from the original determination, the Department Head or designee may either:

- Place the employee back on active duty, or;
- Require the employee to obtain a third opinion from an occupational physician designated and paid for by the Township. The opinion of the third physician shall be final and binding on both the employee and Township.

In all cases, the employee shall authorize the release of the results of each examination and all records arising there from to Human Resources or designee.

If, as a result of such examinations(s), it is determined the employee is not physical or mentally capable of performing their duties, the Township may provide the employee up to twelve (12) weeks of leave to rehabilitate their condition. The employee shall use any accrued, but unused sick leave, vacation leave, earned time or comp time. During any rehabilitation period, the employee is required to provide progress reports from the employee's attending physician, and/or submit to an examination by a Township designated occupational physician.

If the employee remains unable to perform the essential functions after the twelve (12) weeks of leave, they may request a voluntary disability separation. If an employee refuses to request a voluntary disability separation, the Trustees may place the employee on an involuntary disability separation if the Trustees have substantial credible medical evidence to indicate that the employee remains disabled and incapable of performing the essential job duties.

If required by ORC, the Board of Trustees shall institute a hearing prior to involuntarily disability separating an employee. The employee shall be provided with written notice at least seventy-two hours in advance of the hearing. If the employee does not waive the right to the hearing, then at the hearing the employee has the right to examine the Township's evidence of disability, to rebut that evidence, and to present testimony and evidence on the employee's own behalf.

If the Board of Trustees determines, after weighing the testimony presented and evidence admitted at the pre-separation hearing, that the employee is capable of performing their essential job duties, then the involuntary disability process shall cease, and the employee shall be considered fit to perform their essential job duties. If the appointing authority determines, after weighing the testimony presented and the evidence admitted at the pre-separation hearing, that the employee is unable to perform their essential job duties, then the Board of Trustees shall issue an Involuntary Disability Separation Order.

An employee may return to their same or similar position, if a same or similar position is available, within one year from the effective date of the Involuntary Disability Separation upon providing clear medical documentation to the Board of Trustees that the employee is able to and has been cleared by their physician to perform the required duties of the position.

An employee's refusal to submit to an examination, to release the findings of an examination, or to otherwise cooperate in the examination process will be considered insubordination.

### **X. TOWNSHIP PROPERTY**

Employees are prohibited from using Township materials, tools, facilities, equipment, and labor for personal or private use regardless of whether the use is during working or non- working time. Employees may not perform private work for themselves, co-workers, friends or family members during working time or while using Township materials, tools, facilities, or equipment. All Township tools and equipment must be used and operated within the laws of the State of Ohio and/or rules and regulations of the Township. Employees who separate from service with the Township are responsible for the return of reusable Township property in their possession.

Employees have no reasonable expectation of privacy in the use of Township property and facilities. In order to safeguard employees and the workplace, and in order to maximize efficiency, safety and productivity, the Township reserves the right, in its sole discretion and without notice to employees, to inspect, monitor or otherwise search Township property and facilities or any other enclosed or open area within Township property or facilities and to monitor or inspect any items found within such facilities.

Employees are required to cooperate in any workplace inspection. The Township also reserves the right to inspect any packages, mail, parcels, handbags, briefcases, or any other possessions or articles carried to and from Township facilities and job sites where permitted by law. Employees required to answer the telephone or other communication, as part of their assigned duties, shall do so in a polite and courteous manner. No employee shall use foul or abusive language over the telephone, or other communication, or in any dealings with the public. The Township reserves the right to monitor any phone or other communications at any time. Personal phone calls or other person communication must be kept to an “on emergency basis” only. Toll calls and/or long-distance calls for personal reasons shall not be charged to the Township.

The Township may issue cellular phones or other electronic devices to its employees. Cellular phones and other electronic devices are capable of making and receiving phone calls, sending and receiving email, text messaging, internet browsing, running third party applications, GPS, and entertainment. Regardless of the capability of a particular cellular phone or electronic device, all Township-issued electronic devices are considered Township property and are for business use only. Features other than phone use must not be used or activated without direct authorization from a supervisor.

When the Township provides available lockers and other facilities for the use and convenience of its employees, Mifflin Township retains ownership and all rights thereof. No personal locks are to be used on any Township equipment. Master keys to the lockers are maintained by Mifflin Township. Lockers are subject to random inspection and there is no expectation of privacy by employees utilizing Township owned lockers.

**XI. EMPLOYEE PERSONAL PROPERTY**

Employees are responsible for their own personal property at all times. There is no reimbursement or insurance coverage provided by the Township for the loss of or damage to an employee's personal effects that are kept at stations, offices, desks, or personal vehicles.

**XII. DRIVING AND VEHICLE OPERATIONS**

- A. Employees operating a Township motor vehicle are required to have a proper and valid motor vehicle operator's license and remain insurable on the Township's policy. Employees shall comply with all motor vehicle laws and regulations while operating a Township vehicle or a personal vehicle for Township related business. The use of cellular phones or smart phones while operating a motor vehicle is limited to hands free devices pursuant to the traffic laws within the State of Ohio or other state laws if traveling outside the State of Ohio. Use of other electronic devices such as iPads, laptop computers, etc. while operating a motor vehicle (Township-owned or personal) is prohibited unless allowable by law for emergency vehicles.

An employee who operates a motor vehicle for work and who has their license suspended, but who has acceptable court-ordered driving privileges, may nevertheless have their driving privileges temporarily suspended by the Township. When the Township suspends driving privileges, the employee may be temporarily reassigned. The Township need not reassign an employee who drives for work and has their license suspended by a court with no work-related driving privileges.

Any Township employee who operates a Township-owned motor vehicle, or a privately owned motor vehicle in the discharge of official Township business, shall always during the course of operation, fully utilize the front seat occupant restraint systems provided in the vehicles and require like use of said systems by any passengers in the vehicle. Employees who operate Township vehicles must have appropriate insurance coverage as established by the Township's Insurance Policy.

Use of a Township-owned vehicle must be pre-approved by the employee's supervisor. Employees shall not use, or permit the use of, Township automobiles or privately-owned motor vehicles for the discharge of official Township business for any purpose other than official Township business. Passengers not on official Township Business (i.e. children, spouses, friends, etc.) are not permitted in Township-owned vehicles without authorization. Employees, as representatives of the Township, are expected to be courteous to the public and to obey all traffic laws. Township employees should drive and conduct themselves as to enhance the reputation of the Township.

Employees who drive Township vehicles or who drive their personal vehicles for Township business are subject to periodic (at least annual) record checks at the Bureau of Motor Vehicles. Employees who utilize Township vehicles or drive their personal vehicle on Township related business are responsible for reporting to their supervisor any moving traffic violations obtained while on, or off, duty as an employee's personal driving record may impact their ability to be covered on the Township's liability policy. Employees who drive on behalf of the Township are subject to reassignment and/or discipline in the event of a license revocation, suspension, or traffic offense conviction.

The Township may, at its discretion, monitor the use of Township vehicles using a GPS system. Such monitoring by the Township shall be limited to an employee's use during working hours; for take-home vehicles, to confirm that a vehicle is not being used improperly during non-working hours; or, for other reasons to confirm that the vehicle is being used for a purpose consistent with this policy.

**B. DRIVING RECORD ACCEPTABILITY**

Township employees are required to abide by all applicable State and local laws, rules and regulations, whether operating a Township vehicle or operating personal vehicles.

Township employees must have the appropriate valid, unrestricted and current State of Ohio operator's license to drive any motor vehicle required as part of their position.

The Township shall perform an annual MVR check on all employees. Upon review of the MVR check, drivers may have their driving eligibility temporarily or permanently revoked and/or be required to participate in a State of Ohio Adult Remedial Program or alcohol/controlled substance intervention programs. This determination is based on the person's position and driving requirements for work purposes. Such program shall be at the employee's sole and own expense. The employee shall provide written proof to Human Resources of his or her attendance and satisfactory completion of such course or training before being restored to an acceptable driving record.

All Township employees driving a Township owned vehicle, or own personal vehicle while conducting Township business, must have the appropriate State of Ohio driver's license with an acceptable driving record as well as at least the minimum State liability automobile insurance for bodily injury and property damage. Any employee whose driving record shows any one or more of the following conditions is considered to have an unacceptable driving record if the following violations appear on the employee's MVR during the prior 36 months:

1. One (1) or more serious violation(s); Serious violations include, but are not limited to, driving while intoxicated; Driving while under the influence of drugs; Negligent homicide arising out of the use of a motor vehicle (gross negligence); Operating a vehicle without a license; Using a motor vehicle during the commission of a felony; Aggravated assault with a vehicle; Operating a vehicle without the owner's authority (grand theft); Attempting to elude or flee a law enforcement officer; Road rage; Permitting an unlicensed person to drive; Speed contest; and Hit and run driving. As a general practice any violation that is 4 or 6 points constitutes a serious violation.
2. Two (2) or more avoidable accidents in the last year involving a Township owned vehicle where the accident results in property damage in excess of \$2,500; At-fault accidents that occur in an "emergency vehicle" when the vehicle is on an emergency call (e.g. fire fighters driving a fire engine in response to an alarm and police officers responding to a Code 3), will be counted only if the accident is determined to have been "avoidable". An "avoidable" accident is defined as: "one in which the operator failed to do everything reasonably expected of him/her to avoid the accident".
3. Four (4) or more moving violations in the last two (2) years, including, but not limited to, traffic citations as a result of an accident. Moving violations include violations involving personal vehicles, which may or may not have occurred during use for Township business as well as those involving Township owned vehicles.

Nothing in this Section shall be interpreted as limiting the Township's ability to discipline an employee based on an unacceptable driving record. Employees may be subject to disciplinary action, up to and including termination, for violating this Section or otherwise exhibiting unacceptable driving habits.

Newly hired employees and job candidates shall be required to meet the Driving Record Acceptability at the time of hire. An applicant may be denied employment on the basis of an unacceptable driving record.

## **C. VEHICLE OPERATIONS**

Only employees who are included on a Township roster of drivers are allowed to drive Township owned or personal vehicles during the course of their employment.

Employees are responsible to ensure safe Vehicle operation. It is the responsibility of every employee who drives a vehicle to comply with the following:

- All drivers must be at least eighteen (18) years of age.
- All drivers must maintain a valid Driver's License that applies to the type of vehicle to be operated. (e.g. Commercial Driver's License)
- All drivers must operate the vehicle in a safe, courteous, and economical manner.
- All drivers and all passengers in vehicles so equipped shall wear safety belts at all times.
- All drivers and passengers shall comply with the motor vehicle laws of the State of Ohio or any other applicable State if the Employee is required to drive out of the State of Ohio for business related purposes.

Authorization for temporary/seasonal employees to operate vehicles shall be limited where practical.

## **D. INSPECTIONS AND MAINTENANCE**

It is the responsibility of all drivers to ensure the vehicle they are operating is well-maintained and safe to operate. Drivers must read and adhere to their department guidelines prior to operating a Township vehicle. Concerns regarding repairs or vehicle maintenance must be reported to the employee's immediate supervisor.

## **E. TAKE HOME VEHICLES**

Township vehicles that are approved by the department head to be taken home are not to be used for personal business while housed at the Township employee's residence. Additionally, it is the Township employee's responsibility to secure the vehicle while at home. This requirement includes ensuring that no person has access to the vehicle and to not authorize or permit, in any way, the use of the vehicle by a non-Township employee. Township employees shall be responsible for taking all precautions to ensure there is no unauthorized access to or use of Township vehicles.

Any employee on extended absence from working including, but not limited to, injury leave or on restricted or modified duty and unable to perform on-call duty or work evenings or weekends, will be required to leave their vehicle at their workstation.

## **F. SPECIAL VEHICLES**

1. Special Equipment such as tractors, fire engines, or any vehicle which has special devices added for specific types of work will require that the driver receive formal instruction prior to usage. This special training will comply with all appropriate OSHA, NFPA and DOT Standards and rules and regulations. This formal instruction includes but is not limited to:
2. EVOC, Explanation and demonstration of all control devices.
3. Explanation and demonstration of all safety equipment.
4. A walk through of all inspection criteria.
5. Demonstration of operation.
6. Supervised new driver operation.

**XIII. NEPOTISM**

As stated in the Township's Ethics Policy, Ohio Revised Code §§ 102.03 and 2921.42 prohibit public employees from using their influence to benefit themselves or their family members. While complying with the statutory prohibitions, the Township may employ relatives of current employees.

The Township will receive employment applications from relatives of current employees. However, the following four (4) situations shall prevent the Township from hiring a relative of a current employee:

1. If one relative would have supervisory or disciplinary authority over another.
2. If one relative would audit the work of another.
3. If a conflict of interest exists between the relative and the employee or the relative and the Township.
4. If the hiring of relatives could result in a conflict of interest.

Generally, an employee is not permitted to work in a position where their supervisor or anyone within their chain of command is a relative. If such a situation is created through promotion, transfer, or marriage, one of the affected employees may be transferred or accommodation acceptable to the Township must be established. Termination of employment may result.

If two (2) employees marry, they will be subject to the same rules listed above as other relatives.

**XIV. NON-TOWNSHIP EMPLOYMENT**

Township employees are required to notify their Department Head of any non-Township or outside employment. No Township employee shall have outside employment which conflicts in any manner with their ability to perform their duties and responsibilities properly and efficiently with the Township. Township employees are expected to be at work and fit for duty when scheduled.

Township employees are prohibited from engaging in secondary employment while on sick leave, or in a manner inconsistent with an approved family medical leave. Township employees are strictly prohibited from engaging in or conducting outside private business during scheduled working hours and are further prohibited from engaging in conduct which creates a potential or actual conflict of interest with their duties and responsibilities as a Township employee.



**XV. CONCEALED CARRY (CCW)**

Consistent with the Ohio Revised Code, no employee, contractor, client or other individual may carry, possess, convey or attempt to convey a deadly weapon or ordnance onto the property of the Township. A valid concealed carry license does not authorize an individual to carry such a weapon onto Township premises. Law enforcement officers specifically authorized to carry a firearm are exempted from this provision and may be permitted to carry a concealed weapon.

Township employees are prohibited from carrying firearms any time they are working for the Township or acting within the course and scope of employment. Except for law enforcement officers, no employee or member of the public may carry a concealed weapon in a Township owned vehicle.

This Policy does not prohibit Township employees, possessing a valid license to carry a concealed handgun, from transporting or storing a firearm or ammunition in their personal vehicle at work locations where their personal vehicle is otherwise permitted to be (e.g., Township Parking Lot). However, the Township employee must leave the firearm and ammunition in their personal vehicle. Township employees are neither permitted to remove their firearm or ammunition from their personal vehicles while at work locations nor are they permitted to bring a concealed firearm or ammunition into a Township owned building. The Township employee's firearm and ammunition must be stored in their personal vehicle in accordance with the storage provisions of the Concealed Carry statute. The firearm and ammunition must be in a locked vehicle either in the glove compartment, a lock box, or the trunk. Employees shall immediately contact a supervisor if they suspect an employee or member of the public is carrying a concealed weapon, firearm, or ammunition on Township premises. Employees are required to immediately contact a supervisor if they suspect an employee to be carrying a concealed weapon or firearm in violation of this Policy at any time while they are working for the Township, acting within the course and scope of employment, or acting as a representative of the Township.

**XVI. SMOKE FREE WORKPLACE**

The Township is a Smoke-Free workplace. This policy addresses various issues concerning the provisions of Ohio's Smoke-Free Workplace Act. The Smoke-Free Workplace Act prohibits the Township from permitting employees to smoke in public places and places of employment. The Township can be fined for an employee's failure to adhere to this policy. In addition to the specific restrictions in the Smoke-Free Workplace Act, the Township has adopted this policy to address issues pertaining to employment and the application of this law.

Township employees are prohibited from smoking or use of tobacco products in any "protected area". A "protected area" is either of the following:

- a) An "enclosed area" under the direct or indirect control of the Township that employees use for work, or for any other purpose, including, but not limited to: offices, meeting rooms, sales, production and storage areas, restrooms, stairways, hallways, warehouses, garages, and vehicles. "Enclosed area" means an area with a roof or other overhead covering of any kind and walls or side coverings of any kind on all sides or on all sides but one, regardless of the presence of windows, doorways, vents, or other openings.
- b) Any doorway, entrance way, or other area immediately adjacent to locations of ingress or egress to an "enclosed area".
- c) Any area in which tobacco smoke could enter into an area defined under "a." or "b.", above, through entrances, windows, ventilation systems, or other means. To assure that smoke does not enter any protected area, employees may not smoke within a 40- foot radius of any protected area, or within such greater radius as needed to prohibit smoke from entering an "enclosed area."

No employee shall smoke or use tobacco products in any of these protected areas at any time, regardless of the presence of other employees in the area.

For the purposes of this policy, tobacco is defined as all tobacco, tobacco derived or substances mimicking tobacco containing products, including but not limited to: cigarettes, electronic cigarettes, vapor cigarettes, any artificial/faux cigarette, cigars, cigarillos, pipes, oral tobacco, or any other manner of using or consuming tobacco, tobacco derived substances or substances mimicking tobacco. The definition is intended to include all products that deliver nicotine for purposes other than cessation.

**XVII. REHIRE**

A rehire is a former Township employee who is re-employed to work for the Township after a separation of service.

**A. ELIGIBILITY FOR REHIRE**

To be eligible for rehire:

1. There must be a position available to which the former Township employee is qualified;
2. The former Township employee must have resigned from their previous employment with the Township with timely notice in compliance with Township policy;
3. The former Township employee must have received performance evaluations showing satisfactory performance in terms of job performance, attendance, and similar measurement factors. If the former employee resigned prior to receiving an evaluation, they must have successfully completed their probationary period, if applicable and have no disciplinary or similar record in their prior personnel file.

**B. OHIO PUBLIC RETIREMENT SYSTEM RETIREE REHIRE**

In addition to the requirements in Sections 112.1 and 112.2 above, Township employees who take OPERS Retirement may be rehired subject to the following:

1. In accordance with R.C. 145.381, if the retiring employee is subject to hire through a Township, then sixty (60) days prior to rehire in the same job from which the employee retired, the hiring Township must give public notice of the employee's intent to rehire. The hiring Township must then hold a public hearing on the issue between fifteen (15) and thirty (30) days prior to the retired employee's rehire date.
2. At the time of retirement, the employee must be paid all accrued vacation time. When rehired, the employee will begin accruing vacation as a new employee. The employee will not receive credit for prior years' service in determining the vacation accrual rate.
3. If the employee requests payment of sick leave upon retirement, the employee will start with a zero balance and accrue sick leave as a new employee. The employee will not be eligible for any future payment of unused sick leave earned during post-retirement employment.
4. If the employee does not request payment of sick leave upon retirement, they may retain the sick leave balance for use when rehired provided their re-hire date is within ten (10) years of their retirement. If the employee chooses not to request payout upon retirement, they shall not be eligible for any payment of unused sick leave upon separation from the post-retirement employment.
5. Classified employees who are rehired after taking OPERS retirement will receive no credit for prior service. Rehired employees will start a new period of classified service for the purpose of calculating service credits in the event of layoff or other action affecting their employment.
6. Employees are required to notify their employer of their retirement date. The Township reserves the right to start a rehired employee at a newly negotiated rate of pay.

**XVIII. PROBATIONARY PERIOD**

**A. PROBATIONARY PERIOD**

The probationary period allows the Township to closely observe and evaluate the employee's fitness and suitability for the position. Only those employees who demonstrate an acceptable standard of conduct and performance shall be retained in their positions. If, at any time during the probationary period, a newly hired employee's service is determined to be such that it does not merit further employment, the employee may be terminated without appeal rights.

- 56-Hour Employees: Newly hired employees shall be required to successfully complete a one-year probationary period. Lateral transfers shall be required to complete a 180-day probationary period.
- Police: Newly hired and lateral transfer employees shall be required to successfully complete a one-year probationary period.

The probationary period will begin on the first day for which an employee receives compensation from the Township. Under R.C. 505.491 *et seq* and 505.38 and 733.35 *et seq* any probationary police and firefighter department employee may be terminated at any time during this probationary period at-will and without cause and shall have no recourse, nor may the firefighter or police officer, appeal or otherwise challenge such termination in a court or other tribunal or body.

**1. EMPLOYMENT-AT-WILL**

Unless otherwise provided by law, all employees of the Township are employees "at-will" and serve at the pleasure of the Board. This manual is not a contract of employment or a promise or guarantee of employment or of any rights. As an "at-will" employee, you may resign your employment at any time, with or without reason, and with or without notice. Employees who resign without serving a two-week notice will not be considered leaving in good standard. Likewise, the Township may terminate your employment at any time with or without reason, and with or without notice. No supervisor, employee or representative of the Township, except the Board of Trustees, has authority to make any agreement contrary to the foregoing and any such agreement must be in writing and approved and signed by the Board of Trustees and the employee. At-will employees do not serve a probationary period.

**B. PROBATIONARY PERIOD FOLLOWING PROMOTION**

Newly promoted fire department employees (40 hour and 56-hour schedule) shall be required to successfully complete a minimum promotional probationary period of six (6) months in the newly appointed position.

Newly promoted police shall be required to successfully complete a minimum promotional probationary period of one (1) year in the newly appointed position.

Probationary periods for newly promoted fire and police employees shall begin on the effective date of the promotion. If, during the probationary period following promotion, any employee's services are found to be unsatisfactory, the employee may be reduced to the position and salary, to which they held prior to the promotion, at the sole discretion of the Board of Trustees. Any employee demoted during their probationary period following promotion shall have no right to appeal or otherwise challenge such demotion in a court or any other tribunal or body.

**C. EXTENSION OF PROBATIONARY PERIOD**

The Township, through its Board of Trustees, may, from time to time and in its sole discretion, extend any employee's initial probationary period or promotional probationary period. In the event of such an extension, the employee shall continue to serve as a probationary employee until such time as determined by the Board of Trustees. Notwithstanding R.C. 505.491 *et seq.*, 505.38 and 733.35 *et seq.*, during an extension of probationary status, a probationary police or fire department employee may be terminated at any time during their probationary period at will and without cause and shall have no recourse, nor may they appeal or otherwise challenge such termination in a court or other tribunal or body. Extension of a probationary period will not exceed what is permitted in ORC.

**XIX. PERFORMANCE REVIEWS**

The Township's mission is to provide peace, safety, and welfare for all its citizens. The Board of Trustees strives to provide an environment in which all employees understand the impact their contributions have on achieving this mission.

Performance reviews are provided to employees at six (6) months of employment, one (1) year of employment, then every year going forward on the Township review schedule.

Performance reviews are provided to promoted employees at six (6) months in their new position, then every year going forward on the Township review schedule.

Evaluations will be based upon defined and specific criteria and will generally be reviewed and signed by the employee's direct supervisor. The results will be discussed with the employee and the employee will be asked to sign the evaluation. An employee's signature will reflect their receipt of the evaluation, not their agreement with its contents. Should the employee refuse to sign, a notation will be made reflecting the date and time of the review along with the employee's refusal to sign. Employees may offer a written response to their performance evaluation. Such a response, if given, will be maintained with the evaluation.

**XX. CIVIC DUTY LEAVE**

**A. COURT TIME**

Employees who receive a lawful subpoena must notify and obtain prior approval from their supervisor to be excused from their regularly scheduled workday. A copy of the subpoena must be provided for approval of leave. Employees will be paid at the appropriate hourly rate for regularly scheduled hours when they are subpoenaed to appear before any court, commission, board, or other legally constituted body authorized by law to compel the attendance of witnesses, including jury duty for the United States, the state of Ohio, or a political subdivision.

If an employee's responsibility is concluded prior to the completion of the employee's regularly scheduled workday, the employee must return to work for the remainder of the workday or request vacation time or comp time.

The provisions of this policy do not apply to those instances when an employee appears in court:

1. As the defendant in a criminal case;
2. As a party to a civil action;
3. As a result of secondary employment; or
4. Without a subpoena having been issued.

**B. JURY DUTY**

Employees will be excused from regularly scheduled work for jury duty. If an employee's jury duty is concluded prior to the completion of the employee's regularly scheduled workday, they must return to work for the remainder of the workday. The Township will compensate an employee who is called to, and reports for, panel or jury duty, at the employee's straight-time hourly rate for the hours they were scheduled on that day. The employee must give the Township prior notice of jury duty in order to receive their regular pay.

**C. FIRE DIVISION EMPLOYEES**

Fire Division employees working a twenty-four (24) hour shift called to serve for jury duty on a scheduled duty day will not be required to return to work for the remainder of their scheduled shift upon the completion of that day's service; provided, however, that the Fire Division employee is not dismissed by the Court for the day before 12:00 p.m. In this instance, the Fire Division employees shall promptly return to their scheduled shift.

**XXI. HOURS OF WORK AND OVERTIME**

- A. The Township will establish the hours of work for all employees. Employees may be required to workdays, evenings, nights and/or weekends due to operational needs. The Township may alter schedules, days off and shifts based upon operational needs. Unless prohibited due to operational needs, the Township will meet in advance with employees and give at least two (2) weeks advance notice for significant shift and schedule changes.
- B. Due to federal regulations, employees who are not exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) are prohibited from signing in or beginning work before their scheduled starting time or signing out/stopping work past their scheduled quitting time except with supervisory approval or in emergency situations. Additionally, non-exempt employees who receive an unpaid lunch period are prohibited from working during their lunch period except with supervisory approval or in emergency situations. Non-exempt employees should not remain at their desks, or computers, without notice and approval of their supervisor. Non-exempt employees who work outside their regularly scheduled hours in contravention of this rule shall be paid for all hours actually worked but may be disciplined accordingly.

Failure to properly sign in or out as required, misrepresenting time worked, altering any time record, working overtime without approval, or allowing a time record to be altered by others will result in disciplinary action.

- C. Paid Leave when calculating overtime
- Fire Department - Paid leave, except for injury leave and donated leave, will be considered as worked hours when calculating overtime compensation.
  - Service Department Employees - Paid leave, except for injury leave, donated leave, sick leave, and paid administrative leave, will be considered as worked hours when calculating overtime compensation.
  - Police Department Employees - Paid leave, except for injury leave, donated leave and paid administrative leave, will be considered as worked hours when calculating overtime compensation.
  - Administration and Fiscal Employees – Sick leave, vacation leave, compensatory time, injury leave and all other paid time off, and unpaid leaves shall not be considered hours worked for purposes of overtime compensation. If use of paid leave results in an employee accumulating more than 40 hours in a work week, the amount of paid leave will be reduced to reflect a 40-hour work week unless otherwise approved by the Department Head.
- D. The Township may mandate overtime as a condition of continued employment. Supervisors shall attempt to distribute overtime as equally as practicable among qualified employees within those classifications in which overtime is required. An employee who refuses to work a mandatory overtime assignment may be considered insubordinate and will be subject to progressive discipline. Additionally, the Township may authorize or require employees to work a flexible schedule in a work week. For overtime eligible employees, a flexible schedule must occur within a single forty-hour work week.
- E. A partial overtime exemption, or differing work schedule, may apply to certain employees, such as safety forces. The FLSA defines a *work week* as any seven (7) consecutive 24-hour periods. The Township defines a *work period* as fourteen (14) consecutive calendar days. The Township has established that both the work week and work period start on Sunday. The Township defines the *work schedule* as the expected hours an employee is scheduled per work week.

FLSA Exempt Status - Any Township employee who is determined to be exempt under the FLSA shall not be entitled to overtime compensation.

FLSA Non-Exempt Employees (not on a 56-hour work schedule) - Overtime is calculated on a 7-day work week. Employees shall be entitled to overtime compensation at a rate of one and one-half times their regular hourly rate for time worked beyond forty (40) hours per work week.

## Mifflin Township Policy Manual

FLSA Non-Exempt Firefighters (56-hour work schedule) - Overtime is calculated on a 14-day work period.

- Firefighters are scheduled to work either 96 hours or 120 hours per work period.
- Firefighters shall be entitled to overtime compensation at a rate of one and one-half times their regular hourly rate for time worked:
  - beyond 96 hours in a 14-day work period when scheduled to work 96 hours
  - beyond 106 hours in a 14-day work period when scheduled to work 120 hours
  - use of paid leave when calculating overtime applies as defined in XXI (C)

### F. COMPENSATORY TIME

Non-exempt Township employees may, at their election, take compensatory time in lieu of overtime payment with prior authorization from their Department Head, in compliance with the Fair Labor Standards Act. Compensatory time is calculated at the rate of one and one half (1.5) times, if applicable.

Compensatory time may be accumulated up to 240 hours maximum. Once an employee reaches the maximum amount of compensatory time that can be banked, no additional compensatory time off will be added to the account until compensatory time off has been used. An employee will be permitted to use compensatory time on the date requested unless doing so would “unduly disrupt” the operations of the department. Compensatory time may be carried over into the following year, provided that the maximum accumulation shall not exceed 240 hours.

#### 1. TRANSFER/PROMOTION TO EXEMPT POSITION

In the event a non-exempt employee transfers or is promoted to an exempt position, any compensatory time will be cashed out at the time of transfer or promotion.

#### 2. COMPENSATORY COMPENSATION AT SEPARATION

Upon separation from service recognized public service, an employee is entitled to compensation at their current rate of pay for accrued but unused compensatory time. In the case of the death of a Township employee, the unused accrued holiday leave to the credit of the employee shall be paid in accordance with section 2113.04 of the Revised Code, or to the employee's estate.

### G. EARNED TIME OFF – OVERTIME EXEMPT EMPLOYEES

Employees who are exempt from the overtime provisions of the FLSA shall not receive compensatory time. However, a bona fide executive, administrative or professional employee may receive earned time off. Earned time off may not be given on a time and one-half basis but may be given as an hour for hour trade. Earned time may be accrued up to 80 hours maximum. Once an employee reaches the maximum amount of earned time off that can be banked, no additional earned time off will be added to the account until earned time off has been used. Earned time off shall not be paid out and shall either be used or lost upon separation of employment. The use of earned time off will be subject to approval based on operational needs.

