



**Monroe Council Agenda
Regular Meeting
October 25, 2022 – 6:30 p.m.
233 South Main Street, Monroe, Ohio**

Pledge of Allegiance

Roll Call

Approval of the Minutes – Council Minutes of October 11, 2022

Visitors

Committee Reports

Public Works Committee
Finance Committee
Administrative Liaison Committee
Technology Committee
Public Involvement Committee
Public Safety Committee

Old Business

New Business

Resolution No. 48-2022. A Resolution granting consent to the Ohio Department of Transportation for resurfacing and pavement repair, share the road signage, replacement of a bridge, and minor bridge rehabilitations on a portion of State Route 4.

Ordinance No. 2022-29. An Ordinance amending and supplementing Ordinance No. 2022-26, otherwise known as the permanent appropriations ordinance, to meet current expenses and other expenditures of the City of Monroe, during fiscal year ending December 31, 2022.

Ordinance No. 2022-30. An Ordinance repealing the previously adopted Personnel Policy Manual and subsequent amendments and adopting a revised Personnel Policy Manual as set forth herein.

Ordinance No. 2022-31. An Ordinance amending and supplementing Section 1203.05 of the Planning and Zoning Code to require a development agreement for major subdivisions, the recording of the development agreement with the final plat, prevailing wage be calculated in the engineer's estimate to determine bond amounts, and clarify when specific bonds are eligible for release.



Public Hearing: Ordinance No. 2022-31. An Ordinance amending and supplementing Section 1203.05 of the Planning and Zoning Code to require a development agreement for major subdivisions, the recording of the development agreement with the final plat, prevailing wage be calculated in the engineer's estimate to determine bond amounts and clarify when specific bonds are eligible for release.

Consideration of Motion authorizing the expenditure of \$18,400 for the use of PRADCO for the Assessment Center for the Fire Lieutenant process.

Administrative Reports

Adjournment



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Resolution No. 48-2022. A Resolution granting consent to the Ohio Department of Transportation for resurfacing and pavement repair, share the road signage, replacement of a bridge, and minor bridge rehabilitations on a portion of State Route 4.

Strategic Priority: Well Managed Services and Infrastructure

Background. ODOT requires consent from the local jurisdiction when performing work. The work in this instance is on a portion of State Route 4. There is no cost to the City for this project.

Ordinance No. 2022-29. An Ordinance amending and supplementing Ordinance No. 2022-26, otherwise known as the permanent appropriations ordinance, to meet current expenses and other expenditures of the City of Monroe, during fiscal year ending December 31, 2022.

Strategic Priority: Good Governance

Background. The General Fund increased by \$115,500 and all other funds increased by \$98,805. Please see the summary of changes included in the Council packet.

Ordinance No. 2022-30. An Ordinance repealing the previously adopted Personnel Policy Manual and subsequent amendments and adopting a revised Personnel Policy Manual as set forth herein.



Strategic Priority: Well Managed Services and Infrastructure

Background. The current Personnel Policy Manual has been modified to a different format. The new format includes a table of contents with updated policies and procedures broken apart individually to allow for easier navigation. In addition, an employee handbook has been created.

Ordinance No. 2022-31. An Ordinance amending and supplementing Section 1203.05 of the Planning and Zoning Code to require a development agreement for major subdivisions, the recording of the development agreement with the final plat, prevailing wage be calculated in the engineer's estimate to determine bond amounts, and clarify when specific bonds are eligible for release.

Strategic Priority: Strategic Growth and Development.

Background. City staff has identified areas of vulnerability to Section 1203.05: Major Subdivisions of the City's code leaving the city unprotected concerning development agreements and bonds for major subdivisions (5 lots or more). Currently, the City does not:

1. require a development agreement for major subdivisions.
2. require that a development agreement be recorded with a final plat.
3. how engineers' estimate for bonding are calculated
4. clarify when specific bonds are eligible for release

The proposed amendments to Section 1203.05 [Exhibit A] present significant safeguards to the City in terms of the overall quality of improvements installed and the terms for their construction. Implementing the practice of requiring development agreements for major subdivisions will better express and define project rules and regulations specific to the property; state commitments and policies related to the project; outline agreements and standards pertaining to the development; and establish specific time frames and completion dates for the development to better preserve the quality of the subdivision to be constructed.

The proposal further clarifies improvements involving the right-of-way and includes language surrounding the terms for bond release of Erosion and Sediment Control, and Storm Water Detention and Quality Bonds.

On September 20th the Planning Commission, in accordance with Section 1203.03(D)(3)(a) of the code of ordinances, held a public hearing to review the proposed amendments. In a vote of 4-0, with one member absent, the Planning Commission motioned to recommend approval of the ordinance to City Council.

While the Planning Commission approved the changes to include this language in the code, I am recommending that Council deny the legislation at this time. It is my opinion that the proposal is sound, but the language that was included is too confusing and needs to be written more clearly to ensure the intent of the language is understood and an efficient process is prepared so that it



does not inhibit future development. My intent would be to have new language written and brought back to Planning Commission for consideration by the end of the year.

Public Hearing: Ordinance No. 2022-31. An Ordinance amending and supplementing Section 1203.05 of the Planning and Zoning Code to require a development agreement for major subdivisions, the recording of the development agreement with the final plat, prevailing wage be calculated in the engineer's estimate to determine bond amounts and clarify when specific bonds are eligible for release.

Consideration of Motion authorizing the expenditure of \$18,400 for the use of PRADCO for the Assessment Center for the Fire Lieutenant process.

Strategic Priority: Well Managed Services and Infrastructure

Background. This is a motion to get approval to spend \$18,400 for PRADCO to conduct a behavioral assessment center for the current Fire Lieutenant process. Attached is the price sheet for the assessment center being used, what's included and a sample report.

Administrative Reports

Adjournment



**Monroe Council Minutes
Regular Meeting
October 11, 2022 – 6:30 p.m.
233 South Main Street, Monroe, Ohio**

Pledge of Allegiance

Mayor Funk opened the regular meeting of Council at 6:30 p.m. with the Pledge of Allegiance.

Roll Call

Council members present: Marc Bellapianta, Tom Callahan, Kelly Clark, Jason Frentzel, Keith Funk, Christina McElfresh, and Ben Wagner

Approval of the Minutes

Mrs. McElfresh moved to approve the Finance Committee Minutes and Council Minutes of September 27, 2022; seconded by Mr. Wagner. Voice vote. Motion carried.

Visitors

Jessica Wolfe expressed her concern about the drainage that floods her house from the subdivisions located behind her house. Mrs. Waggaman assured her that someone would be in contact with her.

Committee Reports

None.

Old Business

Resolution No. 44 -2022. A Resolution authorizing the City Manager to enter into a Mutual Police Aid Agreement by and between the City of Monroe and other political subdivisions. (Second Reading)

Mrs. McElfresh moved to consider this the second reading of Resolution No. 44-2022 and have it read by title only; seconded by Mr. Bellapianta. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 44-2022 by title only.

Mrs. McElfresh moved to adopt Resolution No. 44-2022; seconded by Dr. Clark. Roll call vote: seven ayes. Motion carried.

Resolution No. 45-2022. A Resolution authorizing the City Manager to enter into an agreement by and between the City of Monroe and Alan Scherr Associates for professional architectural services for the development of a request for qualifications related to the design/build of a new public works facility. (Second Reading)



Mr. Bellapianta did not support hiring an architectural firm to review or prepare the request for qualifications for another architectural firm. He felt that staff should have the ability to prepare this and we hire a lot of companies. Mr. Bellapianta felt that more should be brought in-house.

Mrs. McElfresh moved to consider this the second reading of Resolution No. 45-2022 and have it read by title only; seconded by Mr. Frentzel. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 45-2022 by title only.

Mrs. McElfresh moved to adopt Resolution No. 45-2022; seconded by Mr. Wagner. Roll call vote: five ayes; two nays (Bellapianta and Callahan). Motion carried.

Resolution No. 46-2022. A Resolution authorizing the City Manager to enter into a contract by and between the City of Monroe and CitizenLab, Inc. to provide an engagement strategy with citizens and businesses. (Second Reading)

Mrs. Waggaman advised that staff is requesting this Resolution be adopted as an emergency on the second reading so that the park survey can proceed as soon as possible.

Mr. Bellapianta noted this company is located in Canada and questioned why a company could not be located in the United States. Mrs. Patterson explained that several companies were looked at and this company had the right price point and in-line with the price point she previously presented.

Referring to the terms of the contract, Mr. Bellapianta pointed out the possibility of being perpetual in the event proper notice is not provided, which is a 30 day window at the end of every three years.

Mrs. McElfresh moved to suspend the rule requiring the reading of Resolution No. 46-2022 on two separate days, authorize its adoption on the second reading, and have it read by title only; seconded by Dr. Clark. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 46-2022 by title only.

Mrs. McElfresh moved to adopt Resolution No. 46-2022; seconded by Dr. Clark. Roll call vote: five ayes; two nays (Bellapianta and Callahan). Motion carried.

Resolution No. 47-2022. A Resolution authorizing the acceptance of the Curbside Solid Waste & Recycling Collection bid submitted by Rumpke Waste & Recycling through the Center for Local Government and authorize the City Manager to enter into an agreement for the acceptance of said bid. (Second Reading)

Mrs. McElfresh moved to consider this the second reading of Resolution No. 47-2022 and have it read by title only; seconded by Dr. Clark. Voice vote. Motion carried.



The Clerk of Council read Resolution No. 47-2022 by title only.

Mrs. McElfresh moved to adopt Resolution No. 47-2022; seconded by Dr. Clark. Roll call vote: seven ayes. Motion carried.

New Business

Consideration of Motion authorizing the expenditure of \$28,368.00 to Jackson Construction, Inc. for concrete repairs at Fire Station 62.