### H. TIMEKEEPING

The FLSA requires employers to keep certain records on behalf of their employees. The FLSA does not require a particular form for the records but does require certain identifying information about each employee as well as precise and accurate data about the number of hours worked and wages earned. Additionally, state law requires employers to keep certain records on behalf of their employees. Article II, section 34(a) of the Ohio Constitution and Ohio Revised Code (ORC) 4111.14 require employers in the State of Ohio to maintain certain records, including the hours worked each day and each work week, for at least three (3) years from the date the hours were worked and for three (3) years following the last date the employee was employed.

Non-Exempt Firefighters (56-hour work schedule) – Worked hours based on the department scheduling program will be submitted to payroll for processing. Employees are responsible for reviewing their record for accuracy and report errors to their supervisor each pay period.



## Mifflin Township Policy Manual

Non-Exempt Employees (not on a 56-hour work schedule) - As determined by each Department Head, employees must either record in and out times in the time and attendance system or clock in/out at the beginning and end of each shift worked. All hours worked are to be accurately recorded. Employees may not work "off the clock," "on their own time," or "for free."

Non-exempt employees who work outside their regularly scheduled hours in contravention of these rules shall be paid for all hours actually worked but may be subject to disciplinary action.

It is recognized that in certain situations (e.g. clock malfunction, etc.), it will be necessary to correct or enter missing data. These changes can be made manually by a Timekeeper per Department Head or designee request and approval and will be noted accordingly in the timekeeping system.

Exempt Employees – Employees are required to record their total hours worked per shift in the designated timekeeping program for tracking and accountability purposes.

### **I. FAILURE TO USE THE TIMEKEEPING SYSTEM PROPERLY**

Should an employee forget to clock in or out, they must inform the Department Head or designee within 24 hours of the occurrence or by the end of the pay period, whichever is sooner. A pattern of not clocking in or out and subsequently requesting a manual adjustment may not be used as a substitute method to disguise or conceal tardiness or leaving early.

### **J. WORK SCHEDULES**

The Department Head will establish the hours of work for their department's employees. Staff may be required to workdays, evenings, nights and/or weekends due to operational needs. Additionally, schedules, days off and shifts may be altered based upon operational needs. Unless prohibited due to operational needs, the Department Head or designee will meet in advance with employees and give at least two weeks advance notice for significant shift and schedule changes.

Employees are to remain at their assigned work location, during their scheduled work hours, except when on a lunch break (when authorized), restroom or other permitted breaks, responding to emergency calls, or performing any other approved job-related duties. No employee may report for duty late or leave early, without the express authorization of the Department Head or designee. Employees are prohibited from starting work early or performing work outside of their assigned work schedule unless authorized by a Department Head or designee. An employee performing unauthorized work or working outside of their assigned work schedule will be subject to discipline, up to and including termination. All time worked will be compensated.

### **K. EMERGENCY CALL-IN**

In the event of an emergency, inclement weather, or unforeseen critical operational needs, all employees are subject to be called in to work with little or no notice. Therefore, the Department Heads must have an employee's current contact information on file. It is the employee's responsibility to keep Human Resources informed as to their current contact information. Employees must undertake reasonable efforts to be available, immediately respond to being called in to work, and provide an explanation as to their unavailability if necessary. Employees will be compensated for hours worked.

Service Department employees who are called in to work outside of the normal scheduled hours of work will be paid a minimum of three (3) hours.

### **L. ON-CALL**

An employee designated as on-call must remain available to be called back to work on short notice if the need arises. Employees on-call are required to be available to be called in and will be compensated for hours worked upon being called in. (If an employee must remain on Township property or so near that time cannot be used freely, it is not considered on-call time but is recorded as work time.)

Service Department employees who are called in to work outside of the normal scheduled hours of work will be paid a minimum of three (3) hours.

### **M. REPORTING TO WORK AND TARDINESS**

Punctuality and regular attendance are essential job duties and necessary to the proper operation of the Township. Employees are expected to report for and remain at work as scheduled and to be at their workstations at their starting time. Employees who call off work for personal reasons should call off work in advance of their starting time in accordance with the Call Off Procedure. Employees who call off must contact their supervisor or designee each day of their absence unless they have made alternate arrangements. Calling off work in accordance with this procedure will not necessarily result in an employee receiving approved leave for their absence. The Township will consider the underlying reason for the absence in order to determine whether to grant approved leave. An employee who reports to work late, extends their lunch or break without authorization, or who leaves before the end of their scheduled shift, may be disciplined.

### **N. CALL OFF PROCEDURE**

The following call-in procedure applies to both absences and being tardy. If you are unable to report for work for an unforeseeable reason, notify your supervisor or designee no less than one (1) hour for non-56-hour scheduled employees, no less than two (2) hours prior to the scheduled start time for Police, MECC, and 56-hour scheduled employees. Fifty-six (56) hour employees are to notify the on-duty Battalion Chief when calling off. Employees are required to directly notify their supervisor/designee or Battalion Chief each day of an absence. Leaving a voicemail or text message is not acceptable for reporting an absence or tardiness, unless otherwise communicated in writing by your supervisor or Department Head.

Employees failing to report an absence to their immediate supervisor or Department Head for three (3) consecutive scheduled shifts are considered to have voluntarily abandoned their position, which will result in immediate termination.

### **O. PAY PERIODS AND DIRECT DEPOSIT**

All employees, except for elected officials, are paid biweekly on the Friday following the end of the pay period. Elected officials are paid monthly on the second pay day of the month. A pay period calendar is available on the HR intranet.

All employees are required to participate in direct deposit or pay card at no cost to the employee. Paystubs are accessible online in the Township payroll program.

If a payday falls on a holiday, employees are paid on the preceding workday.

### **XXII. INCLEMENT WEATHER**

To ensure continuity of services to the public, it is the policy of Mifflin Township to remain open during times of severe weather or other emergencies. However, during extreme conditions, due to severe weather or other emergencies, it may become necessary to delay the opening of or close the Administration and Fiscal offices. Employees who are authorized for remote work are expected to be prepared to work offsite during severe weather and other emergencies that may prevent an employee from reporting to the office. Employees who are unable to work remotely may request vacation or compensatory time.

## **XXIII. EMPLOYEE COMPLAINT HANDLING PROCEDURE**

Mifflin Township recognizes that there are times when the need arises for employees to express concerns or complaints in a formal manner. The following procedures will ensure that employees receive a fair and unbiased review of workplace concerns.

Grievances under these procedures are limited to the following instances:

Arbitrary, capricious or egregious treatment pertaining to the application of benefits, job-related questions or concerns, and health and safety concerns.

If the employee complaint is regarding illegal harassment, discrimination or retaliation, the employee should immediately contact the human resources (HR) department.

### **Step 1: Informal discussion with supervisor**

Within seven calendar days of the incident, (or when he or she should have known of the incident), employee concerns should first be discussed with the employee's immediate supervisor. Many concerns can be resolved informally when an employee and supervisor take time to review the concern and discuss options to address the issue.

### **Step 2: Written complaint to the Department Head**

**Where the direct supervisor is the Department Head, then the grievance should immediately progress to Step 3.**

If the employee is not satisfied with the results of the informal discussion in Step 1, the employee may submit a written complaint within seven calendar days of the supervisor's response to the Department Head to include:

- The nature of the grievance.
- Detailed information including evidence of the issue, witnesses, related policies, etc.
- The remedy or outcome desired.

The Department Head will have seven calendar days of receipt of the complaint to meet with and resolve the matter and respond to the employee in writing.

If the Department Head has not replied within seven calendar days, the employee may proceed to step 3 within seven (7) days the expiration of the time for response under step 2.

### **Step 3: Written complaint to Human Resources**

If the employee is not satisfied with the response from the Department Head, or if the matter cannot be resolved, the employee shall within seven working days from the date of the Department Head's written response, submit a written complaint to Human Resources for review. The request for review should include:

- An explanation of the grievance and details of all previous efforts to resolve the issue.
- A copy of the written complaint submitted to the Department Head.
- A copy of the Department Head's written response to the complaint.

Human Resources will consult with the employee, and the Department Head, and any other relevant parties to evaluate the grievance and provide a written response to the employee within seven calendar days. The outcome of the review by Human Resources will be final unless new evidence or other circumstances warrant additional review of the complaint.

### **Bypassing Steps**

If an employee feels the grievance is such that a solution through the chain of command would be difficult, the matter may be presented directly to Human Resources. The Human Resources Director will then review the matter with employee's Department Head.

## Mifflin Township Policy Manual

### **Time Limits**

Unless extended by prior mutual agreement, the parties to a grievance will be bound by the time limits outlined in the steps. If either party fails to comply with the time limits, the following shall result:

- If the grievant fails to respond in a timely fashion, the grievance shall be deemed waived.
- If the supervisor or Department Head fails to respond within the time frame stated in the step, the grievance will advance to the next step.

### **Recordkeeping**

HR will maintain records of the grievance process confidentially and securely.

### **Non-Retaliation**

Employees have the right to raise grievances without fear of retaliation. Retaliation against employees for raising a grievance is strictly prohibited and may result in disciplinary action.

**XXIV. SAFE HARBOR PROVISION**

The Township will comply with all FLSA provisions. Improper deductions that are not in accordance with the FLSA are prohibited. Additionally, improperly classifying individuals as “exempt” from overtime is prohibited. Any deduction that is subsequently determined to be improper, or any exemption status later found to be improper, shall be reimbursed. Any employee who believes that he has had an improper deduction from his salary, or who believes he has been improperly classified under the FLSA, shall immediately submit a complaint in writing to the Department Head. The Department Head will investigate and see that a written response is provided in a timely manner to ensure a good faith effort to comply with the FLSA.

**XXV. SUBSTANCE-FREE WORKPLACE PROGRAM**

The Township has a strong commitment to the health, safety, and welfare of its employees, their families, and its residents. The Board of Trustees declares that the workplace is a substance-free workplace as prescribed by federal laws. Widely available statistics and information establish that the incidence of drug and alcohol abuse is increasing, and the effect is devastating to lives, employers, and the community at large.

- (a) The Township is concerned that, in the event of substance abuse among our employees, the safety of our employees and the general public could be endangered. Our commitment to maintaining a safe and secure workplace requires a clear policy and supportive programs relating to the detection, treatment and prevention of substance abuse by employees.
- (b) It is the goal of the Township to provide that safe workplace by eliminating the hazards to health and job safety created by alcohol and other drug abuse. We believe this goal to be in the best interest of our employees and the general public.
- (c) The parties recognize that there are certain, limited circumstances which can occur in conducting legitimate emergency medical service activities, in which it is appropriate for an employee to handle alcohol or controlled substances. This Program is not intended to apply to or hamper lawful drug or alcohol activities in connection with Department-authorized training or administering of medications in connection with an employee's assigned duties.

The Drug Free Safety Program Administrator or designee is responsible for implementing and communicating these standards. Any questions regarding these policies or procedures should be directed to the Drug Free Safety Program Administrator or designee, as appropriate.

Refer to the Township Drug Free Safety Program policy located in Appendix A.

**XXVI. ETHICS**

It is the policy of the Township to carry out its mission in accordance with the strictest ethical guidelines and to ensure that Township members and employees conduct themselves in a manner that fosters public confidence in the integrity of the Township, its processes, and its accomplishments. The Ethics Commission is available to provide advice and assistance regarding the application of the Ethics Law and related statutes.

**A. DEFINITIONS**

For the purposes of this policy:

- (a) “Anything of value” includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. “Value” means worth greater than de minimis or nominal.
- (b) “Anyone doing business with the Township” includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the Township.

**B. ETHICAL CONDUCT**

Township officials and employees must, at all times, abide by protections to the public embodied in Ohio’s ethics laws, as found in Chapters 102 and 2921 of the Ohio Revised Code, and as interpreted by the Ohio Ethics Commission and Ohio courts. Officials and employees must conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety.

**C. CONDUCT RESTRAINTS**

A general summary of the restraints upon the conduct of all Township officials and employees includes, but is not limited to, those listed below. No official or employee shall:

- 1. Solicit or accept anything of value from anyone doing business with the Township;
- 2. Solicit or accept employment from anyone doing business with the Township, unless the official or employee completely withdraws from Township activity regarding the party offering employment, and the Township approves the withdrawal;
- 3. Use of their position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
- 4. Be paid or accept any form of compensation for personal services rendered on a matter before any board, commission, or other body of the Township, unless the official or employee qualifies for the exception, and files the statement, described in R.C. 102.04(D);
- 5. Hold or benefit from a contract with, authorized by, or approved by, the Township, (the Ethics Law does except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under R.C. 2921.42 are met);
- 6. Vote, authorize, recommend, or in any other way use his or her position to secure approval of a Township contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
- 7. Solicit or accept honoraria (see R.C. 102.01(H) and 102.03(H);
- 8. During public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the official or employee personally participated while serving with the Township;
- 9. Use or disclose confidential information protected by law, unless appropriately authorized; or
- 10. Use, or authorize the use of, their title, the name “Mifflin Township”, or “Township”, or the Township’s logo in a manner that suggests impropriety, favoritism, or bias by the Township or the official or employee.

**D. ETHICS VIOLATIONS**

Failure of any Township official or employee to abide by this Ethics policy, or to comply with the Ethics Law and related statutes, will result in discipline, as well as any potential civil or criminal sanctions under the law.



**XXVII. WORKPLACE VIOLENCE**

**A. ZERO TOLERANCE**

The Township is committed to providing a work environment that is safe, secure and free of harassment, threats, intimidation and violence. In furtherance of this commitment, the Township enforces a zero tolerance policy for workplace violence. Consistent with this policy, threats or acts of physical violence, including intimidation, harassment, and/or coercion which involve or affect employees, or which occur on Township property or at a worksite, will not be tolerated. Employees who are found to have committed acts of workplace violence will receive discipline and possible criminal prosecution, depending on the nature of the offense. An employee shall immediately report any acts of workplace violence.

**B. PROHIBITED ACTS OF VIOLENCE**

Prohibited acts of workplace violence include, but are not limited to, the following, which may occur on-duty or off-duty: (1) hitting or shoving; (2) threatening harm to an employee or the employee's family, friends, associates, or property; (3) intentional destruction of property; (4) harassing or threatening telephone calls, letters or other forms of written or electronic communications, including email and website or social media postings; (5) intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or work rule; (6) willful, malicious and repeated following of another person, also known as "stalking" and/or making threats with the intent to place another person in reasonable fear for their safety (7) suggesting or otherwise intimating that an act to injure persons or property is "appropriate", without regard to the location where the suggestion or intimation occurs; and (8) unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on Township property.

**C. WARNING SIGNS AND RISK FACTORS**

The following are examples of warning signs, symptoms and risk factors that may indicate an employee's potential for violence. In all situations, if violence appears imminent, employees should take the precautions necessary to assure their own safety and the safety of others. An employee should immediately notify management if they witness any violent behavior, including, but not limited to, the following: (1) hinting or bragging about a knowledge of firearms; (2) making intimidating, threatening, or menacing statements; (3) keeping records of other employees the individual believes to have violated departmental policy; (4) physical signs of anger, such as hard breathing, reddening of complexion, menacing stares, loudness, and profane speech; (5) acting out violently either verbally or physically; (6) excessive bitterness by a disgruntled employee or an ex-employee; (7) being a "loner," avoiding all social contact with co-workers; (8) having a romantic obsession with a co-worker who does not share that interest; (9) history of interpersonal conflict; (10) domestic problems, unstable/dysfunctional family; and (11) brooding, depressed, strange behavior.

## **XXVIII. COMPENSATION**

### **A. REPORTING WORK INJURIES**

Any employee who suffers an injury/illness or develops an occupational disease while performing their job duties must immediately notify their immediate supervisor on duty and online Injured Worker Injury Form and the online First Report of Injury Form. The immediate supervisor is responsible for reporting the incident to the next level supervisor, who will serve as the Investigating Manager, and to the Chief.

The Township's Injury Reporting packet is available at <https://mifflin-oh.gov/injury-reporting-process/#/>. The Injury Reporting process requires information from the employee, the immediate supervisor on duty at the time the injury/illness or occupational disease occurred, and any witnesses (if applicable) to the work-related injury/illness or development of the occupational disease. A form should be completed regardless of how minor or insignificant the injury/illness or occupational disease seems.

In emergency situations, the employee's immediate supervisor on duty must ensure that prompt necessary medical attention is obtained for the employee. Once the emergency situation abates, the employee must ensure that an Injury Reporting form is promptly submitted as soon as practicable.

Failure to immediately report a work-related injury/illness or occupational disease and submit an Injury Reporting packet may create doubt that the injury/illness occurred while at work as well as delay the approval and/or payment of Workers' Compensation benefits.

### **B. FOLLOW-UP RESPONSIBILITIES**

It is the responsibility of the employee to provide the Department Head or Human Resources with competent medical evidence of any absence from work which results from a work-related injury/illness or occupational disease. It is also the responsibility of the employee to provide updated medical information regarding the nature of their injury/illness or occupational disease and the estimated or actual return-to-work date. Such medical information must be provided by the employee's Physician of Record (POR) using the Bureau of Workers' Compensation's (BWC) "Physician's Report of Work Ability" form (MEDCO-14) and submitted to the Department Head or designee and the Human Resources Director.

- (a) It is the employee's responsibility to ensure the Township receives an updated MEDCO-14 prior to the expiration of the covered disability period.

The Township reserves the right to obtain an Independent Medical Examination (IME) as prescribed by the Ohio Revised Code regarding any issues pertinent to a Workers' Compensation claim. The Township will be responsible for the costs associated with obtaining an IME.

### **C. POST ACCIDENT DRUG AND ALCOHOL TESTING**

Per the Township's Drug Free Safety Program policy, an employee who may have caused, contributed to or been injured in a work-related accident may be required to submit to a post-accident drug/alcohol test.

**XXIX. INJURY LEAVE AND SALARY CONTINUATION**

Approved leave under this policy will run concurrently with approved Family Medical Leave (FMLA).

Should the employee exhaust all benefits provided by this policy, such an employee should refer to the Township's Family Medical Leave policy for guidance on how the remainder of the leave will be handled.

When an employee experiences an injury or illness that results in an approved Workers' Compensation claim and is unable to work as a result of the injury or illness, such employee may be eligible for paid Injury Leave at the employee's regular rate of pay. Such Injury Leave shall not exceed 720 hours for 56-hour employees and 480 hours for non-56-hour employees per claim that is four (4) years old or less after which an application for Temporary Total (TT) benefits may be made through the Bureau of Workers' Compensation (BWC). To qualify for Injury Leave, the injury or illness must be approved by the BWC. If BWC denies a claim in which the employee received injury leave, the Township will deduct the appropriate time from the employee's sick leave balance.

Upon exhausting injury leave, an injured worker may elect to use accrued sick leave as salary continuation. Injured workers who exhaust their available sick leave may request to convert available, accrued vacation leave to sick leave to continue salary continuation. Employees may request to convert up to 612 hours of vacation leave to sick leave per claim. Conversion must be in hourly increment at a 1:1 conversion rate. If an employee is still disabled after their salary continuation benefits expire, Human Resources must notify BWC that salary continuation will cease. If an employee returns to work prior to using the converted sick leave, the unused hours will be converted back to vacation leave.

Ohio BWC does not recognize vacation, compensatory time or holiday flex leave as salary continuation.

An employee who is absent because of a Mifflin Township work-related injury or illness and has been certified by their Physician of Record (POR) to return to work with restrictions, may be able to return to a temporary alternative work assignment (i.e. transitional work) provided that such work exists, which is determined at the sole discretion of the Township.

**A. TRANSITIONAL WORK FOR WORKPLACE INJURIES**

The Township may, in its sole discretion, offer temporary transitional work duty to injured workers to reduce workers' compensation costs and help transition injured workers back to full duty after a workplace injury.

To be eligible for transitional work duty,

1. The employee must be a regular full-time or part-time employee of the Township who asserts that they incurred a workplace injury or occupational disease while working for the Township;
2. The employee must have sought or received workers' compensation due to the workplace injury or occupational disease;
3. The employee's treating health provider must have certified that the workplace injury or occupational disease temporarily prevents the employee from performing all the functions of the employee's full-duty position with the Township, but that the employee may return to work with restrictions;
4. The employee is expected to return to work full-duty;
5. Work must be available within the employee's temporary medical restrictions; and
6. The Township must agree to provide transitional work;
7. The employee must sign a Transitional Work Participation Agreement.

### **B. CONDITIONS**

1. Transitional work is a temporary alternative or modified work within the medical restrictions, abilities, knowledge and skill of an employee.
2. The employee will ordinarily be paid their normal hourly rate of pay while working a transitional work assignment, and/or be eligible to use accrued sick leave to supplement their pay if offered fewer than the normal hours of their full-time position.
3. Each transitional work assignment will be treated independently of others.
4. No transitional work is guaranteed, and the Township reserves the right to determine whether to offer or continue transitional work. In considering whether to offer or continue transitional work, the Township will consider cost, available funding, operational need, nature of the restrictions, progress or lack of sufficient progress back toward full duty, the nature of the assignment, the value of the work to the Township, and other factors the Township deems relevant.
5. No offer of Transitional Work by the Township may be construed as an admission by the Township that the employee is eligible for any type of workers' compensation or continued workers' compensation.
6. An employee's refusal of an offer of transitional work within the employee's restrictions may affect the employee's eligibility for, or continuation of, workers' compensation.
7. While assigned to transitional work duty, the employee must immediately, without delay (before the employee's next shift, but no later than twenty-four (24) hours of any changes), notify the Department Head or Human Resources each time there is any change in the employee's restrictions, and produce an updated MEDCO-14.
8. The Township reserves the right to require an independent medical examination of the injured worker to determine issues such as the cause, extent and/or duration of the employee's restrictions on the employee's inability to perform their normal job for the Township.
9. An employee working a transitional work assignment may not exceed the duties of the position or the employee's medical restrictions. No supervisor is authorized to direct an employee to exceed the duties of the position or the employee's medical restriction.
10. An employee working transitional work duty must continue to observe all Township policies. Violation of any Township policies, including this Transitional Work Policy, or the terms of the transitional work offered, may result in immediate cancellation of transitional work and/or disciplinary action up to and including termination.
11. This Policy is administered by Human Resources and Department Head. Any requests for transitional work, or questions about the same, should be directed to either of those individuals.

### **C. RETURN TO WORK**

1. Prior to the time an employee seeks to return to work, the employee must provide the Department Head or designee and Human Resources with an updated Physician's Report of Work Ability form (MEDCO-14) from their Physician of Record (POR) indicating the return is medically approved. The Township reserves the right to obtain an Independent Medical Examination (IME) for a second opinion if it disagrees with the POR's return-to-work release.
2. If the injured employee is released to return to the former position of employment without any medical restriction(s), the employee shall be reassigned to the job held at the time of the injury/ illness or onset of the disability for the occupational disease.
3. If the employee is released to work with temporary restrictions, the Township may offer transitional work, if such work is available, which is determined at the sole discretion of the Township. For more information on the Township's Transitional Work program and policy, contact Human Resources.

**XXX. SICK LEAVE**

Approved leave under this policy will run concurrently with approved Family Medical Leave. Should the employee use sick leave for more than three (3) consecutive work shifts or establish a pattern of sick leave usage, such an employee should refer to the Township's Family Medical Leave policy for further guidance and information.

**A. SICK LEAVE ACCUMULATION**

Each 40-hour full-time employee will accrue up to 17 (seventeen) hours of sick leave with pay for each fully completed calendar month that the employee is in active service with the Township; 30–39-hour full-time employees will accrue sick leave on a prorated amount. Employees on a Uniformed Full-Time Rotating Unit (56-hour employees) will accrue 24 (twenty-four) hours of sick leave with pay for each fully completed calendar month that the employee is in active service with the Township.

Previous accumulated sick leave of an employee who has separated from Ohio public service shall be eligible to transfer unused sick leave as follows:

- Lateral firefighters may transfer unused sick leave from their most recent employer up to four hundred eighty (480) hours
- Law enforcement may transfer unused sick leave from another Ohio public employer up to three hundred (300) hours
- Service department, administration, MECC and full-time non-56-hour fire department employees may transfer unused sick leave from another Ohio public employer up to one hundred twenty (120) hours

Effective September 2025, any sick leave transferred from another political subdivision may be used by the employee provided the employee has exhausted his/her current sick leave accrual to date. The transferred leave will be in a separate leave bank titled “Transferred Sick Leave” and may be carried over from year to year. Unused sick leave that was transferred from another political subdivision will not be paid out upon retirement and is not eligible to be donated in the leave donation program. Transferred sick leave is not included in the leave accrual maximum listed below.

Employees will be credited for unused leave once verification of leave has been received from previous qualified employer(s).

Part-time and seasonal employees are not eligible for paid sick leave benefits.

Employees do not accrue sick leave while suspended, or on unpaid leave. Accrued, unused sick leave may be carried over from year to year up to the following maximums:

- Fiscal, Administration and Service Department employees: 1413 hours
- Police Department employees: 2080 hours
- Fire Division employees:
  - 40-hour employees (Fire Administration, Fire Prevention, Dispatchers): 2824 hours
  - 56-hour employees: 3960 hours

Accrued sick leave that exceeds the maximum accrual will be forfeited.

**B. Sick leave may be used in one (1) hour increments by employees in the Fire/MECC department and .25 hour increments for employees in Service, Police, Fiscal and Administration, upon approval by the Township for absences due to the following:**

1. Illness, injury, or pregnancy-related medical condition of the employee.
2. Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees.
3. Examination of the employee, including medical, psychological, dental, or optical examination, by an appropriate licensed medical practitioner.
4. Illness, injury, or pregnancy-related medical condition of a member of the employee’s immediate family where the employee’s presence is reasonably necessary for the health and welfare of the employee or affected family member.
5. Medical, dental or optical examinations or treatments of an employee or of a member of an employee’s immediate family where the employee’s care and attendance is reasonably required.

## Mifflin Township Policy Manual

Elective cosmetic surgeries or other procedures that are not medically necessary do not constitute an appropriate usage of sick leave. Other appropriate leaves of absence, such as vacation, may be requested for such purposes.

For purposes of sick leave, immediate family is defined as: grandparent; great-grandparents; brother; sister; brother-in-law; sister-in-law; daughter-in-law; son-in-law; father; mother; father-in-law; mother-in-law; spouse; child; stepchild; stepparent; grandchild; legal guardian; or other person who stands in place of a parent.

Qualifying employees may also use a limited number of accrued sick leave hours for Parental Leave as outlined in the policy.

A false application for sick leave may result in disciplinary action up to and including termination.

### **C. PROCEDURE FOR CALLING OFF SICK**

Refer to policy XXI HOURS OF WORK AND OVERTIME Section N

### **D. SICK LEAVE ABUSE**

Application by an employee for sick leave through fraud or dishonesty will result in denial of such leave together with disciplinary action up to and including termination. Patterns of sick leave usage immediately prior to or after holidays, vacation, days off and/or weekends or excessive sick leave usage may result in sick leave denial and appropriate disciplinary action. The Township reserves the right to investigate allegations of sick leave abuse. The Township reserves the right to question employees concerning their sick leave use.

Sick leave used in conjunction with scheduled time off will require a physician's statement.

### **E. WRITTEN STATEMENT**

Proof of illness, such as a doctor's excuse, may be required when the Township believes the absence(s) to be excessive, chronic, patterned, or abusive. A satisfactory licensed medical practitioner's certificate may be required at any time but will generally be required in each case when an employee has been absent more than three (3) consecutive days. The licensed medical practitioner's certificate must be signed personally by the treating practitioner, and must verify the nature of the illness, and that the employee was unable to work during the period in question, not simply that the employee was "under the doctor's care." For absences where a licensed medical practitioner's certificate is not required, the employee must submit a written statement to Human Resources explaining the nature of the illness. Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

To ensure consistency in this practice, managers will work in conjunction with Human Resources before an employee is contacted to provide proof of illness.

### **F. USES OF OTHER LEAVE**

Upon exhaustion of accrued sick leave, other accumulated unused leaves may be used for sick leave purposes if the reason for the absence is an FMLA qualifying event or when a licensed medical practitioner's certificate is provided upon the employees return to work and prior to the end of the payroll period. If the medical practitioner's certificate isn't presented prior to the end of the pay period, the day(s) will be unpaid, pending receipt of the certificate. The medical practitioner's certificate must be signed by the treating practitioner, and must verify the nature of the illness, and that the employee was unable to work during the period in question. Any medical practitioner's certificate stating "under the doctor's care" will not be accepted. If approved, other accrued leave will be used in the following order: compensatory, holiday then vacation.

**G. SICK LEAVE UPON RETIREMENT**

The final pay for hours worked for terminated employees shall be computed as set forth below and paid at the next regular pay day following termination.

- a. Upon retirement from active service with Mifflin Township, an employee shall be paid for a percentage of their unused earned and accrued sick leave accordingly:
  - a. For Township Administration/Service, Department/Police, Department employees: twenty five percent (25%) of the value of the employee's unused balance; OR,
  - b. For Fire Division employees (Fire Administration/Fire Prevention/Dispatchers/Fire Fighters): fifteen percent (15%) of the value of the employee's unused balance.
- b. Retirement is defined as disability or service retirement under any state or municipal retirement system in Ohio.
- c. All payments made under this provision shall be based upon the employee's regular hourly rate at the time of the break in service. All amounts paid shall constitute payment in full for all accrued and unused leave paid under this provision.
- d. Any sick leave transferred from a political subdivision after September 2025 is not eligible for payout upon retirement.
- e. For purposes of this Policy an employee may only retire one (1) time.

**H. SICK LEAVE UPON DEATH**

Upon the death of an employee in the active service with Mifflin Township, unused accumulated sick leave shall be paid to the employee's spouse, children, or parents, if any, in that order or to the employee's estate. Payment for sick leave accumulated while in the employ of the Township shall be based on the employee's straight- time hourly rate at the time of death and will be paid in cash as outlined above.

**I. MEDICAL INFORMATION**

The Township will maintain employees' medical information in a separate medical file in the Human Resources office and will treat the information in a confidential manner.

**XXXI. BEREAVEMENT LEAVE**

Fulltime employees are provided with bereavement leave for the purpose of funeral/celebration of life memorial attendance. The bereavement leave will be deducted from the employee's sick leave balance. Employees may only use leave for the days they would normally have been scheduled to work during this period.