Mrs. McElfresh moved to authorize the expenditure of \$28,368.00 to Jackson Construction, Inc. for concrete repairs at Fire Station 62; seconded by Mr. Bellapianta. Voice vote. Motion carried.

Consideration of Motion accepting the July 2022 Finance Reports as submitted.

Mrs. McElfresh moved to accept the July 2022 Finance Reports as submitted; seconded by Mr. Bellapianta. Voice vote. Motion carried.

Administrative Reports

- Executive Session – Discuss the employment of a public employee.

Mrs. McElfresh moved to adjourn into executive session to discuss the employment of a public employee; seconded by Mr. Frentzel. Roll call vote: seven ayes. Motion carried.

Council adjourned into executive session at 6:51 p.m.

Mrs. McElfresh moved to reconvene into regular session; seconded by Mr. Frentzel. Voice vote. Motion carried.

Council reconvened into regular session at 7:15 p.m.

Adjournment

Mrs. McElfresh moved to adjourn; seconded by Mr. Wagner. Voice vote. Motion carried.

Council adjourned at 7:15 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

RESOLUTION NO. 48-2022

A RESOLUTION GRANTING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR RESURFACING AND PAVEMENT REPAIR, SHARE THE ROAD SIGNAGE, REPLACEMENT OF A BRIDGE, AND MINOR BRIDGE REHABILITATIONS ON A PORTION OF STATE ROUTE 4.

WHEREAS, the City of Monroe of Butler and Warren Counties, Ohio, hereinafter referred to as the Local Public Agency (LPA) has determined the need for the within described project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: Being in the public interest, the LPA gives consent to the Director of Transportation to complete the resurfacing and pavement repair on a portion of State Route 4 in Butler County; provide SHARE THE ROAD signage along State Route 4 to coincide with USBR25; replace bridge BUT-4-1488R; and perform minor rehabilitations of bridge BUT-4-1480L and BUT-4-1480R-PID 107695.

SECTION 2: The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION 3: The LPA authorizes the City Manager of the City of Monroe to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the City Manager is also empowered to execute any appropriate documents to affect the assignment of all rights, title and interests of the City of Monroe to ODOT arising from any agreement with its consultants in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

SECTION 4: The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with the current State and Federal regulations. The LPA also understands the right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and ODOT Utilities Manual.

SECTION 4: Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23 U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 5: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

ATTEST:

APPROVED:

Clerk of Council

Mayor

First Reading: _____

ORDINANCE NO. 2022-29

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 2022-26, OTHERWISE KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE, TO MEET CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MONROE, DURING FISCAL YEAR ENDING DECEMBER 31, 2022.

SECTION 1: To provide for current expenses of the City of Monroe, this Appropriations Ordinance is hereby repealed, amended, and supplemented so it sets aside and appropriates from the various funds of the City the amounts set forth in the following sections.

SECTION 2: There be appropriated from the GENERAL FUND:

1110	GENERAL GOVERNMENT		
000	<i>FUND EXPENSES</i>		
	OPERATING EXPENSES	51,500	
	OTHER	-	
	<i>TOTAL</i>	<u>51,500</u>	
110	<i>CITY COUNCIL</i>		
	PERSONAL SERVICES	119,534	
	OPERATING EXPENSES	102,500	
	<i>TOTAL</i>	<u>222,034</u>	
120	<i>CITY MANAGER'S OFFICE</i>		
	PERSONAL SERVICES	598,487	
	OPERATING EXPENSES	536,700	
	<i>TOTAL</i>	<u>1,135,187</u>	
125	<i>INFORMATION TECHNOLOGY</i>		
	OPERATING EXPENSES	80,500	
	<i>TOTAL</i>	<u>80,500</u>	
130	<i>HUMAN RESOURCES</i>		
	PERSONAL SERVICES	447,931	
	OPERATING EXPENSES	238,500	
	<i>TOTAL</i>	<u>686,431</u>	
135	<i>ECONOMIC DEVELOPMENT</i>		
	PERSONAL SERVICES	113,487	
	OPERATING EXPENSES	251,250	
	<i>TOTAL</i>	<u>364,737</u>	
140	<i>DEVELOPMENT</i>		
	PERSONAL SERVICES	484,052	
	OPERATING EXPENSES	521,750	
	OTHER EXPENSES	4,000	
	<i>TOTAL</i>	<u>1,009,802</u>	

145	ENGINEERING		
	PERSONAL SERVICES	312,146	
	OPERATING EXPENSES	345,000	
	TOTAL	<u>657,146</u>	
150	FINANCE		
	PERSONAL SERVICES	1,040,636	
	OPERATING EXPENSES	499,621	
	OTHER EXPENSES	825,000	
	TOTAL	<u>2,365,257</u>	
160	MAYOR'S COURT		
	PERSONAL SERVICES	112,073	
	OPERATING EXPENSES	23,250	
	TOTAL	<u>135,323</u>	
TOTAL GENERAL GOVERNMENT			6,707,917
PUBLIC SAFETY			
220	PUBLIC SAFETY COMMUNICATIONS		
	PERSONAL SERVICES	741,213	
	OPERATING EXPENSES	106,050	
	TOTAL	<u>847,263</u>	
250	POLICE		
	OTHER EXPENSES	3,300,000	
	TOTAL	<u>3,300,000</u>	
270	FIRE		
	OTHER EXPENSES	2,800,000	
	TOTAL	<u>2,800,000</u>	
TOTAL PUBLIC SAFETY			6,947,263
PUBLIC WORKS			
310	STREET		
	OTHER EXPENSES	1,270,000	
	TOTAL	<u>1,270,000</u>	
330	BUILDINGS AND GROUNDS		
	OPERATING EXPENSES	627,000	
	TOTAL	<u>627,000</u>	
390	STORMWATER		
	OTHER EXPENSES	689,000	
	TOTAL	<u>689,000</u>	
TOTAL PUBLIC WORKS			2,586,000

PARKS AND RECREATION**410 PARK OPERATION AND MAINTENANCE**

PERSONAL SERVICES	361,337	
OPERATING EXPENSES	279,000	
TOTAL	<u>640,337</u>	

TOTAL PARKS AND RECREATION**640,337****OTHER FINANCING USES****710 CAPITAL IMPROVEMENTS**

OTHER EXPENSES	880,850	
TOTAL	<u>880,850</u>	

810 DEBT SERVICE

OTHER EXPENSES	795,180	
TOTAL	<u>795,180</u>	

TOTAL OTHER FINANCING USES**1,676,030**

TOTAL GENERAL FUND

18,557,547

GRAND TOTAL GENERAL FUND**18,557,547**SECTION 3: There be appropriated from the following SPECIAL REVENUE FUNDS:**2101 PUBLIC SAFETY INCOME TAX FUND***PUBLIC SAFETY*

PERSONAL SERVICES	2,300,000	
OTHER EXPENSES	451,000	
TOTAL		2,751,000

2210 STREET FUND*PUBLIC WORKS*

PERSONAL SERVICES	1,512,108	
OPERATING EXPENSES	874,200	
TOTAL		2,386,308

2220 STATE HIGHWAY FUND*PUBLIC WORKS*

OPERATING EXPENSES	92,900	
TOTAL		92,900

2230 MOTOR VEHICLE LICENSE*PUBLIC WORKS*

OPERATING EXPENSES	189,566	
TOTAL		189,566

2310	FIRE - 1989 LEVY FUND			
	<i>PUBLIC SAFETY</i>			
	PERSONAL SERVICES	4,072,917		
	OPERATING EXPENSES	770,700		
	OTHER EXPENSES	3,800		
	<i>TOTAL</i>			<i>4,847,417</i>
2330	PUBLIC SAFETY FEMA GRANT FUND			
	<i>PUBLIC SAFETY</i>			
	OPERATING EXPENSES	13,000		
	<i>TOTAL</i>			<i>13,000</i>
2410	POLICE LAW ENFORCEMENT			
	250 PUBLIC SAFETY			
	PERSONAL SERVICES	3,366,544		
	OPERATING EXPENSES	665,114		
	<i>TOTAL</i>			<i>4,031,658</i>
2420	DARE GRANT FUND			
	250 PUBLIC SAFETY			
	OPERATING EXPENSES	6,500		
	<i>TOTAL</i>			<i>6,500</i>
2430	ENFORCEMENT & EDUCATION FUND			
	250 PUBLIC SAFETY			
	OPERATING EXPENSES	3,000		
	<i>TOTAL</i>			<i>3,000</i>
2510	COURT TECHNOLOGY IMPROVEMENT			
	<i>GENERAL GOVERNMENT</i>			
	OPERATING EXPENSES	13,400		
	<i>TOTAL</i>			<i>13,400</i>
2600	2004 TIFS			
	<i>DEVELOPMENT INCENTIVES</i>			
	OPERATING EXPENSES	26,040		
	OTHER EXPENSES	3,497,360		
	<i>TOTAL</i>			<i>3,523,400</i>
2700	2004 RIDS			
	<i>DEVELOPMENT INCENTIVES</i>			
	OPERATING EXPENSES	38,400		
	OTHER EXPENSES	4,682,316		
	<i>TOTAL</i>			<i>4,720,716</i>

GRAND TOTAL SPECIAL REVENUE FUNDS

22,578,865

SECTION 4: There be appropriated from the following CAPITAL PROJECTS FUNDS:

3101	CAPITAL INCOME TAX FUND			
	GENERAL GOVERNMENT			
	OPERATING EXPENSES	22,000		
	PUBLIC SAFETY			
	OPERATING EXPENSES	321,500		
	PUBLIC WORKS			
	OPERATING EXPENSES	280,000		
	CAPITAL EXPENSES	1,315,000		
	OTHER FINANCING USES			
	OTHER EXPENSES	712,800		
	TOTAL		2,651,300	
3110	PARK IMPROVEMENT FUND			
	PARKS AND RECREATION			
	OPERATING	-		
	CAPITAL EXPENSES	3,575,000		
	TOTAL		3,575,000	
3120	CAPITAL IMPROVEMENT FUND			
	GENERAL GOVERNMENT			
	CAPITAL EXPENSES	68,300		
	PUBLIC SAFETY			
	CAPITAL EXPENSES	504,350		
	PUBLIC WORKS			
	OPERATING EXPENSES	113,000		
	CAPITAL EXPENSES	3,713,519		
	TOTAL		4,399,169	
6120	WATER CAPITAL IMPROVEMENT FUND			
	PUBLIC WORKS			
	OPERATING EXPENSES	245,000		
	CAPITAL EXPENSES	1,117,457		
	TOTAL		1,362,457	
6125	WATER METER REPLACEMENT FUND			
	PUBLIC WORKS			
	OPERATING EXPENSES	30		
	CAPITAL EXPENSES	80,000		

		<i>TOTAL</i>	80,030
GRAND TOTAL CAPITAL PROJECTS FUNDS			<u>12,067,956</u>

SECTION 5: There be appropriated from the following DEBT SERVICE FUNDS:

4110	G.O. BOND RETIREMENT		
	GENERAL GOVERNMENT		
	DEBT SERVICE EXPENSE	821,000	
	<i>TOTAL</i>		821,000
4210	WATER BOND RETIREMENT		
	PUBLIC WORKS		
	DEBT SERVICE EXPENSE	380,000	
	<i>TOTAL</i>		380,000
4310	S.A. BOND RETIREMENT FUND		
	GENERAL GOVERNMENT		
	OPERATING EXPENSES	100	
	DEVELOPMENT INCENTIVES		
	OTHER EXPENSES	1,105,000	
	<i>TOTAL</i>		1,105,100
4410	INCOME TAX BOND RETIREMENT FUND		
	GENERAL GOVERNMENT		
	DEBT SERVICE EXPENSE	615,000	
	<i>TOTAL</i>		615,000
GRAND TOTAL DEBT SERVICE FUNDS			<u>2,921,100</u>

SECTION 6: There be appropriated from the following SPECIAL ASSESSMENT FUNDS:

5110	S.A. STREET LIGHTING FUND		
	GENERAL GOVERNMENT		
	OPERATING EXPENSES	6,371	
	<i>TOTAL</i>		6,371
GRAND TOTAL SPECIAL ASSESSMENT FUNDS			<u>6,371</u>

SECTION 7: There be appropriated from the following ENTERPRISE FUNDS:

6110	WATER FUND		
	PUBLIC WORKS		
	PERSONAL SERVICES	706,779	
	OPERATING EXPENSES	1,963,600	
	OTHER EXPENSES	250,000	

		<i>TOTAL</i>		2,920,379
6210	SEWER FUND			
	<i>PUBLIC WORKS</i>			
	PERSONAL SERVICES	94,033		
	OPERATING EXPENSES	1,198,200		
	<i>TOTAL</i>			1,292,233
6310	STORM WATER FUND			
	<i>PUBLIC WORKS</i>			
	PERSONAL SERVICES	219,679		
	OPERATING EXPENSES	368,150		
	CAPITAL EXPENSES	1,008,500		
	<i>TOTAL</i>			1,596,329
6410	GARBAGE FUND			
	<i>PUBLIC WORKS</i>			
	PERSONAL SERVICES	71,012		
	OPERATING EXPENSES	903,500		
	<i>TOTAL</i>			974,512
6510	CEMETERY FUND			
	<i>PUBLIC WORKS</i>			
	PERSONAL SERVICES	40,000		
	OPERATING EXPENSES	85,950		
	<i>TOTAL</i>			125,950
6610	STREET LIGHTING FUND			
	<i>PUBLIC WORKS</i>			
	OPERATING EXPENSES	150,050		
	<i>TOTAL</i>			150,050
GRAND TOTAL ENTERPRISE FUNDS				<u>7,059,453</u>

SECTION 8: There be appropriated from the following TRUST AND AGENCY FUNDS:

7100	CEMETERY MAINTENANCE TRUST FUND			
	<i>FUND EXPENSE</i>			
	OPERATING EXPENSES	10,000		
	<i>TOTAL</i>			10,000
7110	MOUND CEMETERY TRUST FUND			
	<i>PUBLIC WORKS</i>			
	OPERATING EXPENSES	10,000		
	<i>TOTAL</i>			10,000
7120	LONG STREET CEMETERY TRUST FUND			

	<i>PUBLIC WORKS</i>			
	OPERATING EXPENSES		250	
	<i>TOTAL</i>			250
7310	FIRE HISTORIC PRESERVATION FUND			
	<i>PUBLIC SAFETY</i>			
	CAPITAL OUTLAY		1,470	
	<i>TOTAL</i>			1,470
7320	FIRE LOSS SECURITY FUND			
	<i>PUBLIC SAFETY</i>			
	OPERATING		21,371	
	<i>TOTAL</i>			21,371
7410	DRUG LAW ENFORCEMENT TRUST FUND			
	<i>PUBLIC SAFETY</i>			
	OPERATING EXPENSES		20,000	
	<i>TOTAL</i>			20,000
GRAND TOTAL TRUST AND AGENCY FUNDS				
				63,091
TOTAL ALL APPROPRIATIONS				
				63,254,383

SECTION 9: The City Manager is hereby authorized to convert the dollar appropriation figure in the Ordinance to such form as may be acceptable to the Auditors of Butler and Warren Counties and the Auditor of the State of Ohio provided in this conversion no change of total dollar amounts shall within the Sections of this Ordinance be permitted without approval of Council.

SECTION 10: The Finance Director is hereby authorized to draw warrants on the City Treasury for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by the board or officers authorized by law to approve the same, or an ordinance or resolution of Council to make the expenditures provided that no warrants shall be drawn OR paid for salaries or wages except to persons employed by authority and in accordance with law or ordinance. Provided further that the appropriations for contingencies can only be expended upon appeal of two-thirds vote of Council for items of expense constituting a legal obligation against the City, and for purposes other than those covered by other specific appropriations herein made.

SECTION 11: This measure shall take effect immediately upon passage pursuant to Section 7.08(B)(1) of the Charter of the City of Monroe.

PASSED: _____

ATTEST:

APPROVED:

Clerk of Council

Mayor

City of Monroe

Supplemental Appropriations
October 25, 2022

FUND	FUND DESCRIPTION	CURRENT APPROPRIATIONS	ADJUSTED APPROPRIATIONS	AMOUNT OF CHANGE	% CHANGE	ACCOUNT NUMBER	REASON FOR REQUEST
1110	GENERAL GOVERNMENT CITY COUNCIL						
	OPERATING EXPENSES	97,500	102,500	5,000	5.1%	11111000-52612	The City received a \$5,000 grant from Middletown Community Foundation in May. This appropriates that money to offset those expenditures.
	ECONOMIC DEVELOPMENT						
	PERSONAL SERVICES	102,987	113,487	10,500	10.2%	11113551-51101	Additional funds needed due to pay raise & retro pay processed in January 2022
	DEVELOPMENT						
	PERSONAL SERVICES	509,052	484,052	(25,000)	-4.9%	11114051-51101	Vacancy at beginning of year in Development Director & Planner
	ENGINEERING						
	PERSONAL SERVICES	347,146	312,146	(35,000)	-10.1%	11114551-51101	Vacancies earlier in year
	FINANCE						
	PERSONAL SERVICES	1,035,636	1,040,636	5,000	0.5%	11115051-51101 11115151-51102 11115151-51111	Finance Director vacancy (reduce by \$25k) Part-time wages not included in original budget (\$25k) Tax OT omitted from original budget (\$5k)
	OTHER EXPENSES	675,000	825,000	150,000	22.2%	11115100-55903	Income Tax Refunds - currently at \$643,500 with October extension refund requests not yet filed
	MAYOR'S COURT						
	PERSONAL SERVICES	96,073	112,073	16,000	16.7%	11116051-51101 11116051-51111	\$15,000 - Magistrate now paid thru payroll \$1,000 - omitted OT in original budget
	OPERATING EXPENSES	34,250	23,250	(11,000)	-32.1%	11116000-52314	Magistrate now paid thru payroll
2210	STREET FUND PUBLIC WORKS						
	OPERATING EXPENSES	855,700	874,200	18,500	2.2%	22131000-52401	Fuel price increases throughout the year
2310	FIRE - 1989 LEVY FUND PUBLIC SAFETY						
	OPERATING EXPENSES	757,200	770,700	13,500	1.8%	23127000-52401	Fuel price increases throughout the year
2410	POLICE LAW ENFORCEMENT PUBLIC SAFETY						
	OPERATING EXPENSES	627,114	665,114	38,000	6.1%	24125000-52401	Fuel price increases throughout the year
3120	CAPITAL IMPROVEMENT FUND PUBLIC SAFETY						
	CAPITAL EXPENSES	480,500	504,350	23,850	5.0%	31227000-53718	Radios for Battalion Chiefs (\$19,350) + upfitting of Battalion Chief vehicle (\$4,500)

6120	WATER CAPITAL IMPROVEMENT FUND						
	PUBLIC WORKS						
	CAPITAL EXPENSES	1,116,302	1,117,457	1,155	0.1%	6120-53719	Toro concrete buggy additional costs
6110	WATER FUND						
	PUBLIC WORKS						
	OPERATING EXPENSES	1,959,800	1,963,600	3,800	0.2%	61138000-52401	Fuel price increases throughout the year

ORDINANCE NO. 2022-30

AN ORDINANCE REPEALING THE PREVIOUSLY ADOPTED PERSONNEL POLICY MANUAL AND SUBSEQUENT AMENDMENTS AND ADOPTING A REVISED PERSONNEL POLICY MANUAL AS SET FORTH HEREIN.