1. Family Member: Spouse, child, parent, sibling, grandchild, father-in-law, mother-in-law, daughter-in-law; son-in-law; stepparent or stepchild, or legal guardian.
  - Eight (8) and 10-hour employees may receive up to three (3) duty days of bereavement. Upon approval of the Department Head, an additional two (2) duty days may be approved to make funeral arrangements or carry out other responsibilities relative to the death.
  - 24-hour employees may receive up to two (2) duty days of bereavement. Upon approval of the Department Head, an additional one (1) duty day may be approved to make funeral arrangements or carry out other responsibilities relative to the death.
  - 12-hour employees may receive up to two (2) or three (3) days of bereavement, based on the scheduled shift cycle of consecutively scheduled days. Upon approval of the Department Head, an additional two (2) duty days may be approved to make funeral arrangements or carry out other responsibilities relative to the death.
2. Family Member: Grandparent, spouse's grandparent, brother-in-law, sister-in-law, aunt, uncle, great grandchild.
  - Eight (8) and 10-hour employees may receive one (1) duty day of bereavement
  - 24-hour Fire Department employees may receive one (1) duty day of bereavement
  - 12-hour employees may receive up to one (1) duty day of bereavement.

Prior to a funeral, employees may be required to provide upon request proper notification to the Department Head or designee of the death of their relative.

Additional time may be granted by the Department Head, in their sole discretion.



**XXXII. PARENTAL LEAVE**

- A. Township employees completing at least six (6) months of service will be eligible for parental leave for the birth of a child(ren). Parental leave begins on the date of birth of the child(ren) and is consecutive up to four (4) weeks.

Under this policy, employees may use any combination of available accrued time (sick leave, vacation, holiday, and/or comp time).

Approved leave of more than three (3) days will run concurrently with approved Family Medical Leave (FMLA), if eligible.

Should the employee exhaust all benefits provided by this policy, such an employee should refer to the Family Medical Leave policy for guidance on how the remainder of the leave will be handled.

**B. REQUESTING LEAVE**

Requests for parental leave must be made at least thirty (30) days in advance.

**XXXIII. UNPAID LEAVE (NON-FMLA MEDICAL AND PERSONAL LEAVE)**

Unpaid leave is an authorized absence from work which may be granted for non FML medical or personal reasons after an employee has exhausted his or her applicable paid leave. Full-time and part-time employees who have twelve months of continuous service are eligible to request unpaid leave. This policy provides up to 120 calendar days of leave unless otherwise required by law, including the Americans with Disabilities Act Amendments Act (ADAAA). All leaves (except military leave provided under USERRA) of absence are concurrent and count towards the 120 calendar days. The Board of Trustees have sole discretion to grant or deny the leave as required by law.

Requests for, and approvals of, unpaid leave shall be made in writing to their department head. In determining approval, the following will be among the considerations: operational and staffing needs, the reason for the employee's request, the employee's job performance, and the employee's attendance record. The Township reserves the right to request documentation.

When the need for the leave is foreseeable, the employee must provide the Township with at least 30 days' advanced notice. When the employee becomes aware of a need for a personal leave less than 30 days in advance, the employee must provide notice of the need for the leave as soon as is practicable. Unpaid leave is granted in whole-day increments.

Upon completion of approved unpaid leave, the Township has the sole discretion to return the employee to their former position or to a similar position within the same classification.

While on leave without pay status, an employee shall not accumulate paid leave or holiday pay. An employee on a non-FMLA unpaid leave of absence will be given COBRA notification regarding their health, dental and vision insurance benefits. Employees may have premiums for ancillary benefits withheld from their pay prior to the commencing of the unpaid leave or cancel coverage. If coverage is cancelled the employee may enroll at the next open enrollment period. The Township will maintain the group provided life insurance and accident insurance, if applicable. The Township may revoke an unpaid leave of absence for business reasons upon one week's written notice to the employee that they must return to work. An employee on an unpaid leave of absence who is determined to be using the leave for purposes other than for which the leave was granted may be subject to disciplinary action and ordered to return to work immediately. Failure to return from an unpaid leave of absence at the specified date will be considered a resignation.

**XXXIV. MILITARY LEAVE**

The Township complies with state and federal law regarding a military leave of absence. Employees requesting military leave must submit a written request to the Township as soon as they become aware of such orders. Employees must provide the published order or a written statement from the appropriate military authority with the request for leave when available.

Pursuant to R.C. 5923.05, employees who are not “public safety employees,” as that term is defined by R.C. 5923.05, are authorized leave of up to twenty-two (22) eight (8)-hour working days or one hundred seventy-six (176) hours within a federal fiscal year, and public safety employees, public employees employed as a firefighter or emergency medical technician, are authorized up to seventeen (17) twenty-four (24) hour days or four-hundred eight (408) hours. During the applicable periods, employees are entitled to receive their regular pay in addition to compensation from military pay. Upon review and approval by the department head non-public safety employees may request an additional 24 hours within a federal fiscal year and public safety employees may request an additional 72 hours within a federal fiscal year.

**Involuntary Activation Other Than for Training**

When employees are involuntary activated because of an executive order signed by the President of the United States or an act of Congress or because of an order to perform duty issued by the governor pursuant to section 5919.29 or 5923.21 of the Revised Code for service other than for training, and have exhausted their military hours as outlined above, he/she will receive compensation up to 40 hours per week for non-56-hour employees and 96 hours per pay period for 56-hour employees for an additional eight (8) pay periods per federal fiscal year. Fifty-six (56) hour employees may not use paid leave during this period that would result in the employee being paid overtime.

After this period, employees are entitled to a leave of absence.

1. During this leave of absence, all employees are entitled to be paid a monthly amount equal to the lesser of (1) the difference between the employee’s gross monthly wage and their gross monthly uniformed pay and allowances received for the month, or (2) five hundred dollars (\$500). No employee is entitled to receive this benefit if the amount of gross military pay and benefits exceed the employee’s gross wages from the Township for that period. Employees who elect this option do not accrue sick, vacation and holiday leave; or
2. Employees may use their accrued leave, with the exception of sick leave, while on military leave in lieu of receiving the lesser of the difference between gross monthly wage and gross monthly uniformed pay and allowances received for the month or \$500. Employees who elect this option shall accrue vacation, sick and holiday leave while on such paid leave.

Employees who exceed the applicable limits and do not elect to utilize paid leave are not entitled to the health insurance benefits on the same basis as if they are working. In these circumstances, employees will be provided notice of their rights to continue this coverage at their cost in accordance with applicable law.

**Returning To Work with Military Service of 1 to 30 Days**

The person must report to his or her employer by the beginning of the first regularly scheduled work period following completion of service, after allowance for safe travel home from the military duty location and an 8-hour rest period. For example, an employer cannot require a service member who returns home at 10:00 p.m. to report to work at 12:30 a.m. that night. But the employer can require the employee to report for the 6:00 a.m. shift the next morning.

Refer to the USERRA law for service exceeding 30 days.

**XXXV. INSURANCE BENEFITS**

**A. HEALTH, DENTAL VISION AND LIFE INSURANCE**

The Township strives to provide the best, most equitable and cost-effective benefits for full-time employees and Township officers in recognition of the influence employment benefits have on the economic and personal welfare of each employee. Employees should likewise recognize that the total cost to provide the benefit program described herein.

The Board of Trustees reserves the right to design provisions and to add, eliminate, or in other ways modify any discretionary benefits described herein. Under most circumstances, there will be ample opportunity to provide employees with advance notice of such modifications, and to consider the effect of the decision.

**B. ELIGIBILITY**

Full-time employees may be eligible for group health, dental, life and supplemental life insurance as provided by the Board of Trustees. Unless otherwise determined by the Board or the insurance contract, employees will be eligible for insurance coverage on the first of the month following their first work shift. Employees who do not take advantage of the insurance coverage provided by the Board of Trustees upon hire will be able to enroll in the future during open enrollment as established by the Township.

Any time a qualifying circumstance occurs which changes the insurance coverage eligibility (e.g. marriage, divorce, birth of child, etc.) for a covered employee and/or family member, the employee shall notify Human Resources, in writing, with appropriate documentation, of such change within thirty-one (31) days of the event so the appropriate changes may be made to ensure proper insurance requirements and timelines are met. Failure to notify Human Resources within the prescribed timeframe may result in having to wait until the next open enrollment period.

**C. COBRA**

The Federal Consolidated Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Township's health insurance plans when a "qualifying event" would normally result in the loss of eligibility. Such qualifying events include resignation, termination of employment, or death of an employee; a reduction in an employee's hours or leave of absence; divorce or legal separation; and a dependent child who no longer meets eligibility requirements. Under COBRA, the employee or beneficiary must pay the full cost of coverage at the Township's group rates plus an administration fee. The Township will provide each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the Township's health insurance plan. The notice will contain information about the employees' rights and obligations. Employees must notify Human Resources if qualifying events occur that are not directly related to the employee's employment with the Township such as a divorce or a legal separation or a dependent child who no longer meets eligibility requirements.

**D. CASH IN LIEU OF BENEFITS**

Employees have the option to decline medical insurance and receive additional, taxable compensation. Cash In-Lieu (CIL) compensation is equal to 25% of the monthly premium paid by the Board for the single coverage plan for each month medical insurance is waived as outlined in ORC 505.603. Employees not enrolled in medical benefits are not eligible for dental or vision benefits.

While CIL compensation is not considered earnable income under the OP&F or OPERS, the compensation is a taxable benefit; and is subject to applicable income and employment tax withholdings.

To be eligible, employees must provide documentation from the spouse's/parent's employer stating the employee is currently covered under its group health insurance plan. Qualifying group medical insurance does not include any government-provided insurance (e.g., Medicare, Medicaid, Tricare, VA), COBRA, or any plan purchased as an individual, including those purchased through the Health Insurance Marketplace.

To be eligible in the CIL of medical benefits, employees must annually waive benefit coverage at open enrollment, and provide proof of qualifying group medical insurance as indicated above. Payment will be made each December.

**XXXVI. VACATION**

- A. Full-time employees shall accrue and be entitled to vacation leave, to be credited each bi-weekly pay period, at rates as established in the following schedule.

An employee who is not in active pay status for part of a bi-weekly pay period, or who leaves employment during the year, shall have their vacation leave pro-rated. Employees who are regularly scheduled to work less than eighty (80) hours in a pay period will accrue vacation at a prorated amount of the standard rate multiplied by the ratio of the employee's regular scheduled hours in a pay period to eighty (80) hours. Under no circumstances will an employee accrue vacation at a greater rate than the standard rate.

The higher rate of accrual will begin on the first day of the pay period after which a year of continuous service is completed.

<u>Service Credit</u>	<u>40-hour employees</u>			<u>56-hour employees</u>		
	<u>Annual Accrual</u> (Based on a full year of employment)	<u>Per Pay Accrual</u>	<u>Maximum Balance</u>	<u>Annual Accrual</u> (Based on a full year of employment)	<u>Per Pay Accrual</u>	<u>Maximum Balance</u>
0 through 60 months	80 hours	3.1	120 hours	192 hours	7.39 hours	288 hours
61 through 120 months	120 hours	4.6	180 hours	240 hours	9.24 hours	360 hours
121 through 180 months	160 hours	6.2	240 hours	312 hours	12 hours	468 hours
181 through 240 months	200 hours	7.7	300 hours	360 hours	13.85 hours	540 hours
241+ months	240 hours	9.23	360 hours	408 hours	15.70 hours	612 hours

- B. Days specified as paid holidays shall not be charged to an employee's vacation leave.
- C. Newly hired employees may not use accrued vacation for the first 90 days of employment unless approved by the Department Head or designee. Lateral hires do not have a waiting period and may use vacation upon approval by the Department Head or designee. The Department Head, and/or Board of Trustees may deny a vacation leave request based on operational necessity, performance issues, incomplete probationary period, or for any other valid reason to ensure efficient and effective operation of Township services.
- D. Scheduled vacation preferences may, with the Department Head or designee's approval, be changed provided that such change does not result in undue hardships on the part of other employees or the Township department or unit to which the subject employee is assigned.
- E. Fifty-six (56) hour fire personnel may borrow vacation up to the applicable year annual accrual, less any time already used or scheduled for the current year.
- F. An employee may roll over unused vacation leave to the next year. Employees may not exceed the maximum balance as outlined above. Employees who have reached the maximum balance shall forfeit any additional per pay accrued vacation hours as long as they are at the maximum accumulation.

## Mifflin Township Policy Manual

G. Per ORC 9.44, Mifflin Township must award credit for prior years of service with other Ohio townships for the purpose of determining vacation leave accrual.

1. To attract and retain the best candidates, the Department Head, upon board approval, may offer a candidate up to ten (10) years of full-time public service credit for time spent with the State of Ohio or any political subdivision of the State. Additionally, a Department Head may recommend for Board approval to grant up to ten (10) years of full-time credit relevant prior service in the private sector or other government agencies outside of Ohio.
2. The Township, in its sole discretion, may allow a newly appointed lateral firefighter to transfer unused vacation time from their most recent employer - if the employer, or lateral firefighter, assigns payments for unused time to Mifflin Township. Time will be transferred at a one hour for one hour rate.

Qualified service credit will not be used to establish seniority position for annual vacation bidding. The lateral appointment date will be used to determine vacation bidding position.

3. New employees must provide documentation from the employer as proof of qualifying prior service. Credit for prior service shall take effect the first pay period that begins immediately following the date the documentation is received and approved by Human Resources and will not be retroactive. It is the employee's responsibility to provide necessary documentation of prior service.

H. An employee will not be entitled to marry his/her prior service time if he/she has retired from public service with his/her prior employer.

### I. VACATION LEAVE INCREMENT USE

- Fire Division employees who work a 56-hour rotating unit must request to use vacation in 12-hour increments. Employees who have less than a 12-hour vacation balance may supplement time off using holiday flex and /or compensatory time to meet this requirement.
- MECC employees must use vacation in no less than 4-hour increments. Employees who have less than a 4-hour vacation balance may supplement time off using holiday flex and /or compensatory time to meet this requirement.
- All other eligible Township employees may use vacation in .25-hour increments.

### J. VACATION AT SEPARATION

Upon separation from service, an employee who leaves in good standing is entitled to compensation at their current rate of pay for accrued but unused vacation leave. Good standing is defined as submitting a letter of resignation of no less than two weeks' notice, unless otherwise authorized by the department head.

At no time will the payout exceed the maximum balance of unused annual accrual and any unused roll over leave. Employees who separate voluntarily within the first two (2) years of employment will not be entitled to payout of accrued vacation time.

In the event that more time has been taken than their annual accrual as of their separation date, the employee owes the un-accrued time taken, which will be recovered from the employee's final regular pay. If the final pay doesn't cover the time taken, the employee will reimburse the Township by an agreed upon recovery process documented between the Township and employee.

In the case of the death of a Township employee, the unused vacation leave to the credit of the employee shall be paid in accordance with section 2113.04 of the Revised Code, or to the employee's estate.

**XXXVII. HOLIDAY COMPENSATION**

- A. Eligible employees are entitled to an 88-hour holiday bank each year based on eight (8) hours of holiday time for the eleven (11) holidays per year listed below. If an employee is scheduled to work on a holiday and requests to take it off, provided the request is approved, they must use the holiday time, which will be deducted from the holiday bank. Holiday time is not cumulative from year to year and shall be used in the calendar year in which it is credited. Holiday time not used during the calendar year in which it is credited shall be paid to the employee at the close of such calendar year.

New Year's Day	Labor Day
Martin Luther King Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Juneteenth	Christmas Day
Independence Day	

When a holiday falls on a Saturday, the preceding Friday is observed. When a holiday falls on a Sunday, the following Monday is observed. Township offices are closed on legal holidays as appointed by the Board of Trustees. The Department Head or designee will control scheduling, with consideration being given to equal treatment to all employees as it relates to holiday scheduling.

**B. HOLIDAY FLEX TIME**

Fire Division employees who work a 56-hour rotating unit may take holiday flex time in no less than 8-hour increments.

Other Township employees not on a 56-hour schedule who are eligible for holiday flex time may use it in no less than 1-hour increments for Fire/MECC department, and .25 hour increments for Service, Police, Fiscal and Administration.

Employees will be paid for unused holiday time from the previous calendar year on the second pay in January.

**C. HOLIDAY COMPENSATION AT SEPARATION**

Upon separation from service, an employee is entitled to compensation at their current rate of pay for accrued but unused holiday leave that has occurred up to their last day of employment. Employees who leave employment with the Township will be required to reimburse the Township for a prorated portion of holidays used, but not earned.

In the case of the death of a Township employee, the unused accrued holiday leave to the credit of the employee shall be paid in accordance with section 2113.04 of the Revised Code, or to the employee's estate.

**XXXVIII.FLEXIBLE WORK ARRANGEMENT**

**A. FLEX SCHEDULE**

Flexible work arrangements are available for employees on approval by their Department Head or designee when it is feasible and will not interfere with the efficient and effective delivery of services. Employees must request and be approved for flex time from their Department Head or designee before using it.

Not all jobs are appropriate for flex time. Each request will be considered based on the needs of the position. Fire Division employees who work an average of fifty-six hours (56) per week are not eligible for flex time.

Employees who have been subject to disciplinary action within the past six (6) months of the request are not eligible for flex time.

Nonexempt employees must use flex time within the same forty-hour (40) work week.

**B. REMOTE WORK**

Remote work is a work arrangement that allows employees to work at home or at some other off- site location for part of their regularly scheduled work hours.

Position Eligibility: Not all jobs are eligible for remote work. Remote work requests are reviewed and approved by management on a case-by-case basis.

Remote Work Agreement: The employee and Department Head or designee will review (1) the expectation of fulfilling work expectations remotely, and (2) expectations on communicating regularly with co-workers, supervisors, and clients during regular work hours.

Termination of the Remote Work Agreement: The Township reserves the right to modify the remote work arrangement at any time in its sole discretion. Employees may be required to return to the workplace if deemed as having performance or work conduct problems, or if it is in the best interest of the Township or the employee to modify or suspend the arrangement.

Hours of Work: The amount of time and work hours that the employee is expected to work will not change due to participation in a remote work agreement. Hours of work will remain the same unless agreed upon. The employee agrees to apply themselves to work and be available to communicate with their co-workers, supervisor(s), and clients during work hours.

Normal procedures will be followed for the approval of overtime and use of leave. Employees are responsible for clocking in/out as they do in the office. Failure to report time, like failure to obtain approval for overtime, may result in the termination of the remote work arrangement or other disciplinary action.

Workspace: Employees must designate and maintain a clean, safe and productive workspace at the remote work location that is adequate for accomplishing necessary tasks and free of obstructions and distractions.

Compliance with Township Policies: Employees must agree to comply with the Township's rules, policies, handbooks, practices and instructions and understand that violation of such may result in the termination of the remote work arrangement and/or disciplinary action, up to and including dismissal.

Security of Information and Records: Employees must use secure remote access procedures and are responsible for the security of all documents and records in their possession while remote working and must adhere to the security procedures to ensure confidentiality and security of data. Employees must not share individual log-in passwords with anyone outside of the Township. If any unauthorized access or disclosure occurs, the employee must inform their Direct Supervisor immediately.

Equipment and Materials: Employees approved to work remotely must agree to use the Township's equipment and supplies for business purposes only and to notify their supervisor immediately of equipment malfunction in order to schedule repair or replacement. Any damage or theft of the equipment should immediately be reported to their supervisor.

The Township's equipment used in the normal course of employment will be maintained and repaired by the Township. Employees approved to work remotely must return all Township owned property when the remote work arrangement ends.



## Mifflin Township Policy Manual

**Other Costs:** Under this policy, the Township is not responsible for operating costs (such as electric bills, internet, etc.), home maintenance, or other costs incurred by employees in the use of their homes as alternate work locations.

**Liability:** The Township assumes no responsibility for injuries occurring in the employee's alternate work location outside the agreed-upon work hours, or for liability damages to employee's real or personal property resulting from participation in the remote work program. Workers' compensation coverage is limited to designated work areas in employees' homes or alternate work locations. Workers' compensation does not apply to injuries of any third parties or members of the employee's family on the employee's premises.

Employees agree to practice the same safety habits they would use in the workplace and maintain safe conditions in their alternate work locations. Employees must follow normal procedures for reporting illness or injury.

Please contact the Office of Human Resources if you have any questions regarding this policy or if you have questions about remote work that are not addressed in this policy.

**XXXIX. RETIREMENT**

Full-time employees in the Mifflin Fire Department are required to participate in the retirement plan with the Ohio Police & Fire Pension Fund (OP&F Fund), and all other full and part time employees are required to participate in the retirement plan with the Ohio Public Employees' Retirement System (OPERS).

Employees should file their notice of intent to retire with the Department Head six (6) months prior to the effective date of retirement.

In the event of a disability retirement, the six-month (6) requirement is not generally possible and therefore can be waived by action of the Board of Trustees.

**XL. EMPLOYEE ASSISTANCE PROGRAM (EAP)**

Township employees and their immediate family members are covered by the Employee Assistance Program (EAP) benefit. The benefit offers face-to-face counseling as well as work-life benefits, such as legal consultation, financial consultation and dependent-care resources.

EAP services are provided at local clinical sites and by community independently State licensed providers. All EAP services are confidential. No personal information is shared by the EAP with the employer without the employee's consent. The EAP follows state laws pertaining to confidentiality, privacy and safety.

EAP services are easy to access and user friendly. Employees and their family members who are in need of the services and additional services beyond the EAP benefit may receive a referral to an insurance provider or a community resource. For more information regarding the Township's EAP service provider, contact Human Resources.

**XLI. FAMILY MEDICAL LEAVE (FMLA)**

The purpose of this section is to establish a uniform policy for complying with the Family and Medical Leave Act (FMLA). The policy may be amended from time to time.

Eligible employees may request time off for Family Medical Leave (FMLA) with job and medical benefits protection and no loss of accumulated service provided the employee meets the conditions outlined in this policy and returns to work in accordance with the Family and Medical Leave Act of 1993.

Consistent with the Family Medical Leave Act, the Township requires employees to use all accrued vacation, holidays, and sick leave (if applicable) for all or part of the FMLA 12-week period prior to being granted an unpaid FMLA.

**A. DEFINITIONS**

“Family and/or medical leave of absence”: A qualifying absence available to eligible employees for up to twelve (12) weeks of unpaid leave per year due to any of the circumstances listed below:

- (a) Upon the birth of an employee’s child and in order to care for/bond with the child.
- (b) Upon the placement of a child with an employee for adoption or foster care.
- (c) When an employee is needed to care for a covered family member who has a serious health condition.
- (d) When an employee is unable to perform the functions of their position because of the employee’s own serious health condition. \*This can be the result of a work or non- work related illness or injury.
- (e) Qualifying service member leave.

Service Member Leave: The spouse, parent or child of a member of the U.S. military service is entitled to twelve (12) weeks of FMLA leave due to qualifying exigencies of the service member being on “covered active duty” or receiving a “call to covered active duty.” In addition, a spouse, child, parent or next of kin (nearest blood relative) of a service member is entitled to up to twenty- six (26) weeks of leave within a “single twelve (12)-month period” to care for a service member with a “serious injury or illness” sustained or aggravated while in the line of duty on active duty. The “single twelve (12)-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends twelve

(12) months later, regardless of the twelve (12) month period established for other types of FMLA.

“Per year”: A rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the employer will compute the amount of leave the employee has taken under this policy and subtract it from the twelve (12) weeks of available leave. The balance remaining is the amount the employee is entitled to take at the time of the request. For example, if an employee used four (4) weeks of FMLA beginning February 4, 2009, four weeks beginning June 1, 2009, and four weeks beginning December 1, 2009, the employee would not be entitled to any additional leave until February 4, 2010.

“Serious health condition”: Any illness, injury, impairment, or physical or mental condition that involves:

- (a) Inpatient care. Any period of incapacity of more than three consecutive calendar days that also involves:
  - Two or more treatments by a health care provider, the first of which must occur within seven (7) days of the first day of incapacity and both visits must be completed within thirty (30) days; or
  - Treatment by a health care provider on one occasion that results in a regimen of continuing treatment under the supervision of a health care provider.
- (b) Any period of incapacity due to pregnancy or for prenatal care.
- (c) A chronic serious health condition which requires at least two “periodic” visits for treatment to a health care provider per year and continues over an extended period of time. The condition may be periodic rather than continuing.
- (d) Any period of incapacity which is permanent or long term and for which treatment may not be effective (i.e. terminal stages of a disease, Alzheimer’s disease, etc.).
- (e) Absence for restorative surgery after an accident/injury or for a condition that would likely result in an absence of more than three days absent medical intervention. (i.e. chemotherapy, dialysis for kidney disease, etc.).

“Intermittent leave”: - FMLA leave taken in separate blocks of time due to a single qualifying reason.

## Mifflin Township Policy Manual

“Licensed health care provider”: A Doctor of Medicine, a doctor of osteopathy, podiatrists, dentists, optometrists, psychiatrists, clinical psychologists, and others as specified by law.

“Family member”: Spouse, child, parent or a person who stands “in loco parentis” to the employee.

“Covered Service Member”: Means either:

- (a) A member of the Armed Forces, including a National Guard or Reserve Member, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness; or
- (b) A covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a National Guard or Reserves Member, at any time during the five years preceding the date the eligible employee takes FMLA to care for the covered veteran.

Note: An individual who was a member of the Armed Forces (including National Guard or Reserves) and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period of October 28, 2009 and March 9, 2013, shall not count toward the determination of the five-year period for covered veteran status.

“Outpatient Status”: The status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving outpatient medical care.

“Next of Kin”: The term “next of kin” used with respect to a service member means the nearest blood relative of that individual.

A "serious injury or illness": For purposes for the 26-week military caregiver leave means either:

- (a) In the case of a current member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness that was incurred by the covered service member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member’s office, grade, rank or rating; and,
- (b) In the case of a covered veteran, means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is:
  - 1. a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating; or
  - 2. a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
  - 3. a physical or mental condition that substantially impairs the covered veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
  - 4. an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

“Covered Active Duty” or “call to covered active duty”:

- (a) In the case of a member of a Regular Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country, (Active duty orders of a member of the Regular components of the Armed Forces generally specify if the member is deployed to a foreign country.
- (b) In the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to specific sections of the U.S. Code, as outlined in 29 CFR § 825.126.

## Mifflin Township Policy Manual

“Deployment to a foreign country” means deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the U.S., including international waters.

“Qualifying Exigency”: (For purposes of the twelve (12)-week qualifying exigency leave) includes any of the following:

- (a) Up to seven days of leave to deal with issues arising from a covered military member’s short notice deployment, which is a deployment on seven (7) or fewer days’ notice.
- (b) Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member.
- (c) Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member.
- (d) Making or updating financial and legal arrangements to address a covered military member’s absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust.
- (e) Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member.
- (f) Rest and recuperation leave of up to fifteen (15) days to spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment. This leave may be used for a period of 15 calendar days from the date the military member commences each instance of Rest and Recuperation leave.
- (g) Attending certain post-deployment activities within ninety (90) days of the termination of the covered military member’s duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member.
- (h) Qualifying parental care for military member’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age, when the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living, as described in 29 C.F.R. § 825.126, and the need arises out of the military member’s covered active duty or call to covered active duty status.
- (i) Any qualifying exigency which arose out of the covered military member’s covered active duty or call to covered active-duty status.

### **B. LEAVE ELIGIBILITY**

To be eligible for leave under this policy, an employee must meet all of the following conditions:

- (a) Worked for the Township for at least twelve (12) non-consecutive months, or fifty-two (52) weeks.
- (b) Actually worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period immediately prior to the date when the FMLA is scheduled to begin.
- (c) Work at a location where the Township employs fifty (50) or more employees within a seventy-five (75) mile radius.
  - The entitlement to FMLA leave for the birth or placement for adoption or foster care expires at the end of the twelve (12) month period following such birth or placement. Intermittent use not permitted without qualifying medical condition.
  - Spouses who are both employed by the agency are jointly entitled to a combined leave total of twelve (12) weeks (rather than twelve (12) weeks each) for the birth of a child, upon the placement of a child with the employees for adoption or foster care, and for the care of certain family members with serious health conditions.

### C. COMPENSATION

Family Medical Leave is unpaid. It is the Township's policy that employees use their accrued paid time off (sick, vacation, etc.) concurrent with FMLA. Employees will be required to use the type of accumulated paid leave that best fits the reason for taking leave and must comply with all procedures for requesting that type of leave as stated in the relevant policy. Any time off that may legally be counted against an employee's twelve (12) week FMLA entitlement will be counted against such time. The following are the guidelines for how accrued paid time off should be used and depends on the reason for taking leave:

1. Birth of an Employee's Child/Placement of a Child for Adoption or Foster Care:
  - (a) After exhaustion of the timeframe allowed in the parental leave policy, an employee who takes leave for the birth, adoption, or placement in foster care of a child(ren) must use any combination of accrued paid time off (excluding sick leave) for non-medical childcare and bonding. Should the employee exhaust all available accrued paid time off before their FMLA expires, the remainder of their time will be unpaid. Should the employee exhaust the 12-week FMLA period and still have accrued paid time off available, continued use will be determined on a case-by-case basis.
  - (b) If the employee requests leave for her own serious health condition as a result of the pregnancy or post-partum recovery period, the employee must use her available paid time off beginning with sick leave and withdrawing from all other paid time off balances thereafter (if applicable). Should the employee exhaust all available accrued paid time off before her FMLA expires, the remainder of the time will be unpaid. Should an employee exhaust the 12-week FMLA period and still have accrued paid time off available, continued use will be determined on a case-by-case basis.
2. Employee's Serious Health Condition or Covered Family Member's Serious Health Condition: An employee who takes leave because of their own serious health condition or that of a covered family member must use their available accrued paid time off \*beginning with sick leave\* and withdrawing from all other paid time off balances thereafter (if applicable). Should the employee exhaust all available accrued paid time off before their FMLA expires, the remainder of the time will be unpaid. Should an employee exhaust the 12-week FMLA period and still have accrued paid time off available, continued use will be determined on a case-by-case basis.