WHEREAS, the existing Personnel Policy Manual was difficult to navigate and was not current on certain policies and procedures; and

WHEREAS, Council deems it in the best interest of the employees of the City of Monroe to adopt a revised Personnel Policy Manual.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: Any previously adopted Personnel Policy Manual and subsequent amendments are hereby repealed.

SECTION 2: A revised Personnel Policy Manual with the effective date of December 8, 2022 and on file with a certified copy of this Ordinance in the office of the Clerk of Council is hereby adopted.

SECTION 3: This measure shall take effect and be in full force from and after its passage.

PASSED: _____

ATTEST:

APPROVED:

Clerk of Council

Mayor

First Reading: _____

Policies and Procedures

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Policies and Procedures

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All references in any policy and/or procedure, wherever the male gender is used, shall be construed to include male and female Employees.

1-1 Administration Personal Appearance Policy

It shall be the policy of the City of Monroe to establish general parameters defining appropriate attire and appearance standards for its employees. Creating a professional image of municipal operations for the public which we serve and ensuring an appropriate and safe work environment are critical.

Neat and clean attire, good hygiene and personal grooming are required as appropriate for the position and job duties and as necessary to protect the safety of the employees. Hair is to be neat, clean and styled. Facial hair shall be neatly trimmed.

Body Jewelry and Piercings

The City of Monroe recognizes that personal appearance is an important element of self-expression and strives not to control or dictate appropriate employee appearance, specifically with regard to jewelry or tattoos worn as a matter of personal choice. In keeping with this approach, the City of Monroe allows reasonable self-expression through personal appearance, unless 1.) it conflicts with an employee's ability to perform his/her position effectively or conflicts with his/her specific work environment, or 2.) it is regarded as offensive or harassing toward co-workers, customers, or members of the public.

If management determines an employee's jewelry or piercings present a conflict, the employee will be required to identify appropriate options, such as removal, covering, or replacement with a clear insert.

Tattoos or Body Art including Scarification and Branding

Employees are permitted to have visible tattoos; however, tattoos are not permitted on the neck or face and shall not be visible above the collar bone. Tattoos will not be permitted to be visible from the line where the wrist meets the hand and through the end of the fingers with one exception: a tattoo or brand in the form of a ring is permissible on the wearer's finger (not thumb) with the limitation of one per hand. The tattoo(s) will not exceed ¼" width; will be in good taste and in compliance with the content restrictions of this policy.

- Tattoos are not permitted, visible or otherwise, that depict the following:
 1. **Extremism**, defined as philosophies, ideas, symbols, organizations, or activities that depict, advocate, represent, or are affiliated or associated with:
 - a. Discrimination or intolerance of others based on race, color, national origin, genetics, religion, age, sex, gender identity, sexual orientation, pregnancy, physical or mental disability or any other condition or status protected by law.
 - b. The deprivation of individual rights protected by the federal or state law.
 - c. Gangs or organized crime; or
 - d. Anarchy or the overthrow of any form of government.
 2. **Graphic Violence**, defined as the depiction of vivid, brutal, or explicit violence, which would be offensive to the conventionally accepted standards of the community.
 3. **Obscenity**, defined as lewd; grossly offensive to modesty, decency, or conventionally accepted standards of the community; includes nudity and profanity.

4. **Racism**, defined as a philosophy that degrades, demeans, or discriminates against a person based on race, ethnicity, or national origin; or display material that would otherwise be a violation of the rules of conduct of the City.

The City Manager shall have sole discretion in determining whether a tattoo, body art or piercing ornamentation is acceptable.

**Employees who were employed prior to the adoption of this policy on 01/01/2023 shall be granted an exemption for existing tattoos and/or piercings. Such exemptions shall be granted as long as the employee had the tattoo(s) and/or piercing(s) prior to the adoption date of this policy and they do not interfere with personal or public safety.*

Personal Attire for Non-Uniformed Employees:

Each employee, taking into consideration their position, shall maintain a professional, appropriate, and business-like appearance when representing the City. While the City of Monroe maintains a business casual working environment, employees are expected to maintain a professional appearance. Under no circumstance should undergarments be visible. The City reserves the right to require employees to change clothes that are not appropriate.

Because of varied work assignments and working conditions, it is not practical nor feasible to establish specific and absolute criteria as to what is, or is not appropriate dress, however, please use the charts below as a guideline.

Non-Uniformed Personnel - Men	
Traditional & Casual Business Attire	
Appropriate Attire	Inappropriate Attire
<u>Pants</u> Dress pants, Khakis, chinos, corduroys <u>Shirts</u> Long-sleeved dress shirts with tie; suit or sport jacket when appropriate Collared shirts including polo/golf-style shirts, open collared long-sleeve, and short-sleeve shirts such as oxfords, broadcloth, etc. Jacket and/or tie not required except when appropriate to the situation. * Jeans (excluding acid/stone washed) must be clean, not faded, frayed, or torn, and must be free of ornament or decorations. Jeans are only permitted to be worn on Friday's. <u>Shoes</u> Dress shoes and loafers	<u>Pants</u> Denim or jean-style pants (except on Friday's), shorts, cotton or nylon sweatpants, cargo pants, athletic attire <u>Shirts</u> Sweatshirts, t-shirts, sleeveless shirts, tank tops, athletic attire. Any shirt with a hood attached. <u>Shoes</u> Flip flops (including plastic or rubber shoes), athletic shoes, moccasins, work boots, sandals, slides, and crocs

Please Note: The above chart is a basic guideline and is not meant to be an all-inclusive list. Please use appropriate judgment when selecting your business attire. If in doubt, ask your department head.

Non-Uniformed Personnel – Women	
Traditional and Casual Business Attire	
Appropriate Attire	Inappropriate Attire
Suits, dresses, or skirts <u>Pants</u> Dress pants, Docker-style pants; corduroy; tights or stirrups (if worn with an appropriate top which covers the complete torso – including the buttocks), tailored capri pants (mid-calf length); tailored cropped pants (just-above-the-ankle length) * Jeans (excluding acid/stone washed) must be clean, not faded, frayed, or torn, and must be free of ornament or decorations. Jeans are only permitted to be worn on Friday's. <u>Shirts</u> Blouses, sweaters, dress jackets or blazers and polo-style shirts <u>Shoes</u> Dress shoes with or without heels, loafers, boots, dress sandals	<u>Pants</u> Denim or jean-style pants of any length (except on Friday's), cargo style pants of any length, rolled-up pants, miniskirts, shorts, cotton or nylon sweatpants, athletic attire, overalls, yoga pants <u>Shirts</u> Sweatshirts, t-shirts (the type that would be worn as an undershirt or has writing on it); any shirt with a hood attached; halter tops, tank tops, tube tops; see-through attire, sleeveless tops, or sleeveless dresses (unless covered by an appropriate sweater or jacket) <u>Shoes</u> Flip flops (including plastic or rubber shoes), hiking boots or work boots, hiking sandals, athletic shoes, moccasins, crocs, or slides Women are not permitted to wear skirts or dresses that are deemed too short. In general, a dress or skirt should not be shorter than two inches above the knee. In addition, skorts, sundresses, beach dresses, and spaghetti-strap dresses are considered inappropriate attire.

Please Note: The above chart is a basic guideline and is not meant to be an all-inclusive list. Please use appropriate judgment when selecting your business attire. If in doubt, ask your department head.

Some departments may have appearance standards and rules that varies from this policy. Employees are required to adhere to their departmental and/or position specific appearance standards.

Enforcement of Policy:

Department and Division Heads have the responsibility of ensuring that all employees follow the guidelines of this policy and perform their work in appropriate and acceptable attire.

Review and Questions:

Questions regarding this policy should be directed to Human Resources.

Policy Issued on 01/01/2023

1-2 Alcohol and Drug Testing Policy

The City of Monroe is committed to providing a safe and productive work environment and to the elimination of drug and/or alcohol use and abuse in the workplace. This policy applies to all employees and applicants for employment except those employees and applicants who possess a Commercial Driver's License (CDL). Those employees/applicants can view the policy labeled Commercial Driver's License Alcohol and Drug Testing Policy for specific provisions applicable to CDL drivers/Safety Sensitive employees.

Policy:

Employees shall report to work, fit for duty, and free of any adverse effects of illegal drugs and/or alcohol. This policy does not prohibit the lawful use and possession of prescribed medications. Employees shall consult with their physician about any medications' effect on their ability to work safely and must promptly disclose any work restrictions to their supervisor and Human Resources Department. The city will determine if a reasonable accommodation can be made after collecting all relevant information from the employee and their physician.

The misuse of alcohol and/or the use of controlled substances can cause grave harm to not only the person using the substance(s) but also to fellow employees and citizens. This policy prohibits any controlled substance use without a licensed physician's written prescription. In addition, this policy prohibits the abuse of a prescribed controlled substance. Employees are expected to take medication as prescribed by their physician. Prescription medication taken in excess of the prescribed dosage may result in a failed drug test and will be considered a violation of this policy.

This policy prohibits any alcohol misuse that could affect the performance of an employee on the job. This includes:

- a. Use on the job.
- b. Use during the four hours before reporting or returning to work.
- c. Having prohibited concentrations of alcohol in the employee's system while at work.
- d. Use during eight hours following an accident or until he/she undergoes a post-accident alcohol test.
- e. Refusal to take a required test.

This policy prohibits any controlled substance use without a licensed physician's written prescription.

This policy mandates that all employees be subject to pre-employment testing, reasonable suspicion testing, post-accident testing, return-to-work testing, and follow-up testing. In addition, employees who hold a safety-sensitive position with the city are also subject to random drug testing. A *safety-sensitive position* is defined as a job in which the employee is responsible for his/her own or other people's safety. It also refers to jobs that would be particularly dangerous if performed under the influence of drugs or alcohol.