### E. FMLA AND WORKERS' COMPENSATION

An employee who qualifies for FMLA because of their own serious health condition may also be eligible for Workers' Compensation benefits if the condition is the result of a workplace incident. Regardless of whether or not the employee is receiving Workers' Compensation benefits, the Township will designate the absence as FMLA, and count it against the employee's twelve (12) week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA. In addition, as this type of absence may be compensated by the Bureau of Worker's Compensation (BWC), if the employee participates in its compensation program, the employee is not eligible to use paid leave of any type nor can the Township require the employee to do so.

**F. REQUESTING FMLA**

Requests for FMLA must be made at least thirty (30) days in advance if the need for leave is foreseeable. If the employee fails to provide thirty (30) days' notice for foreseeable leave with no reasonable explanation for the delay, the leave may be denied until at least thirty (30) days from the date the Township receives notice and the employee will be subject to the Township's normal attendance/tardiness policies.

If the need for FMLA is not foreseeable, the employee must provide notice as soon as is practicable. FMLA requests must be submitted to the FMLA Administrator, Human Resources, or designee. The FMLA Administrator or designee will determine whether the leave qualifies as FMLA, designate any leave that counts against the employee's twelve (12) week entitlement, and notify the employee that the leave has been so designated.

When an employee needs foreseeable FMLA, the employee shall make a reasonable effort to schedule the treatment so as not to unreasonably interfere with the Township's operations. The employee must follow the regular reporting procedures for each absence.

**G. CERTIFICATION OF FMLA**

The Township requires that employees report all potential FMLA qualifying leaves of absence so a determination can be made. This provision describes procedures for requesting FMLA for a qualifying leave of absence.

An employee requesting FMLA due to their own serious health condition must provide a doctor's certification of the serious health condition and subsequent need for time off work. An employee requesting FMLA due to their covered family member's serious health condition must provide a doctor's certification of the serious health condition, which must designate that the employee's presence is reasonably necessary. Certification shall be submitted at the time FMLA is requested, or if the need for leave is not foreseeable, as soon as is practicable.

The FMLA Administrator or designee, at their discretion, may require the employee to sign a release of information so that the FMLA Administrator or designee can contact the medical provider. If the medical certification is incomplete or insufficient, the employee will be notified of the deficiency and will have seven (7) calendar days to cure the deficiency.

The Township may require a second medical opinion prior to granting FMLA. Such opinion shall be rendered by a health care provider designated or approved by the Township. If a second medical opinion is requested, the cost of obtaining such opinion shall be paid for by the Township. If the first and second opinions differ, the Township, at its own expense, may require the binding opinion of a third health care provider approved jointly by the Township and the employee. Failure or refusal of the employee to submit to or cooperate in obtaining either the second or third opinions, if requested, shall result in the denial of the FMLA request.

Employees who request and are granted FMLA due to a serious health condition may be required to provide the FMLA Administrator or designee periodic written reports assessing the continued qualification for FMLA. Further, the FMLA Administrator or designee may request additional reports if the circumstances described in the previous certification have changed significantly (duration or frequency of absences, the severity of the condition, complications, etc.), or if the FMLA Administrator or designee receives information that casts doubt on the employee's stated reason for the absence. The employee must provide the requested additional reports to the FMLA Administrator or designee within fifteen (15) days.

**H. REQUIREMENT TO REPORT POTENTIAL QUALIFYING LEAVES OF ABSENCE**

The Township requires that employees report all potential FMLA qualifying leaves of absence so a determination can be made. All leaves of absence from work that may potentially qualify for FMLA shall be reported to the FMLA Administrator or designee at least 30 days in advance if the need for leave is foreseeable. If the need for leave is not foreseeable, the employee should report the need for leave as soon as is practicable. The first report may be transmitted by word of mouth, or via written or electronic means of communication.



### I. FAILURE TO REQUEST/PROVIDE PROPER AND TIMELY CERTIFICATION

If an employee fails to request FMLA or provide proper certification of their need to take FMLA within the prescribed timeframes and the Township has reasonable knowledge that the employee has a qualifying FMLA situation, their absences will be designated as FMLA. Should this happen, the employee may be subject to progressive disciplinary action until proper notification and/or certification is received.

If the Township does not have reasonable knowledge that the employee has a qualifying FMLA situation, their absences will be subject to the Township's normal attendance/tardiness policies.

### J. QUALIFYING EXIGENCY

The Township may request that an employee provide a copy of the military member's active-duty orders to support the request for qualifying exigency leave. Such certification for qualifying exigency leave must be supported by a certification containing the following information:

- (a) Statement or description of appropriate facts regarding the qualifying exigency for which leave is needed;
- (b) Approximate date on which the qualifying exigency commenced or will commence;
- (c) Beginning and end dates for leave to be taken for a single continuous period of time;
- (d) An estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently;
- (e) Appropriate contact information for the third party if the qualifying exigency requires meeting with a third party and a description of the meeting; and,
- (f) If the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders, or other documentation issued by the military which indicates the military member has been granted Rest and Recuperation leave, and the dates of the military member's Rest and Recuperation leave.

### K. INTERMITTENT/REDUCED SCHEDULE LEAVE

When medically necessary, an employee may take FMLA on an intermittent or reduced work schedule basis for their own serious health condition or that of a covered family member. Requests for intermittent or reduced schedule FMLA must be submitted in writing at least thirty (30) days prior to taking leave, or, as soon as practicable.

To be entitled to intermittent leave, the employee must, at the time such leave is requested, submit additional certification as prescribed by the FMLA Administrator or designee establishing the medical necessity for such leave. This shall be in addition to the documentation certifying the condition as FMLA qualifying. The additional certification shall include the dates and the duration of treatment, if any, the expected duration of the intermittent or reduced schedule leave, and a statement from the health care provider describing the facts supporting the medical necessity for taking FMLA on an intermittent or reduced schedule basis. In addition, an employee requesting foreseeable intermittent or reduced schedule FMLA may be required to meet with the Department Head or designee to discuss the intermittent or reduced schedule leave.

An employee who requests and is granted FMLA on an intermittent or reduced schedule basis may be temporarily transferred to an available alternative position with equivalent class, pay, and benefits if the alternative position would better accommodate the intermittent or reduced schedule. An employee who requests intermittent or reduced schedule leave due to foreseeable medical treatment shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the Township's operations.

An employee may not take leave on an intermittent or reduced schedule for the birth, and bonding of a child(ren). **However, employees may request time off following department procedures.** This does not apply when the expectant mother has a serious health condition in connection with the birth of the child or if the newborn child has a serious health condition. An employee may ~~not~~ take leave on an intermittent or reduced schedule basis for the ~~birth~~, adoption, or placement in foster care of a child(ren) unless specifically if authorized by the department head, in conjunction with Human Resources.

### **L. BENEFITS WHILE ON FMLA**

Except as provided below, while an employee is on FMLA, the Township will continue to pay its portion of premiums for any medical benefits under the same terms and conditions as if the employee had continued to work throughout the leave. The employee continues to be responsible for the payment of any contribution amounts they would have been required to pay had they not taken the leave, regardless of whether the employee is using paid or unpaid FMLA. Employee contributions are subject to any change in rates that occurs while the employee is on leave.

The Township will not continue to pay the Township's portion of premiums for any medical benefits if, while the employee is on FMLA, the employee fails to pay their portion of such premiums or if the employee's payment for their portion of the premium is late by more than thirty (30) days. If the employee chooses not to continue health care coverage during FMLA, the employee will be entitled to reinstatement into the benefit plan upon return to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition or circumstances beyond the employee's control, the Township may seek reimbursement from the employee for any amounts paid by the Township for medical benefits the employee received through the Township during any period of unpaid FMLA. Leave balances accrued by an employee prior to taking FMLA and not used by the employee as outlined in Section 512.4 will be retained by the employee.

FMLA, whether paid or unpaid, will not constitute a break in service. Upon the completion of unpaid FMLA and return to service, the employee will return to the same level of service credit as the employee held immediately prior to the commencement of FMLA. In addition, FMLA will be treated as continuous service for the purpose of calculating benefits which are based on length of service. However, specific leaves times (i.e. sick, vacation, personal leave and holidays) will not accrue during any period of unpaid FMLA.

### **M. REINSTATEMENT FROM FMLA**

An employee on FMLA must give the Township at least two business days' notice of their intent to return to work, regardless of the employee's anticipated date of return. Employees who take leave under this policy will be reinstated to the same or a similar position upon return from leave except for if the position that the employee occupied prior to taking FMLA is not available, the employee will be placed in a position which entails substantially equivalent levels of skill, effort, responsibility, and authority and which carries equivalent status, pay, benefits, and other terms and conditions of employment as the position the employee occupied prior to taking FMLA. The determination as to whether a position is an "equivalent position" will be made by the Township.

An employee will not be laid off as a result of exercising their right to FMLA. However, the Township will not reinstate an employee who has taken FMLA if, as a result of a layoff within the agency, the employee would not otherwise be employed at the time reinstatement is requested. An employee on FMLA has no greater or lesser right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during their FMLA.

Prior to reinstatement, employees who take FMLA based on their own serious health condition shall provide certification from the employee's health care provider that the employee is able to perform the essential functions of their position, with or without reasonable accommodation.

### **N. FMLA RECORDS**

All records relative to FMLA will be maintained by the Township as required by law. Any medical records accompanying FMLA requests will be kept separate from an employee's regular personnel file. To the extent permitted by law, medical records related to FMLA shall be kept confidential. Records and documents created for purposes of FMLA containing family medical history or genetic information as defined by the Genetic Information Nondiscrimination Act of 2008 (GINA) shall be maintained in accordance with the confidentiality requirements of Title II of GINA, which permit such information to be disclosed consistent with the requirements of FMLA.

**XLII. LACTATION BREAKS**

Employees who have recently given birth will be allowed a reasonable break time in order to nurse or express breast milk, for up to one (1) year after childbirth. The employee will be provided with an appropriate space, other than a bathroom, that is shielded from view and free from intrusion from other employees, teleworking video systems, and members of the public. Lactation breaks under this policy should, to the extent possible, run concurrently with any other break time available to the employee.

**XLIII. PREGNANT WORKERS FAIRNESS ACT**

The Township complies with the law regarding the Pregnant Workers Fairness Act that includes making reasonable accommodations for qualified individuals in the workforce for known limitations of employees and applicants related to pregnancy, childbirth, or related medical conditions that do not cause undue hardship to the Township.

**XLIV. COMPUTER USE & CYBERSECURITY POLICY**

Township computers and information systems are Township property. They may be used only for explicitly authorized purposes. The Township reserves the right to examine all data stored in or transmitted by their computers and systems. Without notice, the Township and authorized Township supervisors may enter, search, monitor, track, copy, and retrieve any type of electronic file of any employee or contractor. These actions may be taken for business-purpose inquiries including but not limited to theft investigation, unauthorized disclosure of confidential business or proprietary information, excessive personal use of the system, or monitoring workflow and employee productivity.

Employees have no right to privacy with regard to the Internet and email on Township systems (public or private). Authorized designees (as referenced above) may access any files stored on, accessed via, or deleted from computers and information systems. When necessary, Internet, email, and Instant Messenger (IM) usage patterns may be examined for work-related purposes, including situations where there is a need to investigate possible misconduct and to ensure that these resources are devoted to maintaining the highest levels of productivity. All software installed on any Township computer must be licensed to the Township. No Township employee may install, uninstall, or reconfigure any software or hardware owned by the Township without prior authorization from the Township. The use of privately-owned or contractor-owned computers for official Township business must be authorized in advance by the Township.

Employees are required to maintain passwords for their computers. Employees are responsible for safely securing their passwords. Employees shall not share passwords. Employees are required to periodically change passwords. Employees shall follow all IT Guidelines regarding passwords.

Employees are required to complete cybersecurity training throughout the year, and as directed by a supervisor or IT Director.

**A. Allowable Uses of Computer and Information Systems for Business Purposes**

1. Any Use of Mifflin Township technology shall only be for purposes related to Mifflin Township business.

**B. Prohibited Uses of Computers and Information Systems, Including But Not Limited to E-mail, Instant Messaging, and the Internet**

1. Violating local, state, and/or federal law.
2. Harassing or disparaging others based on age, race, color, national origin, sex, sexual orientation, disability, religion, military status or political beliefs. Harassment and disparagement include but are not limited to slurs, obscene messages, or sexually explicit images, cartoons, or messages.
3. Threatening others.
4. Soliciting or recruiting others for commercial ventures, religious or political causes, outside organizations, or other matters which are not job related.
5. Using computers or information systems in association with the operation of any for-profit business activities or for personal gain.
6. Sabotage, e.g. intentionally disrupting network traffic or crashing the network and connecting systems or intentionally introducing a computer virus.
7. Vandalizing the data of another user.
8. Forging electronic mail and instant messenger messages.
9. Sending chain letters.
10. Sending rude or obscene messages (anything that would embarrass or discredit the Township).
11. Disseminating, without authorization, confidential or proprietary Township documents or information or data restricted by government laws or regulations.
12. Browsing or inquiring upon confidential records maintained by the Township without substantial business purpose.

## Mifflin Township Policy Manual

13. Disseminating (including printing) copyrighted materials, articles, or software in violation of copyright laws.
14. Accessing the Internet in any manner that may be disruptive, offensive to others, or harmful to morale.
15. Transmitting materials (visual, textual, or auditory) containing ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on age, race, color, national origin, gender, sexual orientation, disability, religious or political beliefs.
16. Sending or soliciting sexually oriented messages or images.
17. Using the Internet or instant messenger for political activity.
18. Using the Internet to sell goods or services not job-related or specifically authorized in writing by an approving authority.
19. Downloading and viewing non-work-related streaming audio or video (i.e. listening to radio stations, etc.) that is a distraction to the employee's work and to those around them.
20. Intentionally using Internet facilities to disable, impair, or overload performance of any computer system or network or to circumvent any system intended to protect the privacy or security of another user.
21. Speaking to the media or to the public within any news group or chat room on behalf of the Township if not expressly authorized to represent the Township.
22. Uploading or downloading g a m e s , viruses, copyrighted material, inappropriate graphics or picture files, illegal software, and unauthorized access attempts into any system.
23. Using your work email address to register for personal online subscriptions or services. Ie. Amazon, Netflix, social media, online bill payment, etc.
24. Combining your work email with personal email on the same app.

**NOTE: Whether on working time or not, these prohibitions apply at all times to Township- owned computers and information systems. Personnel cannot expect that the information they convey, create, file, or store in Township computers and information systems will be confidential or private regardless of the employee's intent.**

Please remember that there is no expectation of privacy for anything sent by email or IM, and that others can view this information at any time.

Any data created, stored or sent through Township owned equipment or business-related communications conducted on personal devices may be subject to public records requests as set forth in the Ohio Revised Code 149.011 and 149.43.

### **C. Guidelines for Incidental/Occasional Personal Internet Usage**

Generally, the Internet is to be used for work-related purposes. The Township will permit personal use of the Internet with reasonable restrictions as to the amount of time devoted to personal usage and sites visited provided such use does not adversely affect business or productivity. Incidental/occasional use is comparable to time authorized for meals and reasonable breaks during the workday and those times only should be used to attend to personal matters. Personnel are not permitted to utilize the Internet for personal use equal to meal and break times and also take their scheduled meal and breaks. Agency Internet resources must be devoted to maintaining the highest degree of productivity. Personal Internet usage is a privilege, not a right. As such, the privilege may be revoked at any time and for any reason or for no reason. Aside from scheduled breaks and unpaid lunch periods, employees are prohibited from engaging in personal use of the internet while on Township time.

### **D. Securing Computer Equipment and Electronic Data**

Township employees who are responsible for or are assigned portable computer equipment and electronic media (i.e., laptops, flash memory devices, external hard drives, etc.) shall secure those items when not in the office as these items may contain confidential and/or HIPAA information, which could be compromised if lost or stolen. If an employee loses a piece of equipment or it is stolen, they are required to immediately notify their supervisor and the IT Department. Failure to properly secure portable computer equipment and electronic data is subject to disciplinary action.

Employees accidentally sharing Township information, or accessing an improper website, or opening an email with a virus are to immediately notify their supervisors. Employees who receive ransomware, or other malware/virus, are to do the following.

1. Immediately turn off the computer and disconnect it from the network. Turn off Wi-Fi if your computer has Wi-Fi.
2. Immediately notify a supervisor.
3. They or their Supervisor must notify IT Immediately.

Employees using a personal mobile device for work shall use password protection to protect the device; Two-Factor Authentication should be used wherever possible. Other devices such as home PC's laptops etc., shall be maintained with all OS security patches. All personal devices shall be accessed with individual accounts with a password that is only known by the Mifflin employee.

- E.** Employees must immediately report any security breach, or lost equipment, to their immediate supervisor, who will immediately contact the IT Director.
- F.** Upon discovering a cybersecurity incident or ransomware incident, Mifflin Township must notify Ohio Homeland Security within seven days and the Auditor of State within 30 days.

### **XLV. EMAIL COMMUNICATION**

To ensure timely and effective communication, all employees are required to login to their Mifflin email account and read work-related emails on each day they work. This policy supports operational efficiency, collaboration, and responsiveness to internal and external stakeholders.

Responses to emails should be provided within 24 hours unless otherwise indicated as urgent. Responses to emails should be professional, clear, and concise, adhering to communication guidelines. Employees should prioritize emails based on urgency and relevance to their role and responsibilities.

Non-exempt (hourly) employees are not required to check their email during non-worked hours. Non-exempt employees must be paid for time spent checking and responding to work emails during non-worked hours per federal law.

Employees are responsible for ensuring they have access to their work email accounts. Technical issues preventing email access must be reported to the IT department immediately.



### **XLVI. PERSONNEL FILES**

Human Resources shall maintain the official personnel file for all Township employees. Such files may include individual employment data, payroll information, certifications, schedules, application forms, and records pertaining to hiring, promotion, demotion, transfer, layoff and termination. Personnel files shall be available to members of the public in accordance with the law. An employee shall have a right of reasonable inspection of their official personnel file. No personnel records shall be removed from the official records unless in accordance with state or federal law or in accordance with the Township's retention of records policy. When a public records request is made for an employee's records, the Township will endeavor to inform the employee of the request in advance of the release of records. The Township will make reasonable efforts to redact personal information, and other non- public information, from the files before release. Notifying the employee of the release may not result in an unreasonable delay in releasing the records pursuant to an appropriate request. Employees are responsible for taking legal action in the event they wish to prohibit release of the requested documents to the requesting individual or entity. Employees must timely advise the Township of any change in name, address, marital status, telephone number, number of tax exemptions, citizenship, or association with any government military service organization.

**XLVII. TELEPHONES AND PERSONAL DEVICES**

**A. COMMUNICATIONS ALLOWANCE STIPEND**

Employees designated by the Township who utilize their personal device while conducting Township business are eligible to receive a communications stipend. Following Internal Revenue Service guidance, the allowance is not intended to pay the full cost of the employee's monthly statement; rather it is intended to offset the business use of the service plan where such use is part of the duties and responsibilities of the employee's position.

Designated employees will receive a monthly communications allowance of \$50.00 toward an employee's personal device for Township business-related communications. Employees must complete the Communications Allowance Authorization Form to receive the stipend.

Except for police and fire department employees responding to emergency situations, cell phones should not be used while driving. If the cellular phone rings while driving, allow your voicemail to take the message and retrieve the message when you are parked.

Employees are to keep their personal device secure at all times, which includes being password protected. If it is lost, contact the IT Director and your Department Head immediately. Use a secure connection when conducting Township business. Repeated non-compliance of this policy and improper use of Township communication systems and equipment may result in disciplinary action up to and including termination. Improper use includes any misuse described in this policy as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, or sexually suggestive uses of written, recorded, or electronically transmitted messages. Employees who discover a violation of this policy shall immediately notify their supervisor.

Township business-related communications conducted on personal devices may be subject to public records requests as set forth in the Ohio Revised Code 149.011 and 149.43. In consideration of receiving the stipend, the employee must produce any messages, texts, or billing records immediately upon request by the Township. The Township may request the records for any reason, including but not limited to a workplace policy review, investigation, public records request, litigation, or audit.

**B. PERSONAL CELLULAR PHONES AND ELECTRONIC COMMUNICATIONS DEVICES**

We recognize that cell phones have become an integral part of everyday life. They may be a great asset if used correctly (for productivity apps, calendars, etc.). However, excessive personal calls and text messages during the workday can interfere with employee productivity and be distracting to others.

The use of personal devices during work hours are established by the department. The Township assumes no responsibility for lost, damaged or stolen personal devices.

**C. TOWNSHIP BUSINESS TELEPHONES**

Township telephones are to be used for business purposes in serving the interests of our customers and in the course of normal Township operations.

On occasion, personal calls may be necessary, but we ask your cooperation in limiting them to emergencies or essential personal business and in keeping them as brief as possible.

**XLVIII. PUBLIC RECORDS REQUESTS**

**A. PUBLIC RECORDS**

We are an open government. We welcome participation by our citizens. We believe openness leads to a better-informed public, which leads to more transparent government and better public policy. Citizens are entitled to access government records within the parameters of the Public Records Act.

**B. PUBLIC RECORDS LAW QUESTIONS OR CONCERNS**

If you have questions or concerns about Ohio Public Records law, please contact your state legislator. You can find contact information at <http://www.ohio.gov/>

**Mifflin Township  
Public Records Policy**

Mifflin Township has adopted a Public Records policy pursuant to R.C. § 149.43. Records and public records are defined respectively in R.C. §§ 149.011 (g) and 149.43 (A)(1).

We pledge to provide prompt inspection of public records and provide copies of public records within a reasonable amount of time. To obtain copies or view any public records please call (614) 471-4494.

Public records requests can be made via email, telephone, or in person, Monday - Friday, during regular office hours (8:00 a.m. - 4:30 p.m.), excluding legal holidays.

### **XLIX. SOLICITATION**

Individuals not employed by the Township are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except by representatives of suppliers or vendors given prior authority), or engaging in any other solicitation, distribution, or similar activity on the premises or at a worksite.

The Township may authorize a limited number of fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist these drives; however, participation is entirely voluntary.

The following restrictions apply when employees engage in permitted solicitation or distribution of literature for any group or organization, including charitable organizations:

- (a) Distribution of literature, solicitation and the sale of merchandise or services is prohibited in public areas.
- (b) Soliciting and distributing literature during the working time of either the employee making the solicitation or distribution, or the targeted employee, is prohibited. The term “working time” does not include an employee’s authorized lunch or rest periods or other times when the employee is not required to be working.
- (c) Distributing literature in a way that causes litter on Township property is prohibited.

The Township maintains various communications systems to communicate Township-related information to employees and to disseminate or post notices required by law. The unauthorized use of the communications systems or the distribution or posting of notices, photographs, or other materials on any Township property is prohibited.

Violations of this policy will be addressed on a case-by-case basis. Disciplinary measures will be determined by the severity of the violation, not the content of the solicitation or literature involved.

## **L. SOCIAL MEDIA**

- A.** The Township supports the free exchange of information and camaraderie among employees on the internet. However, when internet blogging, social media posts, chat room discussions, email, text messages or other forms of electronic communication extend to employees revealing confidential information about the Township or its employees or engaging in posting inappropriate material about the Township or its employees, the employee who posts such information or assists in posting such material may be subject to disciplinary action.

Employees are reminded to be careful of the information they disclose on the internet, including social media sites. Employees shall not conduct themselves at any time in such a way as to compromise the safety and privacy of Township employees, residents, patients, guests and other local entities and individuals with whom they work. The following uses of social media are strictly prohibited, whether on or off duty:

- (a) Comments or displays about coworkers, supervisors or the Township that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the Township's workplace policies against discrimination, harassment or retaliation.
- (b) Statements or uses of the Township's logo which are slanderous or detrimental, including evidence of the misuse of the Township's authority, information, insignia or equipment.
- (c) Unprofessional communication which, if left unaddressed, could potentially result in a civil or criminal cause of action against the Township. Unprofessional communication also includes that which the Township could demonstrate has a substantial risk of negatively affecting the Township's reputation, mission or operations, such as slander, defamation or other legal cause of action.
- (d) Disclosure of confidential and/or proprietary information acquired in the course of employment. Confidential information includes not only information that would not be available pursuant to a public records request, but also includes any information which does not relate to an issue of public concern.
- (e) Comments or displays which impact employees' abilities to perform their job duties or the Township's ability to maintain an efficient workplace.

Social media sites may be inspected by the Township for cause to determine potential policy violations. If an employee believes that online communication violates a Township policy, the employee should immediately report the communication to his or her supervisor. The Township may investigate the matter, determine whether such communication violates policy, and take appropriate action. This policy does not apply to communications protected by the U.S. or Ohio Constitutions.

## **B. TOWNSHIP OPERATED SOCIAL MEDIA SITE**

The Township, from time to time, hosts social media sites which allow members of the public to post comments and questions. The purpose of this site is for the Township to disseminate relevant information to the public, as well as to receive relevant feedback from the public.

Blogging or using social media sites as the official spokesperson for the Township must be authorized by the respective department supervisor or designee and coordinated with the Chairman of the Board of Trustees or designee.

As a member of the public, you have the opportunity to share or post on the Township's site. Your posts are subject to the same restrictions imposed on other members of the public. The Township routinely monitors its social media pages. The Township reserves the right to delete posts that contain any of the following:

- (f) Profane or obscene material;
- (g) Any vulgar or abusive language, personal attacks of any kind, or offensive terms targeting individuals or groups;
- (h) Spam or posts which include links to other non-Township sites;
- (i) Posts which are clearly off-topic and irrelevant to the services provided by the Township;

## Mifflin Township Policy Manual

- (j) Content which advocates engaging in illegal activity;
- (k) Infringement on copyright or trademarks;
- (l) Confidential or non-public information;
- (m) Solicitation of services or products;
- (n) Any illegal or inappropriate material;
- (o) Endorsements of political parties, candidates or groups;
- (p) Any other information or language which is deemed inappropriate.

In addition, as an employee of the Township, you may have confidential information or knowledge as a result of your employment. This information or knowledge may not be proper for disclosure. Employees shall not disseminate confidential information or other information related to the Township that is not of public concern, which includes but is not limited to information related to personnel decisions. Employees with questions about whether information is of public concern shall contact their supervisor for guidance.

Remember that, as with most forms of social media, comments posted on the Township's social media sites are not private. All posts may constitute a public record and may be disclosed pursuant to a public records request.

### **LI. MEDIA STATEMENTS**

Any employee contacted by the news media on a matter related to Township operations should direct the caller to contact the Department Head. This policy is designed to avoid duplication, assure accuracy, and protect employees and the Township from the dissemination of misstatements and misinformation.

This policy does not prohibit employees from making a public statement, in their off-duty hours, on matters of public concern. However, this policy does prohibit employees from making unauthorized public statements during their working hours and from making public statements about matters of private concern that negatively impact the Township.

**LII. OHIO AUDITOR OF STATE'S FRAUD REPORTING**

The Ohio Auditor of State's Office maintains a system for reporting fraud, including the misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll-free number, the Auditor of State's website, or the United States mail. Contact information is as follows:

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's Office Special Investigations Unit  
88 East Broad Street  
P.O. Box 1140  
Columbus, OH 43215

Web: <http://www.ohioauditor.gov>

Ohio Rev. Code § 117.103 requires employees and elected officials to complete the Auditor of State Fraud Reporting every four (4) years.



### **LIII. OFFICIAL TRAVEL**

The Ohio Revised Code enables employees of the Township to be reimbursed for actual and necessary travel and other expenses incurred while on official business inside and outside the State of Ohio if authorized by the Board of Trustees. This Policy outlines the procedures and authority for expenditures and reimbursement for official travel of Township officials and employees.

Persons traveling on Township business should incur the lowest practical and reasonable expense while completing the travel process in an efficient and timely manner. Township travelers have the duty to avoid impropriety, or even the appearance of impropriety, in any travel expense.

Prior to submitting your request, check the per-diem allowance (standard, per-day amount to cover meals and incidentals), cost of travel (private vehicle, Township vehicle or airline), and any other expenses involved for your destination. In addition to the per-diem allowances, if you will be using a Township credit card, the credit card policy as well as the dollar limits should be reviewed.

When submitting your request, compile a listing of all expenses including cost of registration (if any). All travel requests must be approved first by your Department Head and then submitted to the Board of Trustees for approval. Since the Board of Trustees' meetings occur only twice (2) monthly, all requests should be submitted at least sixty (60) days in advance.

Never charge personal expenses incurred during travel to the Township credit card.

#### **A. PRE-TRAVEL ARRANGEMENTS AND RESERVATIONS**

1. A Township credit card is the preferred method for pre-travel arrangements and reservations. In most instances a credit card is required for airline tickets. The Department Head's credit card may be used to accomplish this.
2. Registering For An Event - Keep a copy of your registration form (print a copy of on-line forms and meeting agendas). Information about activities and what is included in the fee must be submitted with the Travel Expense Report and attached to the credit card statement if used. Registration fee may not include extraneous activities (golf outings, tours, etc.) if they can be reasonably separated from the total.
3. Airline Tickets - Use of the credit card is required for the purchase of airline tickets for Township employees. Only coach class tickets or their equivalent may be purchased. Employees will not be reimbursed for the purchase of airline tickets. Advance purchase is strongly encouraged. If a flight reservation is changed or canceled and results in an additional fee, a reason must be provided. If the purchase is online, print and save confirmation showing origin, destination, price paid and method of payment.
4. Hotel Reservations - Whenever applicable, every effort should be made to take advantage of special rates. Hotel reservations should be made at the same time as registration for the seminar or conference by whatever means the Department Head designates.

### **B. TRAVEL BY VEHICLE**

1. Reimbursement is made when using the employee's privately owned vehicle using the current IRS's standard mileage rate. The mileage rate covers all expenses incurred for Township business including gasoline, insurance, and maintenance. Only the owner of the vehicle may claim mileage. When using the employee's vehicle, the driver must have a valid driver's license, carry liability insurance on the vehicle as required by law, must not have pending traffic violations, must wear a seat belt and pay for gasoline out-of-pocket.
2. The point of origin should be the traveler's primary Township work site. Mileage should be submitted from the point of origin to the destination.
3. Use of a rental car must have a business purpose and should be the smallest size car that is practical. Upgrades are not allowed unless a written explanation of a legitimate need is provided. The Driver must have a valid driver's license and no pending traffic violations. Seat belts are to be worn at all times. Only actual expenses may be reimbursed (IRS mileage does not apply). The employee should obtain a Proof of Insurance from the Township prior to travel.
4. When using a Township-owned vehicle for travel, the driver must have a valid driver's license, must not have any pending traffic violations, and must wear a seat belt. The Township covers all vehicles for liability. Gasoline should be purchased with a Township credit card whenever possible (IRS mileage does not apply).

### **C. LODGING**

1. Overnight lodging is allowed only if the destination is further than 75 miles from the traveler's primary work site.
2. Allowable cost is a single room rate. When traveling within the State, a certificate of exemption should be presented at check-in to avoid tax charges. If the lodging receipt states multiple occupancy, indicate either the single room rate on the receipt or provide the name(s) of the Township employee(s) who shared the lodging.
3. A Township credit card is the preferred method of payment. Personal charges must be paid out-of-pocket at checkout. Such charges (personal phone call, movies, etc.) are not permitted on the charge card. The room may not be charged to another person's card. The credit card may be used to pay for the employee's room only, unless the person(s) sharing the room is also on Township business.
4. Almost all hotel and motels have significant rate reductions for government employees, though the number of rooms at discount may be limited. It is best to inquire about this discount when reservations are made. Be prepared to show proof of employment upon arrival. Other discounts may be possible through the organization which is sponsoring the conference with blocks of rooms held for that organization. Inquire about a possible rate reduction available at the time of reservation.

### **D. MEALS**

1. Business meeting meals must have a business purpose and costs should be reasonable and customary for the location. Itemized receipts are required for attachment to the credit card statement or travel expense report. The credit card is the preferred method of payment for such expenses. A maximum of three meals per day is allowable.
2. If the expense was out-of-pocket, it may be submitted for reimbursement on the travel expense report. The report must be attached to provide the proper substantiation. Tips for business meals are reimbursable up to 20% of meal cost. Regardless of the payment method used, alcoholic beverages associated with a business meal will not be reimbursed.
3. During same day travel, employees do not qualify for meal reimbursement. IRS regulations require that an employee be away from home longer than an ordinary day's work and during the time away from home, need sleep or rest (referred to as the "overnight rule" – i.e., overnight stay is required).

During partial days of travel, preceding or following an overnight stay, the following time schedule applies for personal meals allowable:

Type of Meal Departs at or before Returns at or after Breakfast 7:00 A.M. – 9:00 A.M.  
Lunch 12:00 NOON - 1:00 P.M.  
Dinner 5:00 P.M. - 6:00 P.M.

4. Per Diem rates for meals will be \$60.00 per day. Itemized receipts must be submitted for both credit card charges and/or attached to travel expense report. If meals are included in fees for items such as conference registrations, etc., no further expense for those meals is allowable.

### **E. CONCLUDING TRAVEL**

Reimbursement may be claimed for parking charges, taxi fares, and highway tolls. Tips associated with driving fares are reimbursable, but not to exceed 18% of the fare.

Save conference registrations, agendas and programs outlining the basic activities. Receipts must show the amount, date, place, and purpose of the expense. All receipts must be original itemized receipts. Lodging must show separate amounts for lodging, meals, telephone calls, etc. Car rental agreement and itemized receipt are required. Restaurant receipts must be itemized and show location, name of restaurant and number of people served.

Receipts should be attached to the travel expense report as appropriate. Personal expenses are not reimbursable.

To receive reimbursement for out-of-pocket travel expenses, a Travel Expense Form must be completed and submitted with receipts for payment. Reimbursement for mileage will be at the current IRS rate. Employee must sign the Travel Expense Form and submit it to their Department Head for approval signature. If the approval signer is the traveler, a higher-level signature must be obtained.

### **F. COMPENSABLE TRAVEL AND MEETING TIME**

Travel that keeps an employee away from home overnight is travel away from home. Travel away from home is clearly work time when it cuts across the employee's workday. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days. The Township will not consider time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile as work time.

Employee will be compensated for attending required meetings, sessions, meal events, and socials events.

### **LIV. PURCHASE CARDS**

The Ohio Revised Code permits the use of purchase cards. The Board of Township Trustees formulates the policy for the use of the cards. The resolution shall set limits for spending, activity, and allowable expenditures as well as administrative controls.

The purchase card program is not intended to avoid or bypass the competitive bid requirements, appropriation of **funds**, approval process, or payment process. Rather the program complements the existing processes. Expenditures may not exceed appropriations under any circumstances.

A “cardholder” is an individual who has been approved by the Board of Township Trustees to pay for certain work-related expenses with a procurement card. The cardholder is responsible for the security and physical custody of the card and is accountable for all transactions made with the card. The cardholder must comply with the program’s record-keeping requirements (including retention of original receipts) for the protection of both the cardholder and the Township. The cardholder is also responsible for timely reconciliation of the billing statement. Employees have a responsibility to report instances where the Township policies and procedures are not being followed.

The cardholder’s personal credit history is not impacted in any way and credit checks are not done on individual cardholders. Billings for authorized purchases will be paid with Township funds.

#### **A. PURCHASE CARD ADMINISTRATION**

An individual cardholder must be a Township employee or elected official. Additionally, the Department Head must recommend that a card be issued to the employee, and it must be approved by the Trustees. The application will specify monetary and transaction limits as well as approved merchant commodity codes for the individual cardholder. Once a card has been issued, the Board may modify the card’s limits. These limit changes should be initiated by the person responsible for the program administration. Each credit card for a township account shall include the name of the Township.

The cardholder is responsible for the physical custody of the card, and for maintaining confidentiality of all information relating to the card such as the account number and expiration date. The card is not to be loaned to anyone.

The cardholder will sign a written acknowledgment indicating that the cardholder understands the intent of the program and agrees to adhere to the policy and guidelines established by the Board of Trustees. The person responsible for the program administration will retain the signed acknowledgment.

Selection of the card issuer will be made based upon the specific needs of the Township and the current depository agreement. The agreement will include fee schedules, processing procedures and rights and responsibilities of both parties.

The Township Trustees will designate the person responsible for administration of the purchase card program. That person will be responsible for processing cardholder applications, suspensions and cancellations; resolving disputes with merchants; and maintaining cardholder profiles for the Township’s cards.

## **1. CARD LIMITATIONS**

Individual cards are subject to limits approved by the Board of Trustees.

The card may not be used to pay for the following:

- (a) Entertainment
- (b) Alcoholic beverage
- (c) Long distance telephone charges
- (d) ATM, cash advance and all other cash-related transactions

## **2. SALES TAX**

Purchases made with the Township purchase cards are tax exempt. If tax is charged inappropriately, the cardholder should present a tax exemption certificate to the vendor and receive credit for the unnecessary tax. Tax exemption certificates are available at the Administrative Office.

## **3. MONITORING CARD ACTIVITY**

The person responsible for the program administration or the Department Head will have access to view and monitor card activity. This review can occur at any time.

## **4. CARD ACCOUNT RECONCILIATION**

Employees should ensure that all receipts are forwarded to the Administrative Office in a timely manner for the reconciliation of all billing statements. Failure to do so may result in the employee's credit card use being suspended.

## **5. RETURNS/CREDITS/DISPUTE RESOLUTION**

There may be problems with a purchased item or service, such as broken merchandise, incorrect merchandise, the billed amount does not match the quote, sales tax is included, and the statement contains an unknown or duplicate charge. In these instances, the cardholder should try to resolve the dispute with the supplier or merchant. If the item needs to be returned for any reason, the item should be returned and request a credit to the purchase card. Cash or a rain check instead of a vendor credit is not acceptable. If the dispute cannot be resolved, the Department Head or person responsible for program administration should be contacted.

## **6. SUSPENSION OR CANCELLATION OF CARD**

The Department Head will notify the person responsible for program administration that the cardholder's card has been suspended or cancelled. Cardholders who terminate their employment, are on extended leave or whose job duties change and no longer include purchasing must surrender the card immediately. The cancelled cards will be cut in half. Cardholders who are on extended leave or reassignment may have their card suspended. Intentional use of the card for personal purchases or for purchases made in violation of Township policy will result in card cancellation.

### **B. RECEIPTS**

When making a purchase, the cardholder should obtain and retain the original receipt. The receipt must contain the vendor's name, date of purchase, itemized description of purchase, per unit price, extended price, and reason for purchase noted on the receipt. The cardholder will forward all receipts to the Administrative Office to be matched to the billing statement.

Purchase cards may be used to purchase goods over the internet, telephone or fax. These purchases must be evidenced by an order confirmation along with either the original packing slip that accompanies the purchased goods or an itemized receipt.

If purchasing goods online, the authorized user must use reasonable care and judgment regarding the authenticity and security of a website.

When using the Internet, the cardholder must make sure that all account numbers are encrypted while being passed electronically. A cardholder can determine if the web site address is secure in two ways:

- (a) An internet web site is secure when the address begins with HTTPS://
- (b) A symbol resembling a "lock" will appear at the bottom of the browser. The "lock" symbol signifies that the web site is secure and that all card numbers will be encrypted when passed.

Cardholders will be held responsible for all orders placed, even those with vendors that turn out not to be legitimate businesses.

The cardholder should inform the vendor that the purchase will be paid through the Township purchase card, and that the purchase is tax exempt.

### **C. VENDOR INVOICES**

Vendors should not invoice the cardholder for purchases made with the purchase card. The vendor will be paid by the card issuer, not by the Township. However, the cardholder must always receive an itemized receipt or order confirmation.

### **D. LOST OR STOLEN CARDS**

If the card is lost or stolen, the cardholder must notify the card issuer immediately. Upon receipt of the phone call, further use of the card will be blocked. The cardholder must confirm the phone call by written notification to the card issuer via email, mail or fax, with copies to the Department Head or person responsible for program administration. The date and time of the phone report of the lost or stolen card should be included in the written notification.

### **E. IMPROPER USE OF CARD**

The card is to be used only by the cardholder for authorized, work-related expenses. The cardholder is not permitted to lend the card to someone else. Improper use of the card can be considered misappropriation of Township funds. In addition, the cardholder is personally liable for payment of improper purchases and may be subject to criminal prosecution.

Misuse of a credit card may result in disciplinary action up to and including termination of employment as well as criminal prosecution pursuant to § 2913.21 of the Ohio Revised Code.

In the event that the cardholder does not submit proper documentation for charges, card privileges may be terminated and/or suspended by the Board of Trustees in their sole and absolute discretion.

## **LV. LEAVE DONATION POLICY**

- A. A leave donation program is a method of addressing the temporary financial needs of employees who are on medical leave for their own serious medical issue or when an employee's immediate family experiences such an illness or injury requiring the employee's personal care and attendance. Immediate family follows the FMLA definition of spouse, child, parent or a person who stands "in loco parentis" to the employee.

The purpose of this policy is to establish criteria and standards for the donation of accrued leave and to establish the eligibility rules for qualified employees to apply for leave donation following the definition of the IRS. The IRS defines a medical emergency as a "medical condition of the employee or a family member that will require the prolonged/extended absence of the employee from duty, including intermittent absences that are related to the same illness or condition. and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available, apart from the leave-sharing plan." See [Private Ruling Letter](#), Rev. Rul. 90-29, 1990-1 C.B. 11. The recipient of the paid leave will be taxed and not the leave donor.

For a plan to be considered what the IRS characterizes as a "bona-fide employer-sponsored (medical) leave-sharing arrangement," the plan should:

1. Be in writing and be administered by the employer.
2. Be created as a leave bank for employees to deposit donated leave, and from which, leave will be distributed to recipients who have a personal medical emergency.
3. State that employees should be eligible to receive leave only after their request has been approved and all other available paid leave has been exhausted.
4. Specify that leave is to be used only for medical emergencies. The plan should meet the IRS definition and restrict these medical emergencies to major illnesses or medical conditions of employees that require extended absences and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available, apart from the leave-sharing plan.
5. Outline and specify limits on the amount of leave that may be donated by an individual in any given year.
6. Have a detailed procedure in place for employees to submit a written request for leave that describes the specific medical emergency or medical condition.
7. Have processes in place to confirm that all leave transferred under the plan is being used for medical leave by the recipient.

Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act.

### **B. Requesting, Receiving and Using Leave Donation**

Eligible employees who request donated leave will complete the Leave Donation Request Form and return it with the appropriate medical certification, to the Department Head. The Department Head or designee will ensure the employee is eligible as defined and submit to the Board for approval.

An eligible employee may receive a maximum of 960 hours for 56-hour employees and 480 hours for remaining fulltime employees per 24-month rolling calendar year. Donated leave will be converted to sick leave for the recipient.

Employees using donated leave shall be in an active pay status and shall accrue sick and vacation leave and be entitled to any benefits to which they would otherwise receive. Any sick and vacation leave that is accrued must be used in the following pay period before donated leave can be used. Additional hours will need to be used to accommodate scheduled overtime as donated leave hours will not be converted to overtime. *Example: 120 hour pay period = 127 hours of donated leave*

Donated leave shall never be converted into a cash benefit. It shall only be used to cover the eligible work hours that the affected employee would have regularly been scheduled to work each week/pay period.

## **C. Donating Accrued Leave**

- 56-Hour Fire Employees: An employee may donate up to 72 hours of leave in 24-hour increments from any accrued leave balance per calendar year.
- Non-56-hour Employees: An employee may donate leave in 8-hour increments from any accrued leave balance. Each donation that includes sick leave must be matched 1:1 with other earned time, e.g. sick leave 8 hours and vacation 8 hours).
- Participation in this program is strictly voluntary. No employee is to be directly solicited to donate leave, nor shall any employee be forced to donate.
- The donating employee must have an accrued paid leave balance of 576 hours for 56-hour employees and 480 hours for remaining fulltime employees after donating leave.
- An employee wishing to donate leave must complete and return the Leave Donation Form to the designated Battalion Chief for Fire personnel, MECC Captain for MECC personnel or Human Resources for Service, Police or Admin personnel, who will date, and time stamp each form in the order it is received.
- Once the appropriate balances have been determined based on the recipient's anticipated need, the donated leave shall be used in the order in which it was donated.
- Any donated leave not used shall be returned to the donor.
- The donation of accrued leave is on an hourly basis, without regard to the dollar value of the donated leave.

## **CI. Termination of Receiving Donated Leave**

The donated leave ends if at least one of the following conditions are met:

- When the recipient resigns, is terminated or is involuntary disability separated
- When the employee returns to work prior to meeting the maximum donation allowed
- At the end of the biweekly pay period in which the recipient has been approved for disability retirement or BWC Temporary Total.
- At the end of the pay period in which the employee does not receive sufficient donated leave to cover the employee's regularly scheduled hours.
- At the end of the pay period in which the leave recipient provides written notice that the medical emergency is over
- At the end of the pay period in which the employer determines that the medical emergency is over

## **Extended Leave Conditions**

### **A. Recipient Eligibility**

In order to receive donated leave, an employee must:

1. be employed by Mifflin Township for a minimum of four (4) months prior to requesting leave donation.
2. have a qualifying serious illness or injury or have an immediate family member who has such.
3. have exhausted all paid leave.
4. not have been on a performance improvement plan or received coaching in the last 12 months prior to requesting donated leave or have active discipline related to attendance, tardiness, excessive use of sick leave, abuse of sick leave, unauthorized absence or pattern use of sick leave.



## Mifflin Township Policy Manual

### B. Conditions or Circumstances That Do Not Qualify for Donated Leave for prolonged leave

- Any occupationally related accident or illness which is compensable under Workers' Compensation benefits
- Injury or medical condition incurred during the commission of a crime
- During the period of any disciplinary suspension
- While receiving disability
- While serving in the United States military services
- Normal pregnancy and childcare are not considered to be a serious illness or injury for the purposes of this policy



**MIFFLIN TOWNSHIP**  
**Peace. Safety. Welfare.**

# **ADDITIONAL POLICIES FIRE DEPARTMENT EMPLOYEES**

September 2024

## **I. FIRE SERVICE AUTHORITY**

This department is authorized by the Ohio Revised Code to perform fire suppression and related services including, but not limited to (ORC § 737.11; ORC § 505.37):

- a) Fire prevention and fire code enforcement.
- b) Fire suppression services.
- c) Fire cause and origin investigation.
- d) Emergency Medical Services (EMS).

Firefighters are sworn members of this department and are authorized to exercise the following authority:

- a) Participate in a wide range of emergency and rescue activities, including EMS, extrication and heavy rescue
- b) Perform fire suppression duties, including the suppression of structural, aircraft, marine, wildland and other types of fires
- c) Investigate the cause and origin of fires
- d) Collect and preserve evidence when a fire is of a suspicious origin
- e) Perform specialty services, including hazardous materials response, technical rescue, water rescue and additional services as authorized by the Fire Chief
- f) Provide fire code enforcement, inspection and plan review services
- g) Provide public education, and fire prevention activities and services

When exercising their authority, members shall observe and comply with every person's clearly established rights under the United States and Ohio Constitutions.

Any captain or chief officer may relieve a member under his/her command from duty when, in his/ her judgment, an offense committed is sufficiently serious to warrant immediate action.

It is the policy of the Mifflin Township Division of Fire to limit its members to only exercise the authority granted to them by law.

## **II. LIABILITY CLAIMS**

This policy provides guidelines for the management of all claims, including personal injury and property loss or damage, issued against the Department.

It is the policy of this department to evaluate and resolve claims in a timely manner, as appropriate. The Fire Chief designates the Assistant Fire Chief as risk manager to receive, investigate and evaluate any claim for loss or damage received by the Department.

Any member of this department who becomes aware of any potential for a claim or lawsuit, or who receives a formal written claim against the Department should forward the information to the risk manager as soon as practicable.

The risk manager will investigate all claims for money or damage received and will resolve claims as appropriate and within guidelines approved the Board of Trustees. The risk manager should ensure the claim is accepted or rejected. Notice of acceptance or rejection should be given to the claimant in writing within a reasonable amount of time.

### III. SOLICITATION OF FUNDS

The purpose of this policy is to ensure that fundraising activities associated with the Department are consistent with its mission, values and legal status. This policy applies to all fundraising activities involving the Department or the use of the department name, insignias, equipment or facilities.

Definitions related to this policy include:

Fundraising - The collection of money through donations, sales or event programming for the purpose of charitable donation or organizational budget enhancement.

It shall be the policy of this department that all fundraising activities involving on-duty members or use of department equipment, and that provide financial benefit to the Department, must be authorized by the Fire Chief or the authorized designee prior to initiating solicitations.

Authorized fundraising activities should not indicate or imply that a donation will influence services provided by the Department. Members engaged in fundraising activities are expected to act ethically regarding the solicitation of funds, the interaction with donors or potential donors and the maintenance of fundraising records.

Members are prohibited from soliciting any goods or services from local businesses, groups or individuals for the purpose of providing incentives, prizes or giveaways to attendees of department- sponsored or hosted events, or to events when members attend as representatives of the Department.

Fundraising activities or events involving the Department should incorporate the following elements:

- a) Compliance with applicable federal, state and local laws and regulations.
- b) Compliance with department and governing-body policies.
- c) A benefit to the Department that is consistent with the department mission.
- d) An accurate description of the purpose for which funds are requested.
- e) A limitation on the frequency of solicitations to avoid placing undue pressure on donors.
- f) Identification of the individual soliciting funds as a volunteer, a member of this department or a hired solicitor.

Fundraising for the benefit of a non-profit charitable third party (e.g., blood drive, burn victims, surviving families) having no direct affiliation with the Department is permissible provided that the fundraising standards and event prerequisites listed above are followed.

Any materials associated with a third-party fundraising activity shall be approved by the Fire Chief or the authorized designee prior to the activity. In addition, there should be a written agreement between the Department and the organizers of the activity that includes:

- a) Written verification that the event is for a charitable purpose.
- b) Assignment of responsibility to the organizers for all direct costs incurred for the event.
- c) Assignment of responsibility to the organizers for the collection and reporting of any applicable taxes.
- d) Written instructions regarding the maintenance of funds raised on behalf of others. The funds shall be maintained in a separate fund and not commingled with other department funds.

The Department reserves the right to require additional conditions including, but not limited to, evidence of insurance coverage or appropriate indemnification.

#### **IV. DISPOSITION OF VALUABLES**

The purpose of this policy is to establish a process by which all valuables found at emergency incidents are inventoried and held securely by the Department until the items can be returned to the owner or otherwise legally released for disposition.

The Mifflin Township Division of Fire will take reasonable measures to safeguard valuables found at incident scenes. The Department does not have appropriate facilities for storing valuables for safekeeping. Therefore, alternatives to removing valuables from the scene of emergencies will be taken whenever practicable.

Any member encountering unsecured valuables, such as cash or jewelry, should immediately report it to the Incident Commander, or the member's commanding officer. When local law enforcement is available, valuable property should be transferred to legal custody.

If the valuables cannot be secured and they belong to a medical patient who is transported to a hospital, the member may deliver the valuables to the hospital, obtain a receipt from the receiving nurse and retain a copy of the receipt with the official report of the incident.

If the property or valuables cannot be secured at the location or with a responsible person at the scene, the member should request any on-site law enforcement officer to take the valuables for safekeeping. The member should document the disposition of such valuables, including the identity of any receiving individual, and obtain a receipt from the law enforcement officer and include it in the report of the call.

A member should take valuables into custody only in unusual cases and with the approval of a supervisor. The valuables should be inventoried and the inventory should list any obvious damage. A supervisor should witness the inventory.

Members should document in the incident report, the disposition of any reasonably identifiable valuables. When applicable, notification to local law enforcement should be made.

## **V. SAFE HAVENS FOR NEWBORNS LAW**

This policy establishes the guidelines to comply with the Ohio Safe Havens for Newborns Law.

This policy addresses infants who are 30 days old or younger and are surrendered under the terms of the Ohio Safe Havens for Newborns Law. Abandonment of an infant not covered by this policy would be subject to the Child Abuse Policy.

Definitions related to this policy include:

Qualified personnel - An Emergency Medical Services (EMS) worker on behalf of the Mifflin Township Division of Fire (ORC § 2151.3515; ORC § 2151.3516).

It is the policy of the Mifflin Township Division of Fire to provide an option to protect infants by allowing parents to safely and confidentially surrender an infant at any staffed fire station that has been designated as a safe-surrender site or to qualified personnel.

The Fire Chief shall identify qualified personnel to take custody of surrendered infants and ensure that such qualified personnel are available to receive any surrendered infants (ORC § 2151.3516).

The following guidelines will be used by personnel at all department stations (ORC § 2151.3518; ORC § 2151.3528; ORC § 2151.3534):

(a) Site preparation:

1. All department stations should clearly display the appropriate safe haven signage identifying the station as a drop-off location. In addition, fire station lobbies should display public outreach brochures obtained from the state or the local child welfare agency.
2. All department stations should have a person designated as responsible to order, maintain and inventory, on a monthly basis, medical information forms and any written materials from the Ohio Department of Job and Family Services (ODJFS) regarding the Ohio Safe Havens for Newborns Law.

(b) Accepting a surrendered infant:

1. Qualified personnel shall accept a surrendered infant, even if the infant appears older than 30 days. If the infant appears to be older than 30 days, the receiving personnel should immediately notify law enforcement and the Public Children Services Agency (PCSA), as provided in the Child Abuse Policy.
2. If it appears that the infant has been the victim of child abuse or neglect, law enforcement personnel should be requested as provided in the Child Abuse Policy.
- 3.

(c) Following acceptance of an infant:

1. Perform any act necessary to protect the infant's health and safety.
2. Notify PCSA that an infant has been surrendered.
3. Provide an ODJFS medical information form to the surrendering parent and ask him/her to complete it. The parent is not required to complete the form, however, if the parent refuses to complete the form, the parent should be encouraged to take the form with them and complete and return at a later time.
4. Offer the surrendering parent any brochures or other written materials prepared by the ODJFS regarding services available for parents and newborns.

(d) Medical assessment and documentation:

1. Qualified personnel shall assess the infant to identify any immediate treatment needs and complete a Patient Care Report (PCR) for the incident.
2. If the parent is the birth mother, qualified personnel should attempt to assess and treat her as necessary and pursuant to established EMS protocols. If treated, the mother should be listed as "Jane Doe" to protect her anonymity.

## Mifflin Township Policy Manual

- a. Do not use the parent's name on the PCR.

(e) Transportation to the hospital:

1. If it is determined that the infant requires medical attention, a member should notify Fire Communication Center of a medical aid at the station and request an Advanced Life Support (ALS) ambulance and/or a paramedic unit, if they are not available in quarters. Avoid radio traffic declaring a safe surrender to maintain confidentiality.
2. Qualified personnel shall accompany the infant and parent (if the parent is willing to accompany the infant) to the nearest emergency room with labor and delivery capabilities.

(f) Anonymity of parent; coercion prohibited:

1. A parent who voluntarily surrenders a newborn has the right to remain anonymous and shall not be coerced into revealing his/her identity, completing medical forms, accepting written materials, followed or pursued (ORC § 2151.3526; ORC § 2151.3528; ORC § 2151.3530).

(g) Additional notifications and media concerns:

1. The receiving personnel shall notify Fire Communication Center and their appropriate supervisor as soon as practicable.
2. The supervisor will notify the Battalion Chief, duty officer and the Chief.
3. The Chief may, as circumstances dictate, provide the following limited facts to the media:
  - a. Date, time and fire station where the infant was surrendered
  - b. Local PCSA representative's name and telephone number
  - c. Under no circumstances shall the parent's name be released to the public or media

(h) Individuals who return to claim an infant:

1. If a parent who voluntarily surrendered an infant requests the return of the infant, the parent should be referred to PCSA.
2. The identity of the parent must still be kept anonymous and confidential.
3. Department members should not make any judgments about the individual's ability to care for the infant.

(i) Community donations:

1. Community groups, volunteers, foundations and individuals may express interest in helping with this program. Some may want to donate baby supplies, such as baby food, diapers or blankets, directly to the fire station. The following guidelines are established:
  - a. Only new baby blankets in the original wrapper should be accepted.
  - b. Donors who wish to donate any other baby-related items, such as clothes, baby food or diapers, should be directed to a local social service agency and/or reputable charities.



## **VI. PERSONAL PROJECTS ON-DUTY**

It is the policy of the Mifflin Township Division of Fire to consider granting privileges to members to conduct personal projects while on-duty in some circumstances. Firefighters assigned to a fire station may experience downtime during their shift and have an opportunity to engage in some personal projects. When this opportunity arises, permission may be granted, subject to the following conditions:

- a) Personal projects shall not interfere with emergency response demands.
- b) Personal projects shall not interfere with other assigned station duties.
- c) At their discretion, the company officer or Battalion Chief may deny or revoke permission for a personal project while on duty.
- d) Department equipment or resources shall not be used for personal projects.
- e) Office supplies and office equipment (e.g., copiers, fax machines) shall not be used for personal projects.
- f) All department policies must be followed while engaged in the personal project.

For the purposes of this policy, the following personal projects are prohibited:

- a) Any project for which someone other than the Department is compensating the member.
- b) Any project that has no association to the Department and/or the fire service.
- c) Any project that has no personal, career-related or promotional value.
- d) Any project that has the potential to cause injury or illness to anyone, or the potential to create risk or liability for the Department.

## VII. PHYSICAL FITNESS

It is the policy of the Mifflin Township Division of Fire to establish guidelines for physical fitness activities that are designed to prevent injuries while maintaining fitness. The ultimate goals of this policy are to:

- Meet the physical demands required on emergency responses.
- Reduce the risk of member injury or illness.
- Enhance the overall health, fitness and safety of members.

Physical fitness activities should not interfere with primary job duties (e.g., emergency responses, public education, training activities, other legal responsibilities), nor should physical fitness activities delay an emergency response in any way.

The Department retains the right to prohibit any physical fitness activity which, in its sole discretion, presents greater risks than benefits.

The time, location and duration of company physical fitness activities are at the discretion of the on-duty Battalion Chief and the company officer. In most instances, the location for physical fitness must be within the company's first-in response area or approved arrangements for coverage, be consistent with this policy and not result in a response delay.

All Emergency Services members should be allowed to participate in physical fitness activities during the course of their shift. Members who choose not to participate in physical fitness activities shall conduct duties as assigned by the company officer during the designated physical fitness period. Members who have provided the Department with written physical restrictions from a qualified health care provider shall not participate in any physical activity that conflicts with the restriction.

At the discretion of the Department, one or more of the following may apply:

- (a) Station physical fitness equipment - Physical fitness equipment is available for the use of members at fire stations with adequate space. Members assigned to these stations should utilize the fitness equipment for their on-duty physical fitness activities. Station physical fitness equipment is only to be used by Township employees.
- (b) Firefighters (company) may access the contracted fitness facility, if applicable, while on duty at the discretion of the on-duty Battalion Chief or while off-duty. Off-duty participation in any fitness activity including working out at the contracted fitness facility does not qualify as on-duty work time.

Member participation in competitive or contact sports is not permitted while on duty.

When participating in approved on-duty physical fitness activities, reasonable precautions should be taken to avoid injury.

Members who are participating in physical fitness activities are expected to:

1. Allow sufficient time to warm up muscles prior to engaging in exercise for optimum performance and to reduce the risk of injury.
2. Develop sufficient trunk muscle strength to keep the spine and body stable in order to remain strong and balanced.
3. Maintain realistic goals and limits for physical fitness routines.
4. Develop an understanding of how to use fitness equipment properly and safely.
5. Check equipment prior to use to ensure safe operation, report defective or broken equipment to the safety officer as soon as practicable and disable equipment to prevent others from using it, if necessary.
6. Develop and maintain sufficient fitness training knowledge, accounting for fitness level, age and previous injuries or limitations, to avoid fitness-related injuries.

## **VIII. FAMILY SUPPORT LIAISON**

It is the policy of the Mifflin Township Division of Fire to assign a member to act as a Family Support Liaison, as soon as practicable, to the family of any member who has been seriously injured or has died in the line-of-duty. The member assigned should be the most appropriate person for the circumstances, without regard for rank.

The Department will assign a member to the Family Support Liaison position whenever any department member has been seriously injured or has died in the line of duty. At the discretion of the Fire Chief, the position may be activated and filled in the event of an off-the-job serious injury or death or in the event of a member's catastrophic loss.