The testing procedures use an evidential breath device for alcohol testing and urine specimen collection for controlled substance testing; however, a non-evidential alcohol-screening device may be used to eliminate the need for further alcohol testing. Alcohol and controlled substance testing will be conducted by a certified testing laboratory.

Before performing an alcohol or controlled substances test under this policy, the City will notify each employee that the alcohol or controlled substances test is required under this policy.

Definitions:

1. *Alcohol* means the intoxicating agent in beverage alcohol, ethyl alcohol, or other lower molecular weight alcohols including methyl and isopropyl alcohol.
2. The term *controlled substance* includes any illegal drug and any prescription drug.
3. The term *controlled substance abuse* includes use of illegal drugs and excessive use of alcohol as well as use of prescribed drugs not legally obtained, or not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
4. The term *while at work* means all time from the time the employee begins to work or is required to be in readiness for work until the time he/she has left work.
5. The term *substance abuse professional* means an individual qualified to provide evaluation and treatment to a person who tests positive for controlled substance abuse or alcohol abuse.
6. *Conviction* means any finding of guilt, including a plea of nolo contendere (no contest) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
7. *Criminal Drug Statute* means a criminal statute which states that a person may not manufacture, distribute, dispense, use, possess, provide, or administer any controlled substance.

Prohibitions:

1. Alcohol Concentration: No employee shall report to work or remain at work while having an alcohol concentration of 0.02 or greater as measured by an evidential breath-testing device.
2. Alcohol Possession: No employee shall be at work while he/she possess alcohol.
3. On-Duty Use: No employee shall use alcohol while at work. In addition, no employee may use any legal or illegal drug while at work that results in impairment and/or side effects that could impair their ability to perform their job duties.
4. Pre-Duty Use: No employee shall report for work within four hours after using alcohol or engaging in legal or illegal drug use that results in impairment and/or side effects that could impair their ability to perform their job duties.
5. Use Following an Accident: No employee required to take a post-accident alcohol test under this policy shall use alcohol until he/she undergoes a post-accident alcohol test.
6. Controlled Substance Use: No employee shall report to work or remain at work when he/she uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform his/her job. An employee is required to inform their supervisor of any therapeutic drug use that has the potential to impact the employee's ability to perform the essential functions of the job; however, such notice need not specify the drug or treatment in question. An employee providing such notice may be referred to a Medical Review Officer for evaluation.
7. Controlled Substance Testing: No employee shall report to work or remain at work if the employee tests positive for controlled substance abuse.

8. Refusal to Submit to Required Alcohol or Controlled Substances Test: No employee may refuse to submit to a required alcohol or controlled substance test. An employee notified of alcohol or controlled substance tests will immediately submit to such testing as directed by his/her supervisor. Failure to submit to testing as directed shall constitute refusal of the testing. An employee refusing to undergo such tests will not be permitted to remain at work and will be treated as having failed the prescribed alcohol or drug test, unless there is a verifiable medical reason that the specimen could not be produced. Any time missed from work in connection with a refusal to test will be unpaid. An employee will be required to use accrued paid time off to cover any absence(s).

Tests Required:

1. Pre-employment Testing: Upon receipt of and acceptance of a conditional offer of employment and prior to the first time a potential candidate, full or part-time, performs any functions for the employer, he/she must undergo testing for alcohol and controlled substances. The City is under no obligation to hire an applicant who fails a drug or alcohol test. Refusal to submit to testing will result in the conditional offer being rescinded and disqualification of the applicant for further employment consideration.
2. Post-Accident Testing: The City considers an accident an unplanned, unexpected, or unintended event that occurs during the conduct of our business, or during working hours, or which involves one of our motor vehicles that is used in conducting City business or is within the scope of employment. As soon as practical after an accident involving an employee, full or part-time, he/she may be tested for alcohol and controlled substances. An accident is defined as one that involves 1.) damage to a City-owned vehicle, City property or the vehicle or property of another person where damage is estimated to be in excess of two thousand dollars (\$2,000), 2.) a fatality of anyone involved in the accident, 3.) injury to the employee and/or another person 4.) as a result of the collision, a citation has been issued to the operator of the City owned vehicle. When an accident results in any of the above, items 1 through 4, the employee(s) involved in the accident shall be tested for drugs and/or alcohol use. When a test is required, the employee(s) must be taken to the testing site by a supervisor.

An accident involving damage to a City-owned vehicle, City property, or the vehicle or property of another person that does not meet the criteria above shall be handled under the reasonable suspicion section of this policy. When reasonable suspicion has not been established the employee's supervisor can waive the testing.

Employees must notify the agency about an accident immediately (if medically able to do so), remain readily available for testing, and not consume any alcohol for eight (8) hours after the accident, or until an alcohol test has been administered, whichever occurs first. Failure to comply with this requirement shall be considered a refusal to submit to testing. Any employee required to be tested but needing medical assistance must get the needed medical assistance first.

Post-accident tests for alcohol should be done within two (2) hours of the accident. Attempts to test for alcohol should cease if eight (8) hours have elapsed after the accident and no test has been done. The agency must document for file the reason why the test was not promptly administered within two (2) hours, and if not administered within the eight (8) hours.

Drug tests must be administered as soon as possible after the accident, but never beyond thirty-two (32) hours after the accident. If the drug test was not performed within the 32- hour time limit, documentation must be made for file as to why it was not performed.

The employee(s) supervisor shall be required to document any accident involving a City-owned vehicle, including taking photos of the incident and prepare a written report detailing the accident. The report should include any witness statements, if any. The full report, photos and witness statements must be submitted to the City Manager's Office for insurance purposes.

An employee(s) who is subject to post-accident testing shall remain readily available for such testing or shall be deemed by the City to have refused to submit to testing. The required testing shall not delay necessary medical attention for injured people following an accident or prohibit an employee from leaving the scene to obtain necessary emergency medical care.

In the event a post-accident test cannot be performed as required in this policy, a written report stating the reasons the test was not performed shall be prepared by the Department head or designee and submitted to the Human Resources Manager.

The guidelines for required post-accident testing resulting from an on-the-job injury (workers compensation) is also defined separately in the workers compensation policy.

3. Reasonable Suspicion Testing: Employees are required to submit to testing based on "specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee." Reasonable suspicion testing does not require certainty, but mere "hunches" are not sufficient to justify testing. Reasonable suspicion testing is authorized during, just preceding, or immediately at the end of the employee's workday.

Reasonable suspicion of drugs and/or alcohol must be established by two supervisory staff members of the City who are not required to be of the same Department as the subject employee. The Human Resources Manager or Assistant City Manager must be consulted before sending an employee for reasonable suspicion testing.

When reasonable suspicion has been established and an employee is subject to testing the employee shall be placed on paid administrative leave until the results of the test(s) are received. The employee(s) subject to a reasonable suspicion test(s) must be taken to the testing site by a supervisor.

4. Random Drug Testing: Employees holding a safety-sensitive position are subject to random drug testing which shall be performed on a quarterly basis. The selection of employees for random alcohol and controlled substances testing shall be provided by the City's drug-testing facility. Under the selection process used by the facility, each employee shall have an equal chance of being tested each time selections are made. Employees will be notified via letter from the HR Department when they are selected and must report immediately upon receipt of the letter. The letter will be hand delivered to the employee by a supervisor of the department.
5. Return to Duty Testing: This test occurs when an employee has previously tested positive, and the decision is made to not terminate the employee. After an employee fails to pass an alcohol or controlled substance test, the employee will be required to undergo and pass another test before the employee is permitted to return to duty. If the employee fails this test, this will lead to immediate termination of employment.

6. Follow-Up Testing: Employees who are not terminated following a positive drug and/or alcohol test and are allowed to return to work following the criteria above, shall be subject to unannounced follow-up testing with a minimum of 6 tests during the first 12 months after the return to work. Follow-up testing will occur for a minimum of one year and a maximum of two years following the return-to-work date.

Testing Refusal

As an employee, you have refused to take a drug and/or alcohol test if you:

1. Fail to appear for any test within a reasonable time, as determined by the city.
2. Fail to remain at the testing site until the testing process is complete.
3. Failure to provide a urine specimen for any drug test required as part of this policy.
4. In the case of a directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of specimen collection. In addition, failure to follow the observer's instructions.
5. Failure or declining to take an additional drug test the employer or collector has directed you to take.
6. Failure to cooperate with any part of the testing process (ex. Refusing to empty pockets when directed by the collector).
7. Admitting to the collector or Medical Review Officer that you adulterated or substituted the specimen.
8. Failure to provide an adequate amount of saliva or breath for an alcohol test.
9. Failure to provide a sufficient breath specimen, and the physician has determined that there was no adequate medical explanation for the failure.
10. Failure to undergo a medical examination or evaluation, as directed by the employer, as part of the insufficient breath procedures listed in number 8 and 9 above.
11. Failure to cooperate with any part of the testing process.

Consequences For Violating This Policy:

Employees testing positive or otherwise violating this policy are subject to disciplinary action up to and including termination. An employee violating this policy will be immediately removed from their position and placed on an unpaid leave of absence. All time missed from work in connection with any violation of this policy, including missing work for rehabilitation and treatment, will be unpaid. Although not required, the City in its sole discretion, may offer the employee the opportunity to return to work on a last-chance agreement basis which is outlined below. An employee on a last chance agreement who misses work in connection with the provision of this policy must cover their absence by using their accrued paid time off.

Each employee who has engaged in conduct prohibited by this policy shall be advised by the City of the resources available to the employee in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances. These resources will be provided through the City's Employee Assistance Program (EAP). More extensive treatment or medical attention will be at the employee's expense.