The Family Support Liaison will coordinate the needs and wishes of an employee's family with the responsibilities and needs of the Department and will represent the Department in helping meet the needs of the employee's family by communicating direction with the Fire Chief or the authorized designee. Responsibilities shall include, but not be limited to, the following:

- a) Establish ongoing communication with the member's Battalion Chief and obtain a briefing regarding circumstances of the event, family contacts up to the present and other relevant information.
- b) Establish contact with family members. Identify immediate needs and questions and provide appropriate solutions or responses. Relay any unfilled needs and unanswered questions to the Fire Chief.
- c) Coordinate or provide transportation to hospitals, places of worship and/or other appropriate locations.
- d) Within 24 hours of an employee's line-of-duty death, arrange for the Fire Chief to visit the family.
- e) Establish contact with the Chief and coordinate media information needs, while considering the privacy wishes of the family.
- f) Coordinate with local law enforcement to provide for the physical security of the family.
- g) Establish communications with other support personnel or groups, including department chaplains, employee associations, human resources representatives and appropriate labor organizations.
- h) If appropriate, coordinate with the department-appointed funeral detail officer.
- i) Ensure the family knows how to reach him/her and establish a time to contact the family in the future.

The affected member's Battalion Chief will select the Family Support Liaison. The following guidelines should be used for selection:

- a) The liaison should be an individual the family knows and with whom they are comfortable working.
- b) If the family has no preference, the selection may be made from names recommended by the affected member's supervisor and/or coworkers.
- c) The liaison should report directly to the affected member's Battalion Chief.
- d) If the selected liaison does not already have an assigned department pager or cellular telephone, one or both should be assigned to facilitate the necessary communications.

## IX. FIREFIGHTER/EMT-B APPRENTICE TUITION REIMBURSEMENT POLICY

Only full-time employees in the position as a Firefighter/EMT-B Apprentice are eligible. Employees previously in the Firefighter/EMT-B Apprentice position are not eligible.

### Definitions

**Accredited:** Training provided by an Ohio EMS (Emergency Medical Services) accredited training program as defined by the State of Ohio.

**Reimbursable Expenses:** Mifflin Township will reimburse the employee upon completion of the accredited program and issuance of a State of Ohio EMT- Paramedic certificate for the program's costs not exceeding \$12,000.

**Good Standing:** The employee must not have had any written warnings, suspensions, or other disciplinary actions filed, nor be subject to a performance improvement plan within one year of applying for tuition assistance. In addition, the employee must have achieved at least a “meets expectations” rating on their most recent performance evaluation.

**Policy:** Upon completion from an accredited training program and issuance of a State of Ohio EMT- Paramedic certificate, Mifflin Township will reimburse the Firefighter/EMT-B Apprentice up to \$12,000 for the course tuition required to obtain a State of Ohio EMT- Paramedic certificate. The employee shall provide proof of payment and proof of course completion before reimbursement is processed. The use of tuition reimbursement may affect your taxable income. For more information, please consult with a tax advisor.

If an employee voluntarily resigns, or is terminated with cause from the Township, he/she must repay the tuition assistance based on the following schedule:

1. 100% repayment of tuition reimbursement received if the employee is no longer employed by Mifflin Township within one (1) year or less after receiving reimbursement.
2. 75% repayment of tuition reimbursement received if the employee is no longer employed by Mifflin Township one (1) or more years but less than two (2) years after receiving reimbursement.
3. 50% repayment of tuition reimbursement received if the employee is no longer employed by Mifflin Township within two (2) or more years but less than three (3) years after receiving reimbursement.
4. 25% repayment of tuition reimbursement received if the employee is no longer employed by Mifflin Township three (3) or more years but less than four (4) years after receiving reimbursement.
5. 0% repayment of tuition reimbursement if the employee is no longer employed four (4) or more years after receiving reimbursement.
6. The employee will have thirty (30) days following separation of employment with Mifflin Township under these terms to make full and final payment unless a different payment arrangement has been mutually agreed upon.

Mifflin Township reserves the right to suspend or restrict this policy at any time based upon the availability of funds.

### Reimbursement Process

1. Eligible employees wishing to obtain reimbursement shall email the Assistant Chief requesting reimbursement, proof of course completion and proof of achieving their State of Ohio EMT- Paramedic certificate.
2. Employees must sign the Firefighter/EMT-B Apprentice Tuition Reimbursement Policy and agree to the repayment terms.

---

Signature

---

Date

---

Written Name

## **X. HOLIDAY COMPENSATION (FIRE DEPARTMENT INCLUDING MECC)**

Employees are entitled to an 88-hour holiday bank each year based on eight (8) hours of holiday time for the eleven (11) holidays per year listed below. Fire department employees, including MECC, who are scheduled to work on a holiday and request to take it off, may use other paid leave in lieu of holiday flex, with supervisor approval. Holiday time is not cumulative from year to year and shall be used in the calendar year in which it is credited. Holiday time not used during the calendar year in which it is credited shall be paid to the employee at the close of such calendar year.

New Year's Day	Labor Day
Martin Luther King Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Juneteenth	Christmas Day
Independence Day	

When a holiday falls on a Saturday, the preceding Friday is observed. When a holiday falls on a Sunday, the following Monday is observed. Township offices are closed on legal holidays as appointed by the Board of Trustees. The Department Head or designee will control scheduling, with consideration being given to equal treatment to all employees as it relates to holiday scheduling.

This department policy supersedes the Township Holiday Compensation policy.

## **Appendix A**

**POLICY COMMITMENT**

**for**

**MIFFLIN TOWNSHIP'S**  
**DRUG-FREE (SUBSTANCE-FREE)**  
**WORKPLACE PROGRAM**

**OHIO**

**Specifications as of June 12, 2024**

**Program Implementation as of June 1, 2002**

**WORKING PARTNERS SYSTEMS, INC.**

Phone: 614-337-8200

Fax: 614-337-0800

This document is protected by ©copyright. You may not copy any part of this document, distribute copies of this document to others, or create another work based on this document without the written consent of Dee Mason. Unauthorized copying, distribution, or creation of a derivative work may result in liability for copyright infringement.

# INTRODUCTION

Dee Mason and Working Partners Systems, Inc. have prepared these materials - including the sample policy and appendices - to assist businesses and public entities in their efforts to maintain a drug and alcohol-free workplace. We feel you will find these materials useful and state-of-the-art for addressing workplace substance abuse issues. Thank you for the opportunity to help your organization!

## Disclaimer of Warranty

Dee Mason and Working Partners Systems, Inc. make no warranties or representations, expressed or implied, with respect to these materials or their quality, performance, accuracy, interpretations, merchantability or fitness for any particular purpose. They are delivered to you “as is”. You maintain complete legal responsibility for the appropriate content and application of the materials, and it is your responsibility to ensure that the materials are used in accordance with any applicable federal, state or local laws.

## Obtain Further Input

Dee Mason and Working Partners Systems, Inc. emphasize the importance of having your organization consult experienced and qualified attorneys, accountants, medical advisors, third-party consultants and other business professionals to assure the best results for organizing and building your business and for attempting to achieve a drug and alcohol free workplace, Dee Mason and Working Partners Systems, Inc. are not engaged in rendering any legal, accounting or medical advice or service upon which you can or should rely.

## Limitation of Liability

In no event shall Dee Mason and Working Partners Systems, Inc. assume any duty to defend, indemnify, hold harmless or otherwise be held responsible or liable for any indirect, direct, incidental, special or consequential damages, costs or attorney’s fees resulting from or related to the use or misuse of these materials. This is true even if Dee Mason and Working Partners Systems, Inc. have been advised, know or should be aware of your intended use of these materials or the possibility of such liability or damages.

## Copyright

The Drug-Free Workplace policy template and its appendices are protected by copyright laws. No part of the policy template and its appendices or any revision to the same, should be copied, reproduced, transmitted and/or distributed to any third party outside your organization or any of its subsidiaries or affiliates without the prior written permission of Dee Mason and Working Partners Systems, Inc.



## **TABLE OF CONTENTS**

STATEMENT OF PURPOSE .....	1
COVERAGE .....	1
EMPLOYEE EDUCATION AND SUPERVISOR TRAINING .....	1
EMPLOYEE ASSISTANCE .....	2
DRUG AND ALCOHOL RULES .....	2
TESTING APPLICATIONS .....	5
INSPECTIONS .....	6
CORRECTIVE ACTION FOR PROGRAM VIOLATIONS .....	6
CONFIDENTIALITY .....	7
CLOSING .....	7
RESERVATION OF RIGHTS .....	8
ATTACHMENT A - EXPLANATION OF TERMS .....	9
APPENDIX A - LIST OF SAFETY-SENSITIVE FUNCTIONS AND POSITIONS .....	14
APPENDIX B - OHIO - SUBSTANCE TESTING INFORMATION.....	15
FORM D-1, E-2 - DRUG-FREE WORKPLACE PROGRAM ACKNOWLEDGEMENT FORM AND POST-ACCIDENT RESPONSIBILITIES .....	18
FORM D-2 - DRUG-FREE PROGRAM TESTING CONSENT/AUTHORIZATION FORM .....	20
FORM D-5 - REFERENCE LIST OF QUALIFIED ASSESSMENT PROFESSIONALS .....	21
FORM E-1 - POST ACCIDENT TESTING RESPONSIBILITIES FOR PERSONNEL WHEN OFF-SITE.....	22
FORM E-3 - POST-ACCIDENT HOSPITAL AUTHORIZATION FORM .....	24

# **MIFFLIN TOWNSHIP'S DRUG-FREE (SUBSTANCE-FREE) WORKPLACE PROGRAM**

## **STATEMENT OF PURPOSE**

Mifflin Township's (also referred to as "Township") Drug-Free Workplace Program is being adopted to ensure, to the greatest extent possible, that we have a work environment free of the negative effects of drug - and alcohol abuse. Statistics show that the abuse of drugs and alcohol leads to an increased number of accidents and medical claims and a decrease in work performance and productivity. In addition, such abuse can lead to the deterioration of an employee's job performance, behavior, health, and personal life. Our goal is to provide help for any of our employees who have substance abuse problems while at the same time ensuring that our workplace is operating safely and efficiently.

We believe that early recognition and treatment are critical to successful rehabilitation and to the minimization of business, personal, family and social disruption. Therefore, we strongly encourage employees who are experiencing problems related to drug or alcohol abuse to seek help from the Township -authorized resource or available private and community services. However, for those employees who refuse to seek assistance or refuse to comply with the Drug-Free Workplace Program, Mifflin Township may find it necessary to take the appropriate measures outlined in this Program. The guidelines of this Program strive to balance our employees' personal privacy and dignity with the Township's rights and responsibilities to maintain a safe and productive workplace.

Finally, the implementation of this Program is subject to the requirements and prohibitions contained in applicable federal, state and/or local laws.

## **COVERAGE**

The Drug-Free Workplace Program covers all full-time, part-time, volunteer and seasonal employees of Mifflin Township.

Employees who are subject to any applicable law or regulation may face additional obligations. These may include, but are not limited to, the U.S. Department of Transportation, workers' compensation premium discount laws, terms for state-administered construction work or contracts, etc.

Nothing in this Program document or in any oral representation by the Township related to the same constitutes or creates an express or implied contract of employment, or any promise of job security upon which an employee can rely. All employment relationships with the Township remain "at will."

## **EMPLOYEE EDUCATION AND SUPERVISOR TRAINING**

To assist employees in understanding this Program and the Township's responsibilities to prevent and eliminate substance abuse in the workplace, Mifflin Township will provide employees with information regarding substance abuse, safety and the Drug-Free Workplace Program. Supervisors also will be subject to training on their roles and responsibilities in administering the Program.

Questions and concerns about this Program should be addressed to supervisors and/or the Program Administrator Human Resources Department at 614-471-4494. In addition, any employee having reasonable suspicion that another employee or management person may be in violation of this Program should make a confidential report to the Program Administrator so that an investigation can be made.

Programming for drug-free youth and education for parents to learn how to keep their children drug-free is available. If you would like more information about what is available in our community, please ask the Program Administrator and/or call *Working Partners* /BASA Coalition at 614-337-8200.

### **EMPLOYEE ASSISTANCE**

Mifflin Township encourages employees to voluntarily seek help. Employees can contact the Program Administrator or their county Alcohol and Drug Addiction Services Board (ADAMH or Recovery Services Board), through which publicly-subsidized community services can be recommended to assist employees wanting help with problems related to alcohol and drug abuse. In addition, Mifflin Township offers the services of HelpNet which can provide professional assessment and referral to qualified treatment services for problems related to drug and alcohol abuse. This service may be accessed by calling 800-969-6162. Anonymity and confidentiality are assured to the extent possible.

For further support and treatment resources, employees should refer to the Township's Medical Benefits Plan regarding eligibility, requirements and additional benefits.

Employees who undergo voluntary counseling or treatment and who continue to work are subject to the same job performance and behavior standards as other employees. As is the case of all employees, those seeking voluntary counseling or treatment who fail to meet performance standards will be subject to corrective action.

When the Township is involved with an employee's substance abuse assessment, treatment and/or recovery process, the terms and responsibilities may be agreed upon in a formal Assistance Agreement between the employee, Township and the health providers.

### **DRUG AND ALCOHOL RULES**

This Program has a variety of rules which prohibit the possession of drug paraphernalia and the use, possession, purchase, receipt, sale, distribution, manufacture or being "under the influence"\* of illicit drugs and/or alcohol on "Township property"\* or "on the job."\* The rules also outline the employee's responsibilities regarding the use of prescription and over-the-counter drugs which must be used in compliance or pursuant to a valid medical prescription or doctor's recommendation.

**IMPORTANT:** An employee is prohibited from being under the influence (as defined in this Program) on the job (as defined in this Program) of any chemical substance which is illegal under federal and/or state law.

*\*These terms are defined in detail in Attachment A, Explanation of Terms.*

**NOTE:** *If authorized and directed by the Fire or Police Chief, possession/use/purchase of drugs and/or alcohol while on the job will not be considered a violation of this Program (though at no time may an employee be "under the influence" as defined in this Program).*

#### **1. EMPLOYEE USE OF ILLICIT DRUGS**

Employees who are under the influence of or who use, possess, purchase, attempt to purchase, receive, convey, sell, attempt to sell, distribute, transfer, dispense, cultivate, or manufacture illicit drugs (including medical marijuana) while on the job, or on/in Township property are in violation of this Program. Employees are prohibited from having unauthorized drug paraphernalia on the job or in/on Township property.

**NOTE:** *A positive test for marijuana or marijuana extract (e.g. CBD products [see definition]), or the possession, use, or being under the influence of marijuana during working hours, within the scope of employment or while on employer property, even if pursuant to a lawfully obtained medical marijuana recommendation, referral or registry/identification card issued under state law, is prohibited under this policy. Violations of this rule will subject the employee to appropriate corrective action as set forth in the Program.*

## **2. EMPLOYEE USE OF ALCOHOL**

Employees who are under the influence, or use, possess, purchase, receive, sell, distribute or manufacture alcohol while on the job or on/in Township property are in violation of this Program.

## **3. EXCEPTIONS TO ALCOHOL RULES**

Employees who use, possess or purchase alcohol while on the job, at Township functions, or on Township business as defined in this policy are required to have authorization in advance and/or in writing by a Program Administrator of the Township for this Program. Without such permission the employee will be in violation of this Program.

**These exceptions do *not* permit an employee to become under the influence of alcohol while on the job as defined in this Program.**

Under no circumstances can alcohol be consumed by, or made available to, any individual under the age of 21 on the job, in/on Township premises/property or at Township-related activities.

## **4. PRESCRIPTION AND OVER-THE-COUNTER DRUGS**

Mifflin Township does not prohibit employees from using prescription or over-the-counter drugs when used as prescribed, provided: (a) the prescription drugs are prescribed to the employee for medical reasons by a properly licensed medical practitioner, and are used according to dosage and frequency of use prescribed on the label or accompanying documentation, and (b) the employee's use of the prescription or over-the-counter drugs does not adversely affect the employee's job performance or conduct; threaten the safety, productivity, public image or property of Mifflin Township or its employees; or result in criminal behavior (e.g. a drug related arrest or conviction, etc.).

It is an employee's responsibility to learn if a prescription or over-the-counter drug he/she is taking may adversely affect job performance or conduct; threaten the safety, productivity, public image or property of Mifflin Township or its employees; or result in criminal behavior.

Be reminded that there is no prescription for marijuana as it is a schedule I drug, making it illegal/illicit per the federal Controlled Substances Act and this Program.

No employee is to perform any function or duty on behalf of the Township if the drugs being taken under this provision could adversely affect his/her ability to perform any such function or duty safely and satisfactorily. In such situations, the employee should notify his/her supervisor and/or the Program Administrator to discuss the situation.

Among possible courses of action, the employee may be asked to undergo a medical fitness-for-duty exam, provide physician certification or personally certify that he/she is "currently fit-for-duty and not a risk to self or others in performing his/her job" (see Form E-4). Among accommodations that can be reasonably made without undue hardship to the Township, if any, the Township may re-assign the employee to another available job duty or function for which the employee is qualified and which the Township believes the employee will be able to perform satisfactorily and safely.

**NOTE:** Requirements/limitations under state law, regulations or city ordinances will be followed, as will federal, state and local disability discrimination laws where and as are applicable. Therefore, if you are taking a drug which may compromise your abilities or are a lawfully registered medical marijuana card holder under applicable state law and believe you need and are entitled to a legally available accommodation, please come forward for a cooperative dialogue about the situation.

## **5. USE THAT IMPACTS THE WORKPLACE**

Personal use of drugs or alcohol off-the-job in a manner which affects job performance, and/or threatens the safety, productivity, public image or property of the Township or its associates are in violation of this Program. Thus, behavior which results in a criminal incident, (e.g. DUI, a drug and/or alcohol-related arrest or conviction, or domestic violence) may be in violation of Mifflin Township's Program.

**IMPORTANT NOTE:** Employees using Township property for personal use are expected to act responsibly and exercise good judgement as it relates to alcohol and other drugs. Furthermore, it will be seen as a violation of Mifflin Township's Program if any employee using a Township car or other Township property for personal use violates state motor vehicle or other laws regarding alcohol or controlled substances.

## **6. EMPLOYEES WHO ARE ON-CALL**

If an employee is called to duty, and the employee believes that he/she may be under the influence as defined in this Program, the employee is required to notify his/her designated supervisor or manager who will determine an appropriate course of action. It will then be determined if the employee in question can/should report to work.

## **7. COMPLIANCE WITH REQUIRED TESTING**

Employees required to submit to any drug and/or alcohol test outlined in this Program must as a condition of continued employment with the Township, consent to testing, sign the appropriate forms, make no attempt to switch, adulterate, or alter any sample or specimen, and must comply with all specimen collection and chain-of-custody procedures. Failure or refusal to cooperate will constitute a violation of this Program.

## **8. CONFIDENTIALITY**

Anyone having information relating to an employee's suspected problem with drugs and/or alcohol; the results of a drug or alcohol test; the referral for or determination of a substance abuse assessment and/or the treatment needs of an employee; must not disclose this information to anyone without a "need to know" (refer to Attachment A. *Explanation of Terms*, "Confidentiality"). Any such breach of confidentiality or improper disclosure will constitute a violation of this Program.

## **9. REPORTING CONVICTIONS**

As required by the Drug-Free Workplace Act of 1988, any employee who is convicted under any federal or state criminal drug statute for a violation occurring in the workplace or occurring while conducting Township business must report the conviction to the Township within five (5) days of the conviction for the violation.

**NOTE:** *Violations of this Program will not be reported to law enforcement officials unless required by a regulatory body or by provisions under criminal law.*

## **TESTING APPLICATIONS**

Testing is an objective way to know with certainty whether an individual has drugs or alcohol in his/her system. Under this Program, Mifflin Township may test for drugs and/or alcohol in the following circumstances:

- pre-employment;
- where there is reasonable suspicion of prohibited drug or alcohol use, as defined in this Program;
- after an accident, as defined in this Program;
- after a layoff or leave-of-absence;
- on a random (systematic computer-generated) basis;
- periodic physical exam;
- before returning to duty following a Program violation;
- as follow-up to treatment and/or assessment;
- when required by contractors or government.

To ensure the accuracy, reliability and integrity of testing as well as the safety of employees, Mifflin Township has contracted with a lab certified by the Federal Substance Abuse Mental Health Services Administration (“SAMHSA-certified”) which operates under the highest standards and precision testing methods; procedures and chain-of-custody guidelines recommended by the Federal Department of Health and Human Services (DHHS) and required by the Federal Department of Transportation (DOT) (timing for reporting, MRO exchange, required direct observation, etc. may vary slightly from federally mandated testing). Mifflin Township is responsible for the cost of testing required under this Program including time and reasonable transportation costs, as a result of our voluntary participation in a program of the Ohio Bureau of Workers’ Compensation.

Normally, urine will be used to test for drugs and breath, saliva, or when necessary, blood will be used to test for alcohol. To assure accuracy, a preliminary *drug* screen (screening test as defined in this Program) will be confirmed through another test, gas chromatography/mass spectrometry (GC/MS). A breath or saliva screen will be confirmed with Evidential Breath Technology (EBT) when testing for *alcohol*.

Mifflin Township has adopted not only testing but operational procedures that endeavor to respect employees’ privacy and confidentiality concerns to the greatest extent possible while at the same time provide for accurate testing. For example, a reasonable suspicion test will occur based upon a trained supervisor’s or manager’s documentation of any suspected behavior and after he/she confers with the Program Administrator and/or another trained supervisor. Whenever possible, the supervisor should discuss the reasonable suspicion testing situation with the employee in a private location.

In addition, generally before a positive test result is reported to Mifflin Township, the test will be reviewed by an outside medical review officer (MRO) who is a licensed physician. The MRO will seek to contact the employee for further information. If an employee has a legitimate medical explanation for the positive test and the MRO has verified the explanation, the test will be reported as a negative to the Township.

*The use of medical marijuana or any marijuana extract (e.g. CBD products [see definition]) will not be considered an acceptable/reasonable explanation or excuse for a confirmed positive laboratory report for marijuana. Because marijuana is considered a Schedule I drug under the Controlled Substances Act, it will be reported by the Medical Review Officer (MRO) as a verified positive drug test.*

The employee has an additional option to request and pay for a re-test of the original specimen if he/she believes there has been a mistake by the lab. This request must be made within 72 hours from when the employee is notified by the MRO that the test is positive.

## **INSPECTIONS**

An inspection based upon reasonable suspicion that an employee may be in violation of this Program is another tool which Mifflin Township reserves the right to use to help administer this Program and maintain a drug-free workplace. Law enforcement authorities may be contacted and requested to come onto Mifflin Township's property when appropriate in conjunction with a referral for criminal prosecution.

## **CORRECTIVE ACTION FOR PROGRAM VIOLATIONS**

Any violation of the Drug-Free Workplace Program, including the first offense, may be a basis for corrective action, up to and including termination. Employees need to be aware that for certain offenses, testing is discretionary. Particularly serious violations, such as selling illegal drugs, a serious accident resulting from an employee being under the influence of illegal drugs or alcohol while on the job, attempts to adulterate a specimen, becoming insubordinate, violent, threatening or out-of-control while in violation of this Program and/or during the Township's efforts to enforce this Program, will normally result in immediate termination.

Refusal which includes (1) refusing to take a test when required by the Township, (2) not reporting an accident timely, (3) not reporting for a drug and/or alcohol test in a timely manner as required by the Township, or (4) refusing to cooperate with the testing process, will be a violation of this Program. (Even the first occasion of such a violation will result in either termination or will result in the same "Corrective Action" as those for a positive test unless there is a verified medical reason the specimen could not be produced.)

If an employee is terminated as a result of this Program, his/her termination notice will indicate "misconduct—rule violation" as the reason and may affect his/her ability to qualify and receive benefits (e.g. unemployment benefits).

Employees should also be aware of the following possible corrective action for a positive drug and/or alcohol test:

### **a. FIRST POSITIVE ALCOHOL OR DRUG TEST**

On the first occasion that an employee has a positive drug or alcohol test result, he/she will be referred to substance abuse assessment and, if needed, treatment as set forth in this Program. In addition, the employee may be subject to corrective action.

Due to the nature of the work relationship and/or the work activities involved, it is prohibitive for the Township to guarantee assessment, treatment and return to work after the first positive alcohol or drug test to employees serving in their first 30-day new-hire period.

An employee who is referred for assessment and any necessary treatment (as defined in this Program) following a positive drug and/or alcohol test, and who qualifies to return to work, will be required to comply with the return-to-duty process:

- the Township has verification from the assistance professional that the employee may to return-to-duty, and,

- the employee must undergo another test with a negative result before they can return to work (a “return-to-duty” test).

This employee may also be subject to entering into an assistance agreement with the Township, which may include unannounced follow-up testing.

**NOTE:** *An employee who tests positive will not be permitted back on the job until the return-to-duty process (stated above) is satisfied.*

Generally, the cost for assessing a qualifying employee after the first positive alcohol or drug test will be the responsibility of the employee. Some costs and expenses may be covered by insurance and/or another program such as an Employee Assistance Program (EAP) to which the employee has access or is subject.

**b. ANOTHER POSITIVE ALCOHOL OR DRUG TEST**

For those employees who test positive for drugs and/or alcohol after a first positive test and resulting assessment, Mifflin Township reserves the option to determine corrective action which will result in discipline up to and including termination of the employee. The degree of action chosen will depend upon the circumstances of each case.

**c. EMPLOYEES ASSESSED AND *NOT* IN NEED OF TREATMENT**

Employees who are referred for assessment following a positive drug and/or alcohol test and who are found *not* to need treatment will be subject to the reinstatement guidelines. In addition, they will be required to attend Township-authorized education about alcohol misuse and drug abuse.

**NOTE:** *Keep in mind that for any violation of this Program, the Township reserves the right to apply whatever corrective action it decides best fits the circumstances of each situation.*

**CONFIDENTIALITY**

Information concerning drug and/or alcohol testing, referrals, testing results, and/or assessment and treatment results and recommendations for an employee, will be kept confidential to the extent practicable, among individuals who have a “need to know.”

Upon written request, an employee is entitled to review and to obtain copies of the documentation held within these files.

**CLOSING**

This Drug-Free Workplace Program has been designed to allow Mifflin Township to operate as a drug-free workplace. We want employees who do have a problem with drugs and/or alcohol to seek help and we want to protect those employees who do not have a problem. Unfortunately, denial is a key characteristic of substance abuse.

Therefore, to increase the effectiveness of our Program, we are instituting reasonable and balanced measures to identify and intervene as early as possible in the destructive behavior of a substance



abuser. Besides offering greater protection to the workplace, earlier intervention correlates with the positive prognosis for a lasting recovery.

Our goal is to have an effective Drug-Free Workplace Program that is valued by all.

### **RESERVATION OF RIGHTS**

Mifflin Township reserves the right to interpret, change or rescind this Program in whole or in part, with or without notice. In addition, changes to applicable federal, state or local laws or regulations may require the Township to modify or supplement this policy. As noted above, this policy and any oral representations related to it do not create a binding employment contract of any kind or any promise of job security upon which an employee should rely.

Mifflin Township - COPYRIGHT PROTECTED

## EXPLANATION OF TERMS

For the purposes of this Program, the following definitions shall apply:

**Accident** - an incident or unsafe practice which occurs on Township property, on Township business, or during working hours, or which involves Township-supplied motor vehicles or motor vehicles being used for Township purposes and which results in either:

1. a fatality;
2. bodily injury requiring medical attention away from the scene of the incident or treatment from a medical professional;
3. vehicular and/or equipment damage in apparent excess of \$2,000.00; or
4. non-vehicular property damage in apparent excess of \$1,000.00.

***NOTE:*** A post-accident drug/alcohol test should be administered as soon as possible following an accident (necessary medical attention takes priority followed by required testing); preferably within 8 hours for alcohol and 32 hours for drug.

**Adulterated** – a drug test ruling by the testing laboratory that the testing process was corrupted by the addition of extraneous materials.

**Alcohol Test** – a test used to measure the level of alcohol in an individual’s system (Breath/Blood Alcohol Content or BAC). This may be performed by using federally guide-lined, non-evidential testing mechanisms such as a breath test or saliva swab confirmed, as needed, by an evidential breath testing device (EBT); or by administering a blood test.

**Assessment** - evaluation of an employee by a trained professional to determine: (1) the extent of relationship he/she has with drugs and/or alcohol, (2) whether treatment is necessary, and, if it is, (3) what degree of treatment is needed.

**CBD Products (Allowable)** - Products containing hemp-extracted cannabidiol with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3% on a dry weight basis.

***NOTE:*** Under Ohio HB 57, the THC value of hemp-based CBD is 0.3% THC and any greater amount is considered marijuana-derived CBD. CBD is not well regulated and products are not always accurately labeled. Users should beware. In the event they are using a CBD product, it could trigger a positive test and the employee will be subject to corrective action.

**Confidentiality** - disclosed to persons who have a “need to know” -- normally only those management representatives in the employee’s direct line of supervision and/or other management representatives whose job responsibilities require that they know such information.

**Confirmation Test** – for breath and saliva alcohol testing, it is a second test using an evidentiary breath testing device (EBT), following a screening test with a result of .02 BAC or greater, that provides quantitative data of alcohol concentration.

For drug testing, it is a second analytical procedure to identify the presence of a specific drug or metabolite that is independent of the screening test and that uses a different technique and chemical principle from that of the screening test in order to ensure reliability and accuracy, generally a Gas Chromatography/Mass Spectrometry (GC/MS) test.

**Controlled Substance** - any drug included in federal Schedules I through V, as defined by Section 802(6) of Title 21 of the United States Code [21 USC 802(6)] (e.g. cocaine, marijuana, valium, morphine), the possession of which is unlawful under Chapter 13 of that title. The term does not include the use of prescribed drugs which have been legally obtained and are being used for the purpose for which they were prescribed.

**Dilute Specimen** - a scientific analysis result identifying the creatinine concentration of a specimen to be greater than or equal to 2 mg/dL but less than 20 mg/dL, and the specific gravity greater than 1.0010 but less than 1.0030 on a single aliquot.

**Drug Test** - a urinalysis (urine) test (or when necessary, a blood test) that includes specimen collection and testing by a laboratory certified by the Federal Substance Abuse and Mental Health Services Administration (SAMHSA). (More information about the testing process can be found in Appendix B, “*Substance Testing Information.*”)

Both a screening test and a confirmation test must be used to establish a positive test result. The test will analyze (search) for a pre-determined set of drugs in the body in quantities which are at or greater than certain levels (cut-off levels). Below is a list of the drug categories this Program will be testing for along with the some of the categorical brands and/or common names (not necessarily all inclusive).

Cut-Off Levels Accepted\* by the Substance Abuse and Mental Health Services Administration (SAMHSA)

Drug	Screening Test (ng/ml)	GC/MS Confirmatory (ng/ml)
Amphetamines (e.g., Adderall®, Dexedrine®, Methamphetamine)	500	250
MDA Analogs (e.g., Ecstasy)	500	250
Marijuana Metabolites (e.g., Marijuana, Hash)	50	15
Cocaine Metabolites (including Crack)	150	100
Phencyclidine (PCP)	25	25
Opiates		
Morphine	2000	2000
Codeine	2000	2000
6-Acetylmorphine (Heroin)	10	10
Semi-Synthetic Opiates (aka Opioids)		
Oxycodone (e.g., OxyContin®, Percocet®)	100	100
Oxymorphone (e.g., Opana®)	100	100
Hydrocodone (e.g., Vicodin®, Lortab®)	300	100
Hydromorphone (e.g., Dilaudid®)	300	100
Barbiturates (e.g., Seconal, Phenobarbital)	300	200
Benzodiazepines (e.g., Valium®, Librium®)	300	200
Methadone	300	200
Propoxyphene (e.g., Darvon®, Darvocet®) **	300	200

\* Cut-off levels may vary slightly depending upon the SAMHSA-approved GC/MS which is applied.

\*\* Propoxyphene may be removed from panel if not required by a regulatory or overseeing body for compliance.

**NOTE:** Mifflin Township reserves the right to expand this list or adjust the cut-off levels stated here if there is documentable reason to believe that the drug may be a threat to the workforce potentially compromising safety and/or productivity or if the Township needs to comply with a contract or regulatory authority.

**Illicit or Prohibited Drugs** - chemical substances which:

- 1) are illegal under federal and/or state law;
- 2) are not legally obtainable;
- 3) are legally obtainable but have been obtained or are used in violation or illegally (including use at work without following Township rules about the use of prescription drugs); or
- 4) are not used for the purpose for which they are prescribed or manufactured

May include (in addition to others and depending upon the circumstances): marijuana, cocaine, opiates (morphine, heroin, codeine), semi-synthetic opiates (oxycodone, oxymorphone, hydrocodone, hydromorphone), alcohol (when used by a minor), amphetamines, benzodiazepines, barbiturates,

phencyclidine (PCP), and other new designer drugs and other drugs not yet classified by the federal government as illegal under the Controlled Substances Act.

**IMPORTANT:** *An employee is prohibited from being under the influence (as defined in this Program) on the job (as defined in this Program) of any chemical substance which is illegal under federal, state and/or local law.*

*A positive test for marijuana or marijuana extract (e.g. CBD products [see definition]), or the possession, use, or being under the influence of marijuana during working hours, within the scope of employment or while on employer property, even if pursuant to a lawfully obtained medical marijuana recommendation, referral or registry/identification card issued under state law, is prohibited under this policy. Violations of this rule will subject the employee to appropriate corrective action as set forth in the Program.*

**Legal Drugs** - prescription drugs and over-the-counter drugs legally obtained and used in the manner and for the purpose for which they are prescribed or manufactured. Be reminded that there is no prescription for marijuana as it is a schedule I drug, making it illegal per the federal Controlled Substances Act.

**Medical Review Officer (MRO)** - an independent, licensed physician responsible for receiving laboratory drug testing results. The MRO has knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate a positive test as it relates to the employee's medical history and other biomedical information.

**Near Miss** – a belief or evidence of poor behavior, judgment or a near-accident on the part of an employee which, in the opinion of a supervisor/manager, could have caused or contributed to an accident as defined above.

**On the Job** - during working hours, while performing work duties, while acting within the scope of employment, and/or while on, in or using Mifflin Township's premises or Township property (e.g. equipment, vehicle, machines, etc.). Subject to the alcohol-exception guidelines (Section E), it also includes breaks, meal periods, and time between split shifts regardless of whether the employee is actually on Township premises.

**Positive or Failed Drug or Alcohol Test** - a test which indicates the presence of illegal drugs or alcohol in urine, blood, breath or saliva at the following cut-off levels:

1. the presence of illegal drugs in an employee's body at or above the cut-off levels currently in effect with the certified lab's GC/MS validated by the Department of Health and Human Services (refer to definition for "drug test" above),
2. a blood alcohol content level (BAC) which is at or above the Township's prohibited level of .04% BAC.

**Post-Accident Testing** - Mifflin Township will require post-accident *drug* testing of an employee who could have caused or contributed to an on-the-job "accident" (as defined in this Program). Once it has been determined that a drug test will be administered, further analysis will determine the need for an alcohol test. If the situation involved a direct threat of serious injury or damage (even if the accident did not result in such), then an *alcohol* test will also be required. A post-accident drug and/or alcohol test will be administered as soon as possible after necessary medical attention is administered; preferably within 8 hours for alcohol and 32 hours for drugs. Additional responsibilities regarding post-accident testing under DOT-mandates are further explained in a separate DOT Policy.

**NOTE:** Post-accident testing is an effort to collect objective data following a qualifying accident to determine whether recent ingestion of a prohibited substance was involved in the incident. Post-accident testing is not appropriate when an incident could not reasonably have been caused by drug use such as those which lack sudden or unexpected circumstances, like repetitive use injuries, or involves a minor injury such as a bee sting, etc. At all times, an employee experiencing a workplace injury or illness is required to report the injury or illness immediately. If the situation warrants substance testing, such testing will be in

accordance with the terms and criteria of this Program and will not be applied just because an employee reported an injury or illness.

**Random (“Systematic Computer Generated”) Testing** - selection of an employee from a pool of safety sensitive employees for submission to a drug test, which is made regardless of whether any suspicion of illicit drug or alcohol use exists. Random selection is made without advanced notice to the employee and is based on an equal probability of selection. It occurs pursuant to an objective and non-discretionary computer program operated and maintained by an outside contractor. All safety sensitive employees, including those previously selected for testing, have an equal chance of being selected each time neutral selection occurs. This means any employee may be selected more than once while others may not be selected. At least 25 percent of the Township’s safety sensitive employees will be subject to random selection over the course of the year for drug testing. (Individuals mandated under DOT may have additional responsibilities regarding random testing. Refer to Program Administrator.)

**NOTE:** *The Township reserves the right for a discretionary selection of all employees or a group of employees for submission to an unannounced drug and/or alcohol test, without advanced notice to any employee. The Township’s need to implement this type of testing may be precipitated by “reasonable suspicion” as defined in this Program.*

**Reasonable Suspicion of a Violation of the Drug-Free Workplace Program and/or Basis for Testing** - a belief that illegal drug and/or alcohol involvement and/or use is influencing an employee's behavior, appearance, job performance, attendance, or fitness for duty, and/or that the employee is under the influence of or is using, possessing, selling, purchasing, receiving, manufacturing or distributing illegal drugs or alcohol while on the job or while on Township's premises.

Among other possible criteria, the following criteria *may* warrant a drug and/or alcohol test for reasonable suspicion:

- 1) observable phenomena, such as direct observation of drug and/or alcohol use, possession or distribution and/or the physical symptoms of being under the influence of drugs and/or alcohol;
- 2) a pattern of abnormal conduct, erratic or aberrant behavior or deteriorating work performance (e.g. frequent absenteeism, excessive tardiness, recurrent accidents, poor work quality, etc.) which appears to be related to substance abuse;
- 3) a report or a conviction of a drug and/or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation into unauthorized drug possession, use or trafficking;
- 4) a report of alcohol or other drug use provided by a reliable and credible source;
- 5) repeated or flagrant violations of the Township's safety or work rules, which are determined by a supervisor/manager to pose a substantial risk of physical injury or property damage and which appear to be related to substance abuse; and/or
- 6) unsafe practice as defined in this Program, near miss, and/or involvement in an accident or near accident as defined above in cases where the individual involved appears to have caused/contributed to the accident.

The above examples of Reasonable Suspicion of Drug and/or Alcohol Use are not all inclusive, but are intended to be illustrative. The symptoms of being affected by drugs or alcohol are not confined to acts of misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. Although reasonable suspicion does not require certainty, *suspicion based upon mere rumor, speculation, or unsubstantiated information of third parties may not meet the standard of reasonable suspicion.*

**Refusal** – includes (1) refusing to take a test when required by the Township, (2) not reporting an accident (as defined in this Program) timely, (3) not reporting for a drug and/or alcohol test in a timely manner as required by the Township, or (4) refusing to cooperate with the testing process.

**Safety-Sensitive Position or Function** - as deemed by the Township, any position or job function which, by the nature of the work activity involved, could be detrimental, dangerous and/or unsafe to the employee, coworkers, customers or the general public due to a momentary lapse in attention or judgment, because these positions and/or functions require an essential ability to work in a constant state of alertness and in a safe manner. Mifflin Township's specific positions or functions, which are designated as safety-sensitive, are listed in Appendix A.

**Supervisor** - a Township representative who has received training in signs and symptoms of alcohol and drug use/misuse/abuse and, for the purposes of this Program, has the authority to initiate the process of referral to a reasonable suspicion substance test (as described in this Program), chemical dependency assessment and/or an inspection of property.

**Time Off for Treatment** - employees who are participating in an in- or out-patient treatment Program are only entitled to time off from work according to what they would otherwise be entitled and eligible under the vacation, sick day, compensatory time and leave of absence policies, and/or the Family and Medical Leave Act, and federal, state or local disability discrimination laws.

**Township Property or Premises** - includes buildings, offices, warehouses, plants, facilities, land, equipment, vehicles which are owned/leased/used for Township business, and parking lots owned/utilized/leased by the Township or any customer or supplier of the Township, or furnished as part of a contract. It also includes any site at which Township business is transacted, whether on or away from the Township-owned or leased property.

**Treatment** - rehabilitative services provided by treatment professionals in a variety of intensities and settings (outpatient, intensive outpatient, inpatient, etc.) which are therapeutically prescribed to improve the condition of an employee who has a problem with drugs and/or alcohol. Treatment professionals are required to meet all licensing/credentialing standards of their state.

**Under the Influence of a Controlled Substance, Illegally Used Drug and/or Alcohol -**

1. the presence of illegal drugs in an employee's body at or above the cut-off levels currently in effect with the certified lab's GC/MS validated by the Department of Health and Human Services,
2. a blood alcohol content level (BAC) which is at or above the Township's prohibited level of .04% BAC.

***NOTE:*** A positive test for marijuana or marijuana extract (e.g. CBD products [see definition]), or the possession, use, or being under the influence of marijuana during working hours, within the scope of employment or while on employer property, even if pursuant to a lawfully obtained medical marijuana recommendation, referral or registry/identification card issued under state law, is prohibited under this policy. Violations of this rule will subject the employee to appropriate corrective action as set forth in the Program.

**Universal Testing** - discretionary selection of all employees or a group of employees for submission to an unannounced drug and/or alcohol test, without advanced notice to any employee. (The Township's need to implement this type of testing may be precipitated by "reasonable suspicion" as defined in this Program.)

**Unsafe Practice** - poor behavior, judgment or a near miss which, in the opinion of a supervisor, could have caused or contributed to an accident as defined above.

**APPENDIX A - LIST OF SAFETY-SENSITIVE FUNCTIONS AND POSITIONS**

**Safety-Sensitive Functions** - By their nature, it is deemed by the Township that these work *activities* or “functions” carry higher risk to the employee, co-workers, customers or the general public because these positions and/or functions require an essential ability to work in a constant state of alertness and in a safe manner. These functions meet the safety-sensitive criteria, “activities wherein a momentary lapse in attention could cause physical injury and/or death.”

- While at or in a safety-sensitive environment
- While working with or handling potentially hazardous/combustible materials
- While driving a vehicle on behalf of the Township
- While operating motorized equipment
- While working with electrical wiring or current

**Safety-Sensitive Positions** - A position wherein seventy-five to one hundred percent of the work activities of the position satisfy the definition above.

- P.D.- All Sworn Officers
- Service- All Employees and Mechanics
- All Fire Department Members, Except Secretary
- Dispatchers

## APPENDIX B - OHIO - SUBSTANCE TESTING INFORMATION

In our attempt to protect employees' privacy rights and to ensure that employees are treated fairly and with dignity when being tested for drugs and/or alcohol under the Township's Drug-Free Workplace Program, the following safeguards have been adopted.

**1. Identification of the Drugs for Which the Township Will Test** - Below is a list of the drug categories for which we are testing where the law permits along with some of the categorical brands and/or common names (not necessarily all inclusive). If needed, ask your Program Administrator for more information.

The drugs we will be testing for under this Program, at minimum, are: Amphetamines (Adderall®, Dexedrine®, Methamphetamine); MDA Analogs (e.g., Ecstasy); Marijuana Metabolites (e.g., Marijuana, Hash); Cocaine Metabolites (including Crack); Phencyclidine (PCP); Opiates (Morphine and Codeine) and 6-Acetylmorphine (Heroin). The Township may add Semi-Synthetic Opiates (aka Opioids) including Oxycodone (e.g., OxyContin®, Percocet®), Oxymorphone (e.g., Opana®), Hydrocodone (e.g., Vicodin®, Lortab®), Hydromorphone (e.g., Dilaudid®), Barbiturates (e.g. Seconal®, Phenobarbital®); Benzodiazepines (e.g. Valium®, Librium®); Methadone and Propoxyphene (e.g. Darvon®, Darvocet®).

**IMPORTANT:** *An employee is prohibited from being under the influence (as defined in this Program) on the job (as defined in this Program) of any chemical substance which is illegal under federal, state and/or local law (this includes marijuana and marijuana extract [e.g. CBD products (see definition)]).*

Mifflin Township reserves the right to expand this list or adjust the cut-off levels stated here if there is documentable reason to believe that the drug may be a threat to the workforce potentially compromising safety and/or productivity or if the Township needs to comply with a contract or regulatory authority.

**2. Prior Use of Legal Drugs** - Depending upon the law in the state of your worksite, you may be invited to list any drugs you have ingested in the previous 30 days *before* you take your test. In any case, should there be a positive drug test result, you will have an opportunity to discuss the results with the Township's Medical Review Officer (MRO). You will want to identify all prescription and non-prescription drugs you have used in the last thirty (30) days and to explain the circumstances surrounding their use.

**NOTE:** *Requirements/limitations under state law, regulations or city ordinances will be followed, as will federal, state and local disability discrimination laws where and as are applicable. Therefore, if you are taking a drug which may compromise your abilities or are a lawfully registered medical marijuana card holder under applicable state law and believe you need and are entitled to a legally available accommodation, please come forward for a cooperative dialogue about the situation.*

**3. Contacting the Lab for Technical Information** - The Township will support and if necessary, assist in coordinating your direct interaction with the testing laboratory if you have any technical questions about the testing process.

**4. Payment for Testing** - Mifflin Township is responsible for the cost of testing required under this Program including time and reasonable transportation costs.

**5. Providing the Specimen** - There are a number of methods for conducting drug and alcohol tests. The individual may be directed to undergo one of the following specimen procedures:

**a. Urine** - For a drug test, the individual will be required to provide between thirty (30) and forty-five (45) milliliters of urine. If at first he/she is unable to do so, collection personnel will give him/her eight (8) ounces of liquid every thirty (30) minutes until he/she is able to do so. Unless there is documentable reasonable suspicion to think the employee has or will attempt to adulterate or manipulate the specimen collection process, generally, he/she will provide the urine specimen in private, without observation by collection site personnel.



**b. Breath** - For an alcohol test, the individual will be required to provide a breath sample measured in terms of grams of alcohol per 210 liters of breath. An Evidentiary Breath Testing (EBT) device will confirm the results of a preliminary test.

**c. Saliva** - For an alcohol test the individual will be required to have saliva collected by the use of a cotton swab and the level of alcohol in the saliva will be read by a saliva testing device. An Evidential Breath Testing (EBT) device will be used to confirm the results of the preliminary test.

**d. Blood** - For either an alcohol or drug test, the individual will be required to provide a blood specimen which is a minimum of one-half of one (1) 7 milliliter tube. Instead of an alcohol swab, a non-alcoholic prep is used prior to drawing the blood sample.

**6. Accuracy of Test Results** - The Township has taken precautions to assure the test results are accurate. Those persons administering the tests have been trained in their use. The Township has retained the services of a laboratory that uses state-of-the-art testing procedures. The legal, scientific and medical communities agree that this combination of tests used by the laboratory on urine and blood samples produces extremely accurate results.

**a. Drug Test** - Normally, urine will be used to test for drugs. The laboratory uses two (2) separate tests on urine. If the first test (e.g. EMIT) produces a positive result, the laboratory will administer a second, more sophisticated test (Gas Chromatography/Mass Spectrometry-GC/MS). This second test measures the exact “fingerprint” of each drug. Every drug has a different molecular structure, just as each person has a different fingerprint. Only if the second test is also positive does the laboratory report a positive test result.

**b. Breath Alcohol Test** - Normally a breath test will be used to confirm the level of alcohol present. The breath alcohol technician first tests the machine’s accuracy by performing a reading of ambient air (containing no alcohol). Then the machine very accurately measures the alcohol level present in the individual’s system at the time of the collection using gas chromatography technology.

**c. Blood Alcohol Test** - The laboratory uses the Gas Chromatography (GC) method. This test screens for the presence of ethyl alcohol and in turn measures the exact level of ethyl alcohol present in the individual's system at the time of the collection.

**d. Split Specimen** - This is a method for collecting and analyzing urine samples which is required as part of the compliance process for the federally-required testing. The total amount of urine normally collected is 45 ml. This specimen is divided into a primary specimen of 30 ml and a split specimen of 15 ml. In case of a re-test, the split specimen will be tested.

**e. Chain of Custody** - The laboratory has established specific methods to ensure the integrity of each bodily specimen that has been collected. As part of this process, collection personnel follow rigorous chain of custody procedures. Individuals providing urine and/or blood specimens also play a role in the chain of custody procedures by keeping their urine and/or blood specimen in view at all times until it is sealed, labeled and initialed.

**7. Confidentiality** - The test results and any information provided to the Medical Review Officer (MRO) are highly confidential. Only designated officials of the Township with a need to know will be informed of the results. (Refer to Attachment A *Explanation of Terms*, “Confidentiality.”)

The Township will secure in a file other than a personnel file any drug and/or alcohol collection/laboratory testing paperwork; testing results; assessment/treatment referrals; and/or recommendations and results for an employee. You are entitled to inspect or copy information that is contained in that file. Such information may be automatically provided to you but at a minimum, it will also be provided upon submission of your written request.

**8. Consequences of Refusal to be Tested** - The Township will not offer employment to any person who refuses to be tested in accordance with the Township's Drug-Free Workplace Program. The Township may terminate, or otherwise discipline, any employee who refuses to be tested. “Refusal” includes (1) refusing to take a test when required by the Township, (2) not reporting an accident timely, (3) not reporting for a drug

and/or alcohol test in a timely manner as required by the Township, or (4) refusing to cooperate with the testing process.

**9. Consequences of a Positive Test** - A prospective employee's positive test result will be reported to the Township and the prospective employee will be denied employment. A positive test for an existing employee constitutes a violation which will result in "corrective action" ranging from relief of job duties to mandatory referral for substance abuse assessment to discipline, up to and including immediate termination. (Refer to Attachment A. *Explanation of Terms* "Corrective Action.")

**NOTE:** Mifflin Township will not accept Medical Marijuana, Marijuana Extract as a legitimate reason for a positive test. A positive test for marijuana or marijuana extract (e.g. CBD products [see definition]), or the possession, use, or being under the influence of marijuana during working hours, within the scope of employment or while on employer property, even if pursuant to a lawfully obtained medical marijuana recommendation, referral or registry/identification card issued under state law, is prohibited under this policy. Violations of this rule will subject the employee to appropriate corrective action as set forth in the Program.

**10. Notification of Test Results** - A prospective employee's positive test result will be reported to the Township and the prospective employee will be denied employment.

Before a positive test result of an existing employee is reported to Mifflin Township, the test will be reviewed by an outside medical review officer (MRO) who is a licensed physician. The MRO will attempt to contact the employee for further information. If an employee has a legitimate medical explanation for the positive test and the MRO has verified the explanation, the test will be reported as a negative to the Township.

If the test is ruled positive, the employee will receive a written notice within five (5) days.

**11. Re-Test Process** - An employee may challenge the results of the test by requesting a re-test of the original sample within 72 hours from the time he/she is notified by the Township of the positive test results. A re-test will be done on the original specimen by a SAMHSA-certified laboratory and, if found to be positive, the test will be at the expense of the employee.

**12. Employment Benefits** - If you are terminated as a result of the Township's Drug-Free Workplace Program, your termination notice will indicate "misconduct-rule violation" as the reason and may affect your ability to qualify for employment benefits including unemployment and/or workers' compensation.

**FORM D-1, E-2 – DRUG-FREE WORKPLACE PROGRAM ACKNOWLEDGMENT  
FORM AND POST-ACCIDENT RESPONSIBILITIES**

I have received, reviewed and understand Mifflin Township's *Policy Commitment to a Drug-Free Workplace*. I understand the benefits it offers and the requirements it imposes. I understand and agree that even more detail of the Township's Program can be found in the Mifflin Township's *Operational Guidelines to a Drug-Free Workplace Program*. I acknowledge that I have been given access and the opportunity to review the *Operational Guidelines to a Drug-Free Workplace Program*, and that the Program Administrator, identified in the *Policy Commitment*, can further assist me with any questions or concerns I have about this Program.

I also understand and agree that I must comply with the Program as a condition of my employment with the Township, and that any violation of the Program and/or my failure to comply with any aspect of the Program may be a basis for corrective action, including termination of my employment. The termination notice will indicate "misconduct–rule violation" as the reason and may affect my ability to receive unemployment benefits.

I further understand and agree that nothing in the commitment or the Program's operational guidelines -- or in any oral representations by the Township about or related to its implementation or enforcement of the Program -- constitutes an express or implied contract of employment, or any promise upon which I can rely. All employment relationships with the Township remain "at will."

In addition, if I am in a safety sensitive position or performing a safety sensitive function, I understand that I am responsible for being drug and/or alcohol tested following a work-related accident with circumstances that qualify as defined in this Program even if I am off-site at the time of the accident. Given that, following an accident I am responsible to contact my supervisor or another management person from the Township to determine whether testing is required and for appropriate arrangements to be made. I agree to sign any authorization required by the Township and/or the testing laboratory to permit such testing to be conducted and to permit disclosure of the test results to the Township.

If I seek medical attention on my own for an injury that occurred during work hours or within the scope of my employment, I am responsible to notify the Township no greater than two hours of arrival at the medical facility or before departure from the facility, whichever comes first. (That is not two hours after treatment – but two hours after arrival to the facility for treatment.) It will be determined whether the situation qualifies for post-accident drug testing.

**NOTE:** At all times, an employee experiencing a workplace injury or illness is required to report the injury or illness immediately. If the situation warrants substance testing, such testing will be in accordance with the terms and criteria of this Program and will not be applied just because an employee reported an injury or illness.

Any delay in promptly informing the Township of my involvement in an accident may be deemed a refusal to test if the delay is not supported by a credible and justified explanation.

I also understand that failure to comply with such post-accident testing may be deemed either a refusal to be tested or a positive drug and alcohol test under Mifflin Township's Drug-Free Workplace Program, and that I may thereafter be subject to corrective action under the Township's Program.

I understand that my refusal to have a post-accident test or if my post-accident test is positive as defined by this Program, my right to receive workers' compensation benefits for any injuries sustained in that accident may be negatively affected.

**Medical Marijuana**

Mifflin Township's Drug-Free Workplace Program states that an employee is prohibited from possessing, using or being under the influence (as defined in this Program) on the job (as defined in this Program) of any chemical substance which is illegal under federal, state and/or local law.

A positive test for marijuana or marijuana extract (e.g. CBD products [see definition]), or the possession, use, or being under the influence of marijuana during working hours, within the scope of employment or while on employer property, even if pursuant to a lawfully obtained medical marijuana recommendation, referral or registry/identification card issued under state law, is prohibited under this policy. Violations of this rule will subject the employee to appropriate corrective action as set forth in the Program.

However, requirements/limitations under state law, regulations or city ordinances will be followed. As will federal, state and local disability discrimination laws where and as are applicable.

If you are a lawfully registered medical marijuana card holder and believe you need and are entitled to a legally available accommodation, please come forward for a cooperative dialogue about the situation.

For more information about our DFWP program or available helping resources, please contact Becky Kadel.

_____ Employee – Name	_____ Employee – Signature	_____ Date
--------------------------	-------------------------------	---------------

_____ Township Representative – Name	_____ Township Representative – Signature	_____ Date
---	--	---------------

\_\_\_\_\_  
Parent's or Guardian's (for employees under 18 years of age)

**FORM D-2 –DRUG-FREE PROGRAM TESTING CONSENT/AUTHORIZATION FORM**

I understand that the Drug-Free Workplace Program establishes conditions under which I may be required to provide a urine, breath, saliva and/or blood sample for drug and/or alcohol testing. Should this occur, I hereby consent to such testing. I further authorize the testing laboratory to release my test results to designated managers and/or the outside reviewing agent(s) chosen by the Township.

Although contractual guidelines may provide other limitations, I am here informed of the limitations associated with federal health care privacy rules. That is, if the person or entity who receives my protected health information is not covered by the federal health care privacy regulations, my personal health information that was disclosed will no longer be protected and may be re-disclosed to another person or entity according to the federal health care privacy rules.

Should there be a positive test result, I understand that I may be given the opportunity to explain and give information about the drugs found to be in my system to a Medical Review Officer (“MRO”). This MRO may ask me to provide, and I agree to provide, information about any legal non-prescription drugs and other drugs for which I have a prescription that I take routinely or have taken within the last thirty (30) days.

I understand that:

- any communication I may have with the collection site personnel, testing laboratories or MRO does not create or imply any form of doctor/patient relationship.
- the testing laboratory and the MRO referenced herein may receive compensation for providing the test results to my employer.
- I may inspect or copy the information disclosed under this authorization and that such information may be automatically provided to me but at a minimum, will also be provided to me by Mifflin Township upon my written request.
- if I am terminated as a result of a violation of this Program, my termination will be deemed “misconduct - rule violation” and may affect my ability to receive unemployment benefits.
- my refusal to have a post-accident test or if my post-accident test is positive as defined by this Program, my right to receive workers’ compensation benefits for any injuries sustained in that accident may be negatively affected.

I also understand and agree that I must sign this Consent and Authorization as a condition of my employment or participation on a Mifflin Township job. My refusal to sign it may be a basis for being denied access to, being barred, being asked to leave immediately from the workplace or the job, and may include termination of my employment.

On the other hand, my refusal to sign this Authorization will not affect my ability to obtain health care treatment from the testing laboratory (if applicable), payment for this treatment, or my ability to enroll in a health care plan or be eligible for health care plan benefits.

I understand that I have the right to revoke this authorization at any time, in writing, by notifying the Privacy Officer of the testing laboratory referenced above, except to the extent that the testing laboratory has taken action in reliance upon the authorization.

This authorization expires when my employment with Mifflin Township or the Mifflin Township job for which this Consent is being applied ends.

\_\_\_\_\_  
Employee – Name                                      Employee – Signature                                      Date

\_\_\_\_\_  
Witness – Name                                      Witness – Signature                                      Date

\_\_\_\_\_  
Parent’s or Guardian’s (for employees under 18 years of age)

(A copy of this signed form is to be provided to the employee.)

**FORM D-5 - REFERENCE LIST OF QUALIFIED ASSESSMENT PROFESSIONALS**

(To be completed by the Program Administrator and updated periodically.  
Check with the Alcohol Drug Addiction & Mental Health Services Board (ADAMH)  
or Recovery Services Board serving your County.)

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**Notes:** \_\_\_\_\_

\_\_\_\_\_

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**Notes:** \_\_\_\_\_

\_\_\_\_\_

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**Notes:** \_\_\_\_\_

\_\_\_\_\_

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**Notes:** \_\_\_\_\_

\_\_\_\_\_

I received this document on \_\_\_\_\_. Employee Signature: \_\_\_\_\_  
Date

**FORM E-1 - POST-ACCIDENT TESTING RESPONSIBILITIES FOR PERSONNEL  
WHEN OFF-SITE**

**IMPORTANT:** IT IS THE RESPONSIBILITY OF DRIVERS AND OTHER SAFETY SENSITIVE PERSONNEL (OR PERSONNEL WHEN PERFORMING SAFETY SENSITIVE FUNCTIONS) WHEN OFF-SITE (hereafter called “drivers”) TO IMMEDIATELY REPORT ANY ACCIDENT (as defined in this Program) AND ENSURE THAT IF THE SITUATION REQUIRES A POST-ACCIDENT TEST, IT IS PERFORMED AS PER THE TOWNSHIP'S GUIDELINES.

*“Immediately report” means within two hours of arriving at a medical facility whether during or following work for an injury incurred on the job. (That is not two hours after treatment, but two hours after arrival to the facility for treatment or departure from the medical facility whichever comes first.)*

**1. WHEN IS A DRUG AND/OR ALCOHOL POST-ACCIDENT TEST REQUIRED?**

A drug and/or alcohol test is required after an accident for any employee who could have caused or contributed to an incident or accident resulting in:

- A) a fatality;
- B) anyone involved requiring medical attention away from the scene of the incident or treatment from a medical professional;
- C) vehicular and/or equipment damage in apparent excess of \$2,000.00; or
- D) non-vehicular property damage in apparent excess of \$1,000.00.

You should assume that a drug and alcohol test is required. Only the Township contact can excuse you from being tested.