Alcohol: Following a determination that the employee has violated the alcohol prohibitions, including having an alcohol concentration test result of 0.04 or greater, the employee will be removed from work and cannot return to work until, at a minimum:

1. The employee undergoes and completes an evaluation, and where necessary, begins rehabilitation/treatment within ninety (90) days of the initial positive test.
2. A substance abuse professional determines and affirms in a written statement to the City that the employee has successfully complied with any required rehabilitation and is fully able to return to work, and.
3. The employee undergoes return to duty testing administered by the City's provider with an alcohol concentration test result of less than 0.02.
4. The employee undergoes follow-up testing, administered by the City's provider as defined in the follow-up testing guidelines in this policy.

An employee with an alcohol concentration of 0.02 or greater, but less than 0.04, will not be permitted to return to work for a minimum of 24 hours and must undergo a return-to-work test administered by the City's provider with an alcohol concentration test result of less than 0.02 within 48 hours of the initial test. For purposes of this policy an alcohol concentration less than 0.04 shall not be deemed a positive test resulting in an automatic violation of this policy, however, a second positive alcohol test in excess of 0.02 will be considered a violation of this policy and the employee will be subject to disciplinary action, up to and including termination.

Drugs: Following a determination that an employee has misused controlled substances, as determined through testing, this policy requires that an employee be removed from work until, at a minimum:

1. The employee undergoes and completes an evaluation, and where necessary, begins rehabilitation/treatment within ninety (90) days of the initial positive test.
2. A substance abuse professional determines and affirms in a written statement to the City that the employee has successfully complied with any required rehabilitation and is fully able to return to work.
3. The employee successfully passes return to duty testing administered by the City's provider.
4. The employee undergoes follow-up testing, administered by the City's provider as defined in the follow-up testing guidelines in this policy.

If the employee does not successfully complete all steps of the last chance agreement criteria listed above for alcohol and/or drugs, the employee will be immediately terminated. In addition, following a return-to-work, if the employee subsequently tests positive for alcohol and/or drugs in the future, at any time during their employment, the employee will be immediately terminated.

An employee who refuses to comply with a required test or who provides false information in connection with a test or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately, without pay, and subject to discipline up to and including termination. Employees who have a negative-dilute drug test result will be required to re-test. This same criterion applies to applicants for employment.

In those cases where an employee is terminated for violation of this policy, the termination shall be deemed "for cause." The City can release or disclose this information, if relevant, in response to an employee's request for unemployment, grievance proceedings, workers' compensation or other related benefits. The test results may be disclosed to management on a need-to-know basis. The City Manager may also disclose confidential information pertaining to an employee to the decision makers in a lawsuit or administrative procedure initiated by the employee and arising from the results of an alcohol and/or controlled substance test. Results may also be released to an employee or subsequent employers in accordance with an employee's written authorization.

Review & Questions:

Questions regarding this policy should be address to the Human Resources Department.

Policy Issued on 01/01/2023



Acknowledgement of Understanding

City of Monroe

Alcohol and Drug Testing Policy

I hereby acknowledge that I have received a copy of the Alcohol and Drug Testing Policy. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-3 Alcoholism and Drug Abuse – Employee Assistance Program

Purpose:

The general purpose of the program is to assure that any employee having a work-impairing personal issue or problem will receive an offer of confidential and professional assistance. The City recognizes alcoholism and drug addiction as serious problems, and encourages those employees who may have a drinking or drug abuse problem to seek professional treatment.

Background:

1. It is recognized that many issues can be successfully dealt with and resolved, provided assistance is offered at an early stage and referral is made to an appropriate form of help. This applies whether the problem is one of physical illness, emotional difficulties, alcoholism, drug abuse, marital or family distress, financial or other concerns.
2. It is recognized that non-professional persons do not have the qualifications or training to diagnose alcoholism or other personal problems; therefore, referral (other than self-referral) for diagnosis, counseling, and/or treatment will be based on work performance and behaviors.

For the purpose of this policy, a drinking or drug abuse problem exists, in the City's sole discretion, when an employee's alcohol consumption or drug use begins to interfere with job performance and/or the employee displays erratic behavior that gives cause for concern, including out of character behavior(s).

No employee with a drinking or drug problem will have his/her job security or promotional opportunities jeopardized by a voluntary and prompt request for treatment. This policy, however, does not excuse employees from discipline or corrective action initiated by the City for unsatisfactory performance or work-related misconduct. Rather, this policy is intended to help employees who voluntarily initiate requests for assistance – before work issues arise. The pertinent information and records of employees with substance abuse problems will be preserved in the same manner as all other medical records.

In the case of a city referral, it will be the responsibility of the employee to comply with the referral for diagnosis and to cooperate with the prescribed treatment. An employee's refusal to accept diagnosis or treatment, or failure to respond to treatment, will result in disciplinary action up to and including termination.

Employees referred to and participating in the Employee Assistance Program will be expected to meet usual job performance standards and work rules.

Implementation of this policy will not require or result in any special regulations, privileges, or exemptions from the standard administrative practices applicable to job performance requirements.

The City and supervisors shall not attempt to diagnose alcoholism or drug addiction. A referral, initiated by the City or supervisor, for diagnosis and treatment should be based strictly on unsatisfactory or deteriorating job performance resulting from apparent medical or behavioral problems, whatever their nature.

Employee Assistance Program (EAP):

The City is committed to the total health and well-being of its employees and to appropriately address the issues and personal problems which could benefit from counseling. Therefore, the city believes that it is in the best interest of the employees, families of employees and the community to provide an Employee Assistance Program (EAP). Employees and their families are encouraged to seek assistance from the EAP as needed.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or with Human Resources Manager without fear of reprisal.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-4 Attendance Policy

Policy:

Punctual and regular attendance is an essential responsibility of each City employee. When an employee is unexpectedly absent, others must perform the work, which negatively impacts the delivery of services to the citizens of the City of Monroe. Further, it is unfair to co-workers to provide coverage without the convenience of planning for it, particularly if an emergency truly does not exist.

The city expects all employees to report to work as scheduled, on time and prepared to start work and remain at work for their entire work schedule. Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided.

Work breaks and meal periods cannot be saved or accumulated to use at another time or for late arrivals or early departures or used to compensate for tardiness.

An employee who is absent without approved leave shall be subject to discipline, up to and including dismissal.

Employees must personally notify their supervisor in advance when possible (and in no case later than 60 minutes prior to their starting time), of their inability to report to work as scheduled. If a supervisor cannot be reached, workers should personally inform their department head, or their designee, as soon as possible that they will not be able to show up for work. If neither can be personally reached, the employee must personally contact the Human Resources Department and leave a message if necessary. In providing this notification, employees should give a reason for their absence, if appropriate, and an estimate of when they will return to work.

The City understands an employee's rights to privacy, especially concerning health so an employee will not be required to state the reason for the absence but may receive a follow up from Human Resources to determine if the FMLA process should be started. In all cases, employees will be required to give an estimate of when they will return to work.

Upon return to work, employees must complete the necessary electronic or written documentation for the absence. The employee must be available to receive a follow-up call and promptly respond to such call.

If an employee is incapacitated or otherwise unable to notify their supervisor personally, it may be acceptable for another person to notify the department of the employee's absence. This will only be allowed in extreme cases or emergency situations.

Absences may be scheduled or unscheduled.

Scheduled: Absences that are scheduled in advance for such events as vacation, medical appointments, military service, family activities, jury duty, funerals and other circumstances which cannot be scheduled outside of regular work hours.

Unscheduled: Absences and late arrivals are considered unscheduled for such events as illness, family emergencies, transportation emergencies, family member illness and/or death, and household emergencies such as flooding.

Absences are excused or unexcused.

Excused: Absences are discussed and excused in advance of the absence, by the supervisor, Department Head or designee.

Unexcused: Absences are not discussed and excused in advance, by the supervisor, Department Head or designee.

With proper documentation an unscheduled absence may be considered excused.

An employee who is more than 30 minutes late for his/her scheduled starting time without notifying their supervisor or department head will be subject to discipline and may be sent home and considered absent for the day.

An employee who is absent for the entire work period without notifying his/her supervisor or department head will be considered to have resigned from employment with the City. This includes those employees who fail to return to work from any authorized leave.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-5 Commercial Driver's License Alcohol and Drug Testing Policy

The City of Monroe is committed to providing a safe and productive work environment and to the elimination of drug and/or alcohol use and abuse in the workplace. This policy applies to all employees and applicants for employment who possess a Commercial Driver's License (CDL).

Federal law requires employers to implement certain drug and alcohol testing procedures in accordance with the requirements of 49 C.F.R. Part 382. The law mandates that drivers of commercial vehicles be subject to pre-employment testing, reasonable suspicion testing, random testing, post-accident testing, return to duty and follow-up testing. The City will follow all applicable laws and regulations, including those issued by the Department of Transportation (DOT).

Policy:

The purpose of this policy is to comply with all applicable federal regulations that mandate alcohol and drug testing and establish testing standards for covered "safety sensitive" employees that operate commercial motor vehicles. This policy applies to all employees who operate a commercial motor vehicle to carry out their job duties or who are required, as a condition of employment, to possess and maintain a commercial driver's license (CDL). When required, the employee must possess a Class A CDL that must be obtained within the first 12 months of employment and maintained during the duration of employment as required for the position the employee holds.

Employees shall report to work, fit for duty, and free of any adverse effects of illegal drugs and/or alcohol. This policy does not prohibit the lawful use and possession of prescribed medications. Employees shall consult with their physician about any medications effect on their ability to work safely and must promptly disclose any work restrictions to their supervisor and Human Resources Department. The city will determine if a reasonable accommodation can be made after collecting all relevant information from the employee and their physician.

The misuse of alcohol and/or the use of controlled substances can cause grave harm to not only the person using the substance(s) but also to fellow employees and citizens. This policy prohibits any controlled substance use without a licensed physician's written prescription. In addition, this policy prohibits the abuse of a prescribed controlled substance. Employees are expected to take medication as prescribed by their physician. Prescription medication taken in excess of the prescribed dosage may result in a failed drug test and will be considered a violation of this policy.

Federal law, and this policy, prohibits any alcohol misuse that could affect the performance of driving a commercial motor vehicle. This includes:

- a. Use on the job.
- b. Use during the four hours before reporting to work and/or driving a commercial motor vehicle.
- c. Having prohibited concentrations of alcohol in the employee's system while at work and/or while driving a commercial motor vehicle.
- d. Use during eight hours following an accident or until he/she undergoes a post-accident alcohol test.
- e. Refusal to take a required test.

Federal law, and this policy, prohibits any controlled substance use without a licensed physician's written prescription.

The testing procedures use an evidential breath device for alcohol testing and urine specimen collection for controlled substance testing; however, a non-evidential alcohol-screening device may be used to eliminate the need for further alcohol testing. The testing procedures shall be implemented in accordance with the federal requirements contained in 49 C.F.R. Part 40. Alcohol and controlled substance testing will be conducted by a certified testing laboratory.

Before performing an alcohol or controlled substances test under this policy, the City will notify each employee that the alcohol or controlled substances test is required under this policy.

Definitions:

1. *Alcohol* means the intoxicating agent in beverage alcohol, ethyl alcohol, or other lower molecular weight alcohols including methyl and isopropyl alcohol.
2. The term *controlled substance* includes any illegal drug and any prescription drug.
3. The term *controlled substance abuse* includes use of illegal drugs and excessive use of alcohol as well as use of prescribed drugs not legally obtained, or not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
4. The term *while at work* means all time from the time the employee begins to work or is required to be in readiness for work until the time he/she has left work. See below, Prohibitions, On-Duty Use and Pre-Duty Use for full definitions.
5. The term *substance abuse professional* means an individual qualified to provide evaluation and treatment to a person who tests positive for controlled substance abuse or alcohol abuse.
6. *Conviction* means any finding of guilt, including a plea of nolo contendere (no contest) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
7. *Criminal Drug Statute* means a criminal statute which states that a person may not manufacture, distribute, dispense, use, possess, provide, or administer any controlled substance.
8. The term *safety-sensitive function* means all time from the time an employee/driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. The Department of Transportation (DOT) defines a safety-sensitive worker as someone who holds a job that can impact both their own safety and the safety of the public. Safety sensitive functions are tasks performed by Commercial Motor Vehicle drivers.

Prohibitions:

1. Alcohol Concentration: No employee shall report to duty or remain on duty, including driving a commercial motor vehicle, while having an alcohol concentration of 0.02 or greater as measured by an evidential breath-testing device.
2. Alcohol Possession: No employee shall be on duty or operate a commercial motor vehicle while he/she possess alcohol.

3. On-Duty Use: No employee shall use alcohol while on duty or while driving a commercial motor vehicle. In addition, no employee may use any legal or illegal drug(s) while at work that results in impairment and/or side effects that could impair their ability to perform their job duties, which also includes driving a commercial motor vehicle.
4. Pre-Duty Use: No employee shall report for work within four hours after using alcohol or engaging in legal or illegal drug use that results in impairment and/or side effects that could impair their ability to perform their job duties, which also includes driving a commercial motor vehicle.
5. Use Following an Accident: No employee required to take a post-accident alcohol test under this policy shall use alcohol until he/she undergoes a post-accident alcohol test. In general, post-accident alcohol testing shall occur within 8 hours of the accident.
6. Controlled Substance Use: No employee shall report to work, operate a commercial motor vehicle, or remain at work when he/she uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform his/her job. An employee is required to inform their supervisor of any therapeutic drug use that has the potential to impact the employee's ability to perform the essential functions of the job; however, such notice need not specify the drug or treatment in question. An employee providing such notice may be referred to a Medical Review Officer for evaluation.
7. Controlled Substance Testing: No employee shall report to work, remain at work, or operate a commercial motor vehicle if the employee tests positive for controlled substance abuse.
8. Refusal to Submit to Required Alcohol or Controlled Substances Test: No employee may refuse to submit to a required alcohol or controlled substance test. An employee notified of alcohol or controlled substance tests will immediately submit to such testing as directed by his/her supervisor. Failure to submit to testing as directed shall constitute refusal of the testing. An employee refusing to undergo such tests will not be permitted to remain at work and will be treated as having failed the prescribed alcohol or drug test unless there is a verifiable medical reason that the specimen could not be produced. Any time missed from work in connection with a refusal to test will be unpaid. An employee will be required to use accrued paid time off to cover any absence(s).

Tests Required:

1. Pre-employment Testing: Upon receipt of and acceptance of a conditional offer of employment and prior to the first time a potential candidate, full or part-time, performs any safety-sensitive functions for the employer, he/she must undergo testing for alcohol and controlled substances. The city is under no obligation to hire an applicant who fails a drug or alcohol test. Refusal to submit to testing will result in the conditional offer being rescinded and disqualification of the applicant for further employment consideration.
2. Post-Accident Testing: As soon as practicable following the occurrence of an accident involving an employee operating a commercial motor vehicle on a public road, the surviving driver shall be tested if any of the following criteria are present:

Department of Transportation (DOT) Post-Accident Testing Criteria:

1. Any accident involving a fatality
2. Any accident in which the driver is cited, and there is disabling damage to the vehicle(s) requiring a vehicle to be transported away from the scene by a tow truck or other motor vehicle
3. Any accident in which the driver is cited, and immediate off-site medical treatment is required for bodily injury to any person

If an accident does not meet the DOT criteria listed above, the following City policy criteria will be used to administer post-accident testing using a Non-DOT Drug Test:

1. Damage to a City-owned vehicle, City property or the vehicle or property of another person where damage is estimated to be in excess of two thousand dollars (\$2,000).
2. Injury to the employee and/or another person(s).
3. As a result of the collision, a citation has been issued to the operator of the City owned vehicle.

When an accident results in any of the above, items 1 through 3 the employee(s) involved in the accident shall be tested for drugs and/or alcohol use. When a test is required, the employee(s) must be taken to the testing site by a supervisor.

An accident involving damage to a City-owned vehicle, City property, or the vehicle or property of another person that does not meet the criteria above shall be handled under the reasonable suspicion section of this policy. When reasonable suspicion has not been established the employee's supervisor can waive the testing.

Employees must notify the agency about an accident immediately (if medically able to do so), remain readily available for testing, and not consume any alcohol for eight (8) hours after the accident, or until an alcohol test has been administered, whichever occurs first. Failure to comply with this requirement shall be considered a refusal to submit to testing. Any employee required to be tested but needing medical assistance must get the needed medical assistance first.

Post-accident tests for alcohol should be done within two (2) hours of the accident. Attempts to test for alcohol should cease if eight (8) hours have elapsed after the accident and no test has been done. The agency must document for file the reason why the test was not promptly administered within two (2) hours, and if not administered within the eight (8) hours.

Drug tests must be administered as soon as possible after the accident, but never beyond thirty-two (32) hours after the accident. If the drug test was not performed within the 32- hour time limit, documentation must be made for file as to why it was not performed.

The employee(s) supervisor shall be required to document any accident involving a City-owned vehicle, including taking photos of the incident and prepare a written report detailing the accident. The report should include any witness statements, if any. The full report, photos and witness statements must be submitted to the City Manager's Office for insurance purposes.

An employee(s) who is subject to post-accident testing shall remain readily available for such testing or shall be deemed by the City to have refused to submit to testing. The required testing shall not delay necessary medical attention for injured people following an accident or prohibit an employee from leaving the scene to obtain necessary emergency medical care.

The written report stating the reasons a test was not performed shall be prepared by the Department Head or designee and submitted to the Human Resources Manager.

The guidelines for required post-accident testing resulting from an on-the-job injury (workers compensation) are defined separately in the workers compensation policy.

3. **Reasonable Suspicion Testing:** Employees are required to submit to testing based on “specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee.” Reasonable suspicion testing does not require certainty, but mere “hunches” are not sufficient to justify testing. Reasonable suspicion testing is authorized during, just preceding, or immediately at the end of the employee’s workday.

Reasonable suspicion of drugs and/or alcohol must be established by two supervisory staff members of the City who are not required to be of the same Department as the subject employee. The Human Resources Manager or Assistant City Manager must be consulted before sending an employee for reasonable suspicion testing.

When reasonable suspicion has been established and an employee is subject to testing the employee shall be placed on paid administrative leave until the results of the test(s) are received. The employee(s) subject to a reasonable suspicion test(s) must be taken to the testing site by a supervisor.

4. **Random Drug Testing:** Random drug and/or alcohol testing shall be performed on a quarterly basis. Of the average number of all covered employees, the minimum annual percentage rate for random testing shall be ten percent (10%) for alcohol and twenty-five percent (25%) for drugs. The selection of employees for random alcohol and controlled substances testing shall be provided by the City’s drug-testing facility. Under the selection process used by the facility, each employee shall have an equal chance of being tested each time selections are made. Employees will be notified via letter from the HR Department when they are selected and must report immediately upon receipt of the letter. The letter will be hand delivered to the employee by a supervisor of the department.
5. **Return to Duty Testing:** This test occurs when an employee has previously tested positive, and the decision is made to not terminate the employee. After an employee fails to pass an alcohol or controlled substance test, the employee will be required to undergo and pass another test before the employee is permitted to return to duty. If the employee fails this test, this will lead to immediate termination of employment. An employee who refuses a return-to-duty test will not be returned to duty and will be subject to termination.
6. **Follow-Up Testing:** Employees who are not terminated following a positive drug and/or alcohol test and are allowed to return to work following the criteria above, shall be subject to unannounced follow-up testing with a minimum of 6 tests during the first 12 months after the return to work. The substance abuse professional (SAP) can require more tests in the first year, and they can require more testing be done in the four years after the return to work. Follow up testing can go on for up to five years in total.