***IMPORTANT: YOUR REFUSAL TO SUBMIT TO A POST-ACCIDENT DRUG OR ALCOHOL TEST AND/OR A POSITIVE TEST RESULT, AS DEFINED BY THIS PROGRAM, MAY JEOPARDIZE YOUR OPPORTUNITY FOR WORKERS' COMPENSATION BENEFITS (if applicable).***

***FURTHERMORE, A REFUSAL OR POSITIVE TEST MAY DISQUALIFY YOU FROM DRIVING A TOWNSHIP VEHICLE OR DRIVING FOR TOWNSHIP BUSINESS AS WELL AS OTHER CORRECTIVE ACTION AS OUTLINED IN THE TOWNSHIP'S PROGRAM.***

**NOTE:** Post-accident testing is an effort to collect objective data following a qualifying accident to determine whether recent ingestion of a prohibited substance was involved in the incident. Post-accident testing is not appropriate when an incident could not reasonably have been caused by drug use such as those which lack sudden or unexpected circumstances, like repetitive use injuries, or involves a minor injury such as a bee sting, etc. At all times, an employee experiencing a workplace injury or illness is required to report the injury or illness immediately. If the situation warrants substance testing, such testing will be in accordance with the terms and criteria of this Program and will not be applied just because an employee reported an injury or illness.

## 2. WHAT MUST YOU DO AFTER AN ACCIDENT WHEN YOU NEED TO BE TESTED?

- A) You must remain readily available for testing following the accident. A failure to remain readily available will be treated as a refusal to test. Any necessary medical treatment will not be delayed and you can leave the scene to get necessary emergency care. However, you must remain readily available for testing.

ALCOHOL TEST: You must provide a breath sample using an authorized EBT as soon as possible, but preferably not more than 8 hours after the accident. You should not consume any alcohol within 8 hours following an accident.

**NOTE:** A blood test may be administered if a qualifying EBT is not available.

DRUG TEST: You must provide a urine sample for testing as soon as possible, but preferably not later than 32 hours after the accident.

- B) If you cannot provide a specimen at the time of the accident, you must provide the necessary authorization for obtaining hospital reports and other documents that would indicate whether there were any drugs or alcohol in your system. (Use the attached hospital authorization form.)
- C) A law enforcement official may perform a drug and/or alcohol test on you for their own law enforcement purposes. **The law enforcement tests do not relieve you of your responsibility to be tested under the Township's Drug-Free Workplace Program regulations.** However, you should inform the Township if the law enforcement officials have tested you.

## 3. HOW DO YOU SUBMIT A URINE OR BREATH SAMPLE?

- A) Contact the Township's designated representative or the Program Administrator at the number listed below to learn where you must go to submit a sample.

Normally, you will submit a urine sample for drug testing and a breath sample for alcohol.

- B) Have a valid form of identification available.

**NOTE:** Upon notice of a positive test, you may request a re-test. You must make this request within 72 hours after receiving notice of the positive test.

## 4. WHAT DRUGS WILL I BE TESTED FOR?

You will be tested for the array of drugs stipulated in your Drug-Free Workplace Program.

**IMPORTANT:** An employee is prohibited from being under the influence (as defined in this Program) on the job (as defined in this Program) of any chemical substance which is illegal under federal, state and/or local law.

**NOTE:** Mifflin Township reserves the right to expand this list or adjust the cut-off levels stated here if there is documentable reason to believe that the drug may be a threat to the workforce potentially compromising safety and/or productivity or if the Township needs to comply with a contract or regulatory authority.

## 5. IF YOU NEED MORE INFORMATION CALL:

**TOWNSHIP CONTACT:**  
Human Resources Department at 614-471-4494

**EMPLOYEE ASSISTANCE:**  
HelpNet at 800-969-6162







## **M E M O**

**DATE: 9/3/2025**

**TO: Mifflin Township Trustees**

**FROM: Service Director – Roger Boggs**

**SUBJECT: Updates & New Business**

### **SERVICE DEPARTMENT**

#### **Updates**

- No Commercial Parking signs are in, and we have begun to install them in the East Linden area.
- Fall Clean-Up Mailers have been made and mailed out.
- Reminder – Franklin County Soil and Water's Annabel Spranger and Franklin County Public Health's Nathan Ralph will be at the meeting on the 16<sup>th</sup> to speak about Stormwater Management Program.

### **CODE ENFORCEMENT**

#### **New Business: Resolution #135-25**

##### **Nuisance Abatements**

- 2052 Loretta Ave – Trash - \$300.00
- 2052 Loretta Ave – Trash - \$300.00 – 2<sup>nd</sup> Violation in the same month, this property is in the court system with Franklin County Zoning as well.

#### **Updates**

Crews are staying busy picking up trash along the roadways and in the alleys, as well as tires that are being dumped in various places.

The Service Dept. is still actively tagging properties that are not in compliance and following up on All complaints that come in from our residents.

Mifflin Township Service Department  
155 Olde Ridenour  
Gahanna, Ohio 43230  
614-713-9071 Fax 614-478-6890



**MIFFLIN TOWNSHIP**  
**Peace. Safety. Welfare.**

## INVOICE

**Bill To.:**

WRIGHT MADINE  
2052 LORETTA AV - Property Address  
2140 DANBY DR - Owner Address  
COLUMBUS , OH 43211  
190-001463 - Parcel I.D.

Date Due:  
Invoice Date: 08/06/2025

Item	Hours	Amount
Trash	1.00	\$300.00
<b>Total</b>		<b>\$300.00</b>

Date	Paid By	Payment Type	Amount
		<b>Total Paid</b>	<b>\$0.00</b>
		<b>Amount Due</b>	<b>\$300.00</b>

To: Franklin county Auditors Office  
373 South High Street 21st floor  
Columbus, OH 43215





Network: Aug 5, 2025 at 1:09:31 PM EDT  
Local: Aug 5, 2025 at 1:09:31 PM EDT



Network: Aug 5, 2025 at 1:09:47 PM EDT  
Local: Aug 5, 2025 at 1:09:47 PM EDT



Network: Jul 17, 2025 at 9:19:11 AM EDT  
Local: Jul 17, 2025 at 9:19:11 AM EDT



Network: Jul 17, 2025 at 9:19:43 AM EDT  
Local: Jul 17, 2025 at 9:19:43 AM EDT



Mifflin Township Service Department  
155 Olde Ridenour  
Gahanna, Ohio 43230  
614-713-9071 Fax 614-478-6890



**MIFFLIN TOWNSHIP**  
**Peace. Safety. Welfare.**

## INVOICE

**Bill To.:**

WRIGHT MADINE  
2052 LORETTA AV - Property Address  
2140 DANBY DR - Owner Address  
COLUMBUS , OH 43211  
190-001463 - Parcel I.D.

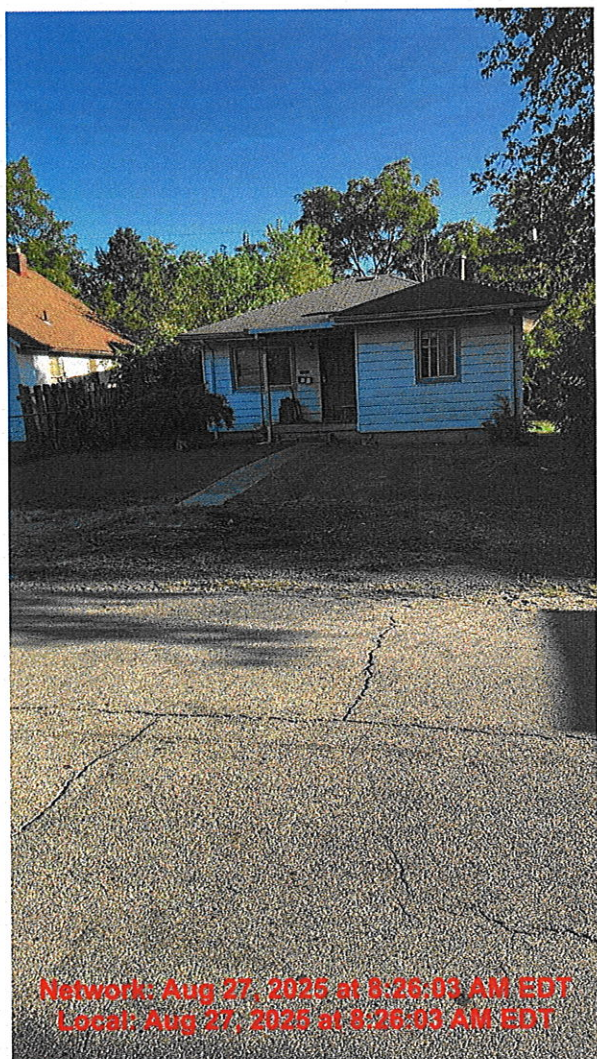
Date Due:  
Invoice Date: 08/27/2025

Item	Hours	Amount
Trash	1.00	\$300.00
<b>Total</b>		<b>\$300.00</b>

Date	Paid By	Payment Type	Amount
		<b>Total Paid</b>	<b>\$0.00</b>
		<b>Amount Due</b>	<b>\$300.00</b>

To: Franklin county Auditors Office  
373 South High Street 21st floor  
Columbus, OH 43215





**To: Board of Trustees**

**From: Chief Briggs**

**Date: August 28<sup>th</sup>, 2025**

**Re: Agenda Items Board of Trustee Meeting September 3<sup>rd</sup>, 2025**

**NEW BUSINESS:**

**Resolution #136-25**

Request to approve changes to Lexipol Policy 803 Titled - Records Maintenance and Release, This policy covers public records request. The request to approve changes is the addition of section 803.11, Fees for Requested Law Enforcement Audio / Video Records. The request is to allow the Police Department and Township to charge fees associated with the redaction and preparation of audio / video files requested through Public Records Request. These fees are allowed due to the passage of House Bill 315.

**Resolution #137-25**

Request to pay Watts Up Electric \$4,690 to update electrical systems, add new lighting, circuits, and GFI protection, as well as run low voltage cable for new cameras that will be purchased in the future, as the current camera system is failing and does not operate correctly. There may be an additional charge in the near future to run wiring to allow for a key fob system at the Police Department as the current door locks are outdated and no longer secure.

**Updates:**

Division of Police July 2025 stats

## Records Maintenance and Release

### 803.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

### 803.2 POLICY

The Mifflin Township Police Department is committed to providing public access to records in a manner that is consistent with the Ohio Public Records Act (ORC § 149.43).

### 803.3 CUSTODIAN OF RECORDS

The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to (ORC § 149.43):

- (a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.
- (b) Maintaining and updating the department records retention schedule, including:
  - 1. Identifying the minimum length of time the Department must keep records.
  - 2. Identifying the department division responsible for the original record.
  - 3. Making a copy of the current retention schedule readily available to the public.
- (c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
  - 1. The Custodian of Records may limit the number of records requested by a person that the Department will physically deliver via mail or by another delivery service to 10 records per month unless the requester certifies in writing that they do not intend to use or forward the requested records, or information contained in the records, for commercial purposes.
  - 2. Records in digital format that are publicly available on the internet may be limited as set forth in ORC § 149.43.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring the availability of a current schedule of fees for public records as allowed by law.
- (g) Preparing a notice that incorporates this policy and ensuring that it is displayed in conspicuous places in all locations where department records are available to the public.
- (h) Maintaining current information on the department website that relates to public records release.



# Mifflin Township Police Department

## Policy Manual

### *Records Maintenance and Release*

---

- (i) Ensuring that records are organized and maintained in such a manner as to make them available for inspection or copying.
- (j) Selecting appropriate public records, if any, to publish on the department website.
- (k) Establishing records destruction procedures.

#### **803.4 PROCESSING REQUESTS FOR PUBLIC RECORDS**

Any Mifflin Township Police Department member who receives a request for any record shall route the request to the Chief of Police, or their designee

##### **803.4.1 REQUESTS FOR RECORDS**

The processing of requests for any record is subject to the following (ORC § 149.43):

- (a) The Department is not required to create records that do not exist.
- (b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
  - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.
  - 2. The requester shall be notified of any redaction in the public record if the redaction is not plainly visible.
- (c) If a request is ambiguous or overly broad, or if the Custodian of Records cannot reasonably identify what public records are being requested, the request may be denied.
  - 1. The requester shall be provided with an opportunity to revise the request and shall be informed by the Custodian of Records of the manner in which records are maintained by the Department and how the records are accessed in the ordinary course of business.
- (d) A person requesting records may be asked to make a request for records in writing to expedite processing of the request and may be asked for his/her identity. Prior to such a request, the person shall be told that:
  - 1. There is no requirement to provide a written request.
  - 2. There is no requirement to provide his/her identity.
  - 3. There is no requirement to disclose the intended use of the records.
  - 4. The purpose of the written request or disclosure of the person's identity or intended use would benefit the person making the request by enhancing the ability of the Custodian of Records to identify, locate or deliver the records requested.

# Mifflin Township Police Department

## Policy Manual

### *Records Maintenance and Release*

---

- (e) Fees for copies or the cost of delivery of the records to the requester via mail should be paid in advance.
- (f) If a request is denied, either in whole or in part, the Custodian of Records shall provide the requester with an explanation setting forth the reason(s) for the denial, including the legal authority relied upon in making the determination. If the initial request was in writing, the explanation shall also be provided in writing.

#### **803.5 RELEASE RESTRICTIONS**

Examples of release restrictions include:

- (a) Any personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record, including traffic collision reports, is restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722; ORC § 4501.27; ORC § 149.45).
- (b) Victim information that may be protected by statutes, including (ORC § 2930.04):
  - 1. Photographs or images of victims as prohibited by ORC § 149.43 (ORC § 2907.11).
  - 2. Identifying information of victims as provided in ORC § 2930.04 and ORC § 2930.07.
  - 3. Victim's Rights Request Forms.
- (c) Juvenile-related information that may be protected by statutes (ORC § 149.435).
- (d) Confidential investigatory records of the Department that pertain to a law enforcement matter of criminal, quasi-criminal, civil, or administrative nature if release would create a high probability of disclosure of any of the following (ORC § 149.43):
  - 1. Identity of a suspect not yet charged with an offense to which the record pertains
  - 2. Identity of an information source or witness to whom confidentiality has been reasonably assured. This also includes information provided by an information source or witness if the release would tend to disclose the person's identity.
  - 3. Confidential investigatory techniques, procedures, or specific investigatory work product
  - 4. Information that would endanger the life or physical safety of a member, crime victim, witness, or confidential information source
- (e) Certain types of reports involving but not limited to child abuse and molestation (ORC § 2151.421) and adult abuse (ORC § 5101.61).
- (f) Records pertaining to the residential or family information of peace officers and dispatchers (ORC § 149.43).
- (g) Personally identifiable information of a program participant of the Ohio Secretary of State's address confidentiality program (ORC § 149.43).

# Mifflin Township Police Department

## Policy Manual

### *Records Maintenance and Release*

---

- (h) Restricted portions of recordings made by a dashcam or a member's body-worn camera as provided in ORC § 149.43(A)(1). Certain recordings may be disclosed with the consent of the subject of the recording or the subject's representative pursuant to the requirements of ORC §149.43 (H)(1).
- (i) Any other information that may be appropriately denied by ORC §149.43(A)(1).

#### **803.5.1 ENHANCED RECORDS ACCESS BY JOURNALISTS**

- (a) Journalists, as defined in ORC § 149.43, are entitled to enhanced access to certain records not available to the general public provided:
  - 1. The request is in writing.
  - 2. Journalists identify themselves by name, title, and employer's name and address.
  - 3. Journalists establish and sign a request that the information sought is in the public interest.
- (b) Records available to journalists but not the general public include:
  - 1. Personal residential addresses of an officer or dispatcher of this department (ORC § 149.43).
  - 2. The business name and address of a spouse, former spouse, or child of an officer of this department, only if employed by a public office (ORC § 149.43).
  - 3. Past, current, and future work schedules of an officer or dispatcher of this department (ORC § 149.43).
  - 4. Coroner records pursuant to ORC § 313.10.
  - 5. The name, county of residence, and date of birth of a person for whom the sheriff issued, suspended, or revoked a permit for a concealed weapon (ORC § 2923.129).
  - 6. The names, addresses, and telephone numbers of workers' compensation claimants subject to the requirements and restrictions in ORC § 4123.88(D).
  - 7. Limited information about minors involved in a school vehicle accident (ORC § 149.43).
  - 8. A redaction request form submitted to this department pursuant to ORC § 149.45 (ORC § 149.43).

#### **803.6 SUBPOENAS AND DISCOVERY REQUESTS**

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the Franklin County Prosecutor's Office, Columbus City Attorney or the courts.

# Mifflin Township Police Department

## Policy Manual

### *Records Maintenance and Release*

---

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the department so that a timely response can be prepared.

#### **803.7 RELEASED RECORDS TO BE MARKED**

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released. Provided the person making the request gave their name. If the request is made from an online source and no identifying information was provided, document the date / time of the request and how received.

#### **803.8 SECURITY BREACHES**

Members who become aware that any Mifflin Township system containing personal information may have been breached should notify the Chief of Police or their designee as soon as practicable. The Chief or their designee shall ensure the required notice is given to any resident of this state whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person (ORC § 1347.12).

Notice shall be given in the most expedient time possible but not later than 45 days following its discovery or notice of the breach consistent with any measures necessary to determine the scope of the breach, including which residents' personal information was accessed and acquired and to restore the reasonable integrity of the data system. Notice may be delayed if notification will impede a criminal investigation or jeopardize homeland or national security but notice shall be made once it is determined that disclosure or notification will not compromise the investigation or jeopardize homeland or national security (ORC § 1347.12).

For the purposes of the notice requirement, personal information includes an individual's first name or first initial and last name in combination with any one or more of the following (ORC § 1347.12):

- (a) Social Security number
- (b) Driver's license number or Ohio identification card number
- (c) Full account number, credit or debit card number, in combination with and linked to any required security code, access code, or password that would permit access to an individual's financial account

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Chief or their designee should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

#### **803.9 SEALED RECORDS OR EXPUNGEMENT**

Expungement orders or an order to seal records received by the department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall expunge or

# Mifflin Township Police Department

## Policy Manual

### *Records Maintenance and Release*

---

seal such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once expunged or sealed, members shall respond to any inquiry as though the record did not exist.

#### **803.10 TRAINING**

The Custodian of Records and any member who may be responsible for access or release of public records shall attend training approved by the Ohio Attorney General, such as that provided by the Ohio Association of Chiefs of Police (OACP).

The Custodian of Records and all department members shall acknowledge and sign that they have read and received a copy of this policy (ORC § 149.43).

#### **803.11 FEES FOR REQUESTED LAW ENFORCEMENT AUDIO / VIDEO RECORDS**

The Mifflin Township Police Department (Police Department) records and maintains law enforcement video records in the administration and furtherance of legitimate law enforcement activities. This includes, but is not limited to body worn camera footage, cruiser dash camera footage, mobile or stationary video surveillance footage, or other similar video footage that is recorded and maintained by the Township and its Police Department.

- (a) The Police Department shall charge an individual or entity that request law enforcement video records for the actual cost associated with the Police Departments preparation of a law enforcement video record for inspection or production.
  - 1. The actual cost to the Police Department of preparing each law enforcement video record for inspection or production shall include reviewing, blurring, or otherwise obscuring, redacting, uploading, and producing the law enforcement video records, and also includes the storage medium on which the record is produced, the Police Department staff time, and other relevant overhead costs necessary to comply with the request.
  - 2. The actual cost to the Police Department of preparing each law enforcement video record for inspection or production has been determined to be \$75 per hour.
  - 3. This actual cost shall be assessed to the requester for each hour taken to prepare each law enforcement video record for inspection or production, not to exceed \$750 in total per video.
  - 4. The requester shall pay the estimated actual cost by cash or money order to the Police Department or the Township Fiscal Officer in care of the Police Department.
  - 5. The Police Department shall not be obligated to prepare a law enforcement video record for inspection or production until the estimated cost is paid in full by the requester.
  - 6. If the actual cost to prepare the requested law enforcement video records for inspection or production exceeds the estimated cost provided to the requested, the Police Department shall charge the requester for the difference between the estimated cost and the actual cost, subject to the following conditions:

# Mifflin Township Police Department

## Policy Manual

### *Records Maintenance and Release*

---

- The Police Department advised the requester, in writing, that the actual costs exceeds the estimated costs prior to fulfilling the request: and,
- The actual cost charged to the requester can not exceed the the maximum amount allowed of \$750.

7. The Chief of Police, or designee, may choose to waive the actual cost payment at his or her discretion, subject to the following considerations:

- The request being made is by a party or attorney as part of a criminal case as part of discovery consistent with the Rules of Criminal or Civil Procedure.
- The request is being made by any federal, state, or local government agency or any federal, state, or local law enforcement agency.
- All other request for a waiver of fees will be addressed on a case by case basis.

b. When the Police Department receives a request for a law enforcement audio / video record, the Chief of Police or their designee shall provide the requester with the estimated actual costs of fulfilling the request for law enforcement video records, in writing, with in a reasonable amount of time of the receipt of the public - records request.

1. The Chief of Police or their designee's written response may be sent via email, or regular mail depending upon the manner in which the original request was received.
2. If the original request was not received via email or regular mail, the Chief of Police or their designee shall contact the requester in another way (phone, in - person, etc.) to advise them of the estimated actual cost.

# **MIFFLIN TOWNSHIP DIVISION OF POLICE - STATS**

**JULY - 2025**

Total Calls for Service	<b>232</b>	Total Reports Taken	<b>58</b>	Indictments	<b>0</b>	Cases to Bureau	<b>5</b>
<b>TYPE OF CALLS</b>						<b>ARRESTS</b>	
Adult Prot. Service Referrals	<b>1</b>	Fights	<b>3</b>	Pursuits	<b>0</b>	Felony Arrests	<b>1</b>
Agency Assists - Other	<b>21</b>	Follow-Up Investigations	<b>5</b>	Rapes	<b>0</b>	Misdemeanor Arrests	<b>18</b>
Agency Assist - Fire / Medics	<b>3</b>	Forgery / Bad Checks	<b>0</b>	Recovered Stolen Vehicles	<b>2</b>	Juvenile Felony Arrests	<b>0</b>
Alarms Drops	<b>2</b>	Homeless Complaints	<b>0</b>	Robberies	<b>1</b>	Juvenile Misd. Arrests	<b>2</b>
Animal Complaints	<b>5</b>	Homicides	<b>1</b>	Search Warrants Executed	<b>0</b>	Felony Warrant Arrests	<b>1</b>
Assaults	<b>3</b>	Intoxicated Persons	<b>4</b>	Sex Offenses	<b>0</b>	Misd. Warrant Arrests	<b>1</b>
ATV Complaints	<b>0</b>	Juvenile Complaints	<b>1</b>	Shootings	<b>1</b>	Juvenile Warrant Arrests	<b>0</b>
B&E / Burglary	<b>3</b>	Kidnapping	<b>0</b>	Shots Fired	<b>3</b>	Traffic Stops Made	<b>47</b>
Business Disputes	<b>1</b>	Loud Music	<b>0</b>	Stabbings	<b>0</b>	Traffic Citations Issued	<b>26</b>
Crashes - Non-Injury	<b>10</b>	Medical Emergencies	<b>0</b>	Stolen Vehicles	<b>1</b>	OVI Arrests	<b>4</b>
Crasher - Injury	<b>3</b>	Mental Health	<b>7</b>	Suicides - Attempts/Threats	<b>0</b>	<b>DRUG SEIZURES</b>	
Crashes - Fatal	<b>0</b>	Missing Person	<b>2</b>	Suspicious Person/Vehicles	<b>11</b>	Cocaine/Crack	<b>0</b>
Crashes - Hit Skip	<b>5</b>	Missing Person Return	<b>1</b>	Thefts	<b>8</b>	Fentanyl	<b>0</b>
Child Abuse Reports	<b>0</b>	PD Walk-Ups (Station Calls)	<b>4</b>	Threats / Harassments	<b>3</b>	Heroin	<b>0</b>
Children Services Referrals	<b>0</b>	Narcotics Complaints	<b>1</b>	Traffic Details / Control	<b>0</b>	LSD/MDMA	<b>0</b>
Civil Complaints / Matters	<b>7</b>	Neighbor Disputes	<b>1</b>	Trespassing Complaints	<b>1</b>	Marijuana	<b>0</b>
Custody Disputes	<b>2</b>	Officer in Trouble	<b>0</b>	Unauthorized Use - M.V.	<b>0</b>	Methamphetamine	<b>0</b>
Dead On Arrival	<b>0</b>	Overdoses	<b>0</b>	Unknown 911 Calls	<b>2</b>	Other Drugs	<b>0</b>
Disabled Vehicles	<b>1</b>	Parking Complaints	<b>0</b>	Use Of Forces	<b>0</b>	Prescription Drugs	<b>0</b>
Disturbances	<b>4</b>	Person w/ Gun	<b>1</b>	Vandalism	<b>1</b>	<b>OTHER SEIZURES</b>	
Domestics	<b>15</b>	Person w/ Knife	<b>0</b>	Wellbeing Checks	<b>0</b>	Firearms	<b>0</b>
Emergency Notifications	<b>0</b>	Prowlers	<b>0</b>			Vehicle Impound	<b>10</b>

Watts Up Electric Inc Lic#  
45313

ESTIMATE #131

SENT ON:  
Aug 25, 2025

RECIPIENT:  
  
Mifflin TWP  
2555 Agler Road  
Columbus, Ohio 43224

SENDER:  
  
Watts Up Electric Inc Lic# 45313  
PoBox 30441  
Gahanna , OH 43230  
  
Phone: 6144759288  
Email: wattsupelectric@gmail.com

Product/Service	Description	Qty.	Total
Description	garage, Sally Port - add 120 V 20 amp circuit and garage door opener outlet with wall GFI protection - add 4 new LED paper tight fixtures on an occupancy sensor - add low-voltage cable for new cameras  Booking room: - to add 4 6 inch wafer can lights on new 3-way switches - add 5 120 V 20 amp outlets on a new 20A circuit - add low-voltage for new cameras  Inside existing building: - use the old water fountain circuit for new outlets in the new walls. Existing lights will be removed for new walls and approximately 6 new Cans on an existing switch.	1	\$0.00
Total		1	\$4,690.00*

\* Non-taxable

Total      \$4,690.00

This quote is valid for the next 15 days, after which values may be subject to change.

PO# 25-PP-00058-A  
25-000856





**Office of Auditor of State**  
88 East Broad Street  
Post Office Box 1140  
Columbus, OH 43216-1140

Auditor of State - Unresolved Findings for Recovery Certified Search

(614) 466-4514  
(800) 282-0370

I have searched The Auditor of State's unresolved findings for recovery database using the following criteria:

Contractor's Information:

Name: **Watts, Brian**  
Organization: **Watts Up Electric**  
Date: **8/28/2025 3:49:46 PM**

This search produced the following list of **15** possible matches:

Name/Organization	Address
Adams, Brian	66 E. Wilson Bridge Road, Suite 200
Adams, Brian	65 E. Wilson Bridge Road
Adams, Brian	1940 Smoky Meadow Drive
Adams, Brian	65 E. Wilson Bridge Road
Adams, Brian	65 E. Wilson Bridge Road, Suite 200
Adams, Brian	65 E. Wilson Road
Bocook, Bridgett	267 W. 13th St.
L & H Water & Storage Tank Division, Mr. E.F. Lephart	420 Superior St.
Northern Ohio Rural Water Board Members	
Watkins, Robyn	1855 Ransburg Avenue
Watkins, Robyn	1855 Ransburg Avenue
Watkins-Tyree, Bobbie	2030 Harvard Boulevard
Watkins-Tyree, Bobbie	2030 Harvard Boulevard
Watson, Rita	3004 Glenmore Ave.
Watson, Sherri	5397 Cuba Road

The above list represents possible matches for the search criteria you entered. Please note that pursuant to ORC 9.24, only the person (which includes an organization) actually named in the finding for recovery is prohibited from being awarded a contract.

If the person you are searching for appears on this list, it means that the person has one or more findings for recovery and is prohibited from being awarded a contract described in ORC 9.24, unless one of the exceptions in that section apply.

If the person you are searching for does not appear on this list, an initialed copy of this page can serve as documentation of your compliance with ORC 9.24(E).

Please note that pursuant to ORC 9.24, it is the responsibility of the public office to verify that a person to whom it plans to award a contract does not appear in the Auditor of State's database. The Auditor of State's office is not responsible for inaccurate search results caused by user error or other circumstances beyond the Auditor of State's control.



# MIFFLIN TOWNSHIP

Brian P. Dunlevy  
Fire Chief

Scott Davis  
Assistant Fire Chief

## **BOARD OF TOWNSHIP TRUSTEES MEETING**

**September 3, 2025**

### **FIRE DIVISION NEW BUSINESS:**

#### **Resolution #138-25:**

**09032025-1.** This is a request to approve the following promotions effective September 14, 2025:

- Firefighter Steven Lewis to Lieutenant
- Lieutenant Gregory Gilbert to Captain
- Captain Anthony Torres to Battalion Chief

Each of these candidates have successfully completed the promotional process. This is a planned and budgeted expense.

#### **Resolution #139-25:**

**09032025-2.** This is a request to apply for a BWC EMS grant totaling \$74,000. If approved and awarded, Mifflin's portion would be \$21,000 and BWC would pay \$53,000. This would replace all four of the CPR Lucas devices that are due for replacement. Opioid funds would be used for Mifflin's portion. This is a planned purchase with no Mifflin tax funds used for the purchase.

### **OPS CENTER NEW BUSINESS:**

**None at this time**

### **UPDATES:**

- October 3<sup>rd</sup>, Traveling VFW wall. 10:00 Opening ceremony. Trustee's invited
- Open House "Fire Safety Week" scheduled for Oct 5<sup>th</sup>, 2025. St 131 Rocky Fork Blvd
- Swearing in of new Fire Officers on October 21, at 1:00PM
- Scheduled to begin firefighter eligibility testing in 30-60days

## **TOWNSHIP NEW BUSINESS:**

### **Request to Move to Executive Session for Land Sale Discussion:**

**09032025-3.** Executive Session per ORC §121.22 (G) (2) Purpose: to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is averse to the general public interest.