Testing Refusal

DOT Rule 49 CFR Part 40 Section 40.191
Subpart I – Problems in Drug Testing

What is a refusal to take a DOT drug test?

a) As an employee, you have refused to take a drug test if you:

(1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.

(2) Fail to remain at the testing site until the testing process is complete; Provided, That an employee who leaves the testing site before the testing process commences (see [§40.63\(c\)](#)) for a pre-employment test is not deemed to have refused to test;

(3) Fail to provide a urine specimen for any drug test required by this part or DOT agency regulations; Provided, that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences (see [§40.63\(c\)](#)) for a pre-employment test is not deemed to have refused to test;

(4) In the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of your provision of a specimen (see §§[40.67\(l\)](#) and [40.69\(g\)](#));

(5) Fail to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure (see [§40.193\(d\)\(2\)](#));

(6) Fail or decline to take an additional drug test the employer or collector has directed you to take (see, for instance, [§40.197\(b\)](#));

(7) Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under [§40.193\(d\)](#). In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment. If there was no contingent offer of employment, the MRO will cancel the test; or

(8) Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fail to wash hands after being directed to do so by the collector).

(9) For an observed collection, fail to follow the observer's instructions to raise your clothing above the waist, lower clothing, and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.

(10) Possess or wear a prosthetic or other device that could be used to interfere with the collection process.

(11) Admit to the collector or MRO that you adulterated or substituted the specimen.

(b) As an employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

DOT Rule 49 CFR Part 40 Section 40.261
Subpart N – Problems in Alcohol Testing

What is a refusal to take an alcohol test?

(a) As an employee, you are considered to have refused to take an alcohol test if you:

(1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee (including an owner-operator) to appear for a test when called by a C/TPA (see [§ 40.241\(a\)](#));

(2) Fail to remain at the testing site until the testing process is complete; *Provided*, That an employee who leaves the testing site before the testing process commences (see [§ 40.243\(a\)](#)) for a pre-employment test is not deemed to have refused to test;

(3) Fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations; *Provided*, That an employee who does not provide an adequate amount of breath or saliva because he or she has left the testing site before the testing process commences (see [§ 40.243\(a\)](#)) for a pre-employment test is not deemed to have refused to test;

(4) Fail to provide a sufficient breath specimen, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure (see [§ 40.265\(c\)](#));

(5) Fail to undergo a medical examination or evaluation, as directed by the employer as part of the insufficient breath procedures outlined at [§ 40.265\(c\)](#);

(6) Fail to sign the certification at Step 2 of the ATF (see [§§ 40.241\(g\)](#) and [40.251\(d\)](#)); or

(7) Fail to cooperate with any part of the testing process.

(b) As an employee, if you refuse to take an alcohol test, you incur the same consequences specified under DOT agency regulations for a violation of those DOT agency regulations.

Consequences For Violating This Policy:

Employees testing positive or otherwise violating this policy are subject to disciplinary action up to and including termination. An employee violating this policy will be immediately removed from all safety-sensitive functions and placed on an unpaid leave of absence. All time missed from work in connection with any violation of this policy, including missing work for rehabilitation and treatment, will be unpaid. Although not required, the City in its sole discretion, may offer the employee the opportunity to return to work on a last-chance agreement basis which is outlined below. An employee on a last chance agreement who misses work in connection with the provision of this policy must cover their absence by using their accrued paid time off.

Each employee who has engaged in conduct prohibited by this policy shall be advised by the City of the resources available to the employee in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances. This includes an initial evaluation with a DOT qualified substance abuse professional.

Alcohol: A positive alcohol test is defined as a test finding an alcohol concentration of 0.04 or greater. Following a determination that the employee has violated the alcohol prohibitions, including having an alcohol concentration test result of 0.04 or greater, the employee will be removed from work and cannot return to work until, at a minimum:

1. The employee undergoes and completes an evaluation with a substance abuse professional (SAP), and as determined to be necessary, begins rehabilitation/treatment within ninety (90) days of the initial positive test.
2. A substance abuse professional determines and affirms in a written statement to the City that the employee has successfully complied with any required rehabilitation/treatment and is fully able to return to work, and.
3. The employee undergoes return to duty testing administered by the City's provider with an alcohol concentration test result of less than 0.02.
4. The employee undergoes follow-up testing, administered by the City's provider as defined in the follow-up testing guidelines in this policy and as ordered by the SAP.

An employee with an alcohol concentration of 0.02 or greater, but less than 0.04, will not be permitted to return to work for a minimum of 24 hours and must undergo a return-to-work test administered by the City's provider with an alcohol concentration test result of less than 0.02 within 48 hours of the initial test. For purposes of this policy an alcohol concentration less than 0.04 shall not be deemed a positive test resulting in an automatic violation of this policy, however, a second positive alcohol test in excess of 0.02 will be considered a violation of this policy and the employee will be subject to disciplinary action, up to and including termination.

Drugs: Following a determination that an employee has misused controlled substances, as determined through testing, this policy requires that an employee be removed from work until, at a minimum:

1. The employee undergoes and completes an evaluation with a substance abuse professional (SAP), and as determined to be necessary, begins rehabilitation/treatment within ninety (90) days of the initial positive test.
2. A substance abuse professional determines and affirms in a written statement to the City that the employee has successfully complied with any required rehabilitation/treatment and is fully able to return to work, and.
3. The employee successfully passes return to duty testing administered by the City's provider.
4. The employee undergoes follow-up testing, administered by the City's provider as defined in the follow-up testing guidelines in this policy and as ordered by the SAP.

If the employee does not successfully complete all steps of the last chance agreement criteria listed above for alcohol and/or drugs, the employee will be immediately terminated. In addition, following a return-to-work, if the employee subsequently tests positive for alcohol and/or drugs in the future, at any time during their employment, the employee will be immediately terminated.

An employee who refuses to comply with a required test or who provides false information in connection with a test or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately, without pay, and subject to discipline up to and including termination. Employees who have a negative-dilute drug test result will be required to re-test. This same criterion applies to applicants for employment.

In those cases where an employee is terminated for violation of this policy, the termination shall be deemed "for cause." The City can release or disclose this information, if relevant, in response to an

employee's request for unemployment, grievance proceedings, workers' compensation or other related benefits. The test results may be disclosed to management on a need-to-know basis. The City Manager may also disclose confidential information pertaining to an employee to the decision makers in a lawsuit or administrative procedure initiated by the employee and arising from the results of an alcohol and/or controlled substance test. Results may also be released to an employee or subsequent employers in accordance with an employee's written authorization.

Drug Testing Results

**The guidelines below only apply to DOT Drug testing and is not applicable for a Non-DOT Drug Test.*

An employee who questions the results of a required drug test may request that an additional test be conducted at a different certified laboratory. The test will be conducted on the split sample that was provided as the same time as the original sample.

The cost of the second test will be borne by the employee, unless the second test invalidates the first test. In that case the cost will be borne by the city.

The method of collecting, storing, and testing the split sample is prescribed by the procedures in 49 C.F.R Part 40. The employee's request for a split sample test must be made to the designated Medical Review Officer within 72 hours of notice of the initial test result. Request after 72 hours will be accepted only if the delay was due to documentable facts that were beyond the control of the employee.

Drug & Alcohol Clearinghouse

The Commercial Driver's License (CDL) Drug & Alcohol Clearinghouse is a federal database containing information about CDL drivers who have violated the Federal Motor Carrier Safety Administration's (FMCSA's) drug or alcohol regulations in 49 CFR Part 382. Whether a person has committed such a violation or not, the City of Monroe is required to check whether the Clearinghouse has any information about all CDL drivers it employs both at the time of hire and annually. Employees subject to this requirement will be required to sign a consent form for limited queries and will be required to grant electronic consent for a full query, as needed.

Review & Questions:

Questions regarding this policy should be address to the Human Resources Department. For reference, commercial motor vehicle is fully defined in 49 U.S.C 31132.

Policy Issued on 01/01/2023



Acknowledgement of Understanding

City of Monroe

Commercial Driver's License Alcohol and Drug Testing Policy

I hereby acknowledge that I have received a copy of the Commercial Driver's License Alcohol and Drug Testing Policy. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-6 Complaint Procedure

Procedure for In-House Resolution of Complaints:

Employees' questions and complaints arising from misunderstandings and the application of policies, procedures, and work rules that will inevitably develop in the day-to-day activities of public service, are to be promptly heard, answered, and action taken to resolve or clarify the situation.

All employees, including probationary, shall have the right to file a complaint without prejudice. No employee shall be disciplined, harassed, or retaliated against for filing a complaint and/or participating in the investigation process, unless the employee gives false information – in which case he/she may be disciplined up to and including termination.

A *complaint* is defined as a disagreement between an employee and management or peer level employees as to the interpretation or application of official City policies, procedures, department/division rules and regulations, anything subject to applicable Ohio or Federal law, or other disagreements relating to treatment, or other conditions of employment.

A *grievance*, defined as the employers' breach of the terms of the collective bargaining agreement (CBA) shall be resolved following the outlined grievance procedure in each collective bargaining agreement. An actual, or perceived breach of the terms does not have to result in a formal grievance filing and can be brought to management's attention verbally to be resolved. Nothing in this procedure limits an employee covered by a CBA to file a grievance in accordance with the guidelines in the applicable contract.

Election of Remedy: Nothing in this procedure is intended to deny employees any rights available, including the right to appeal to the Monroe Personnel Board (for classified employees), the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission (EEOC) or any court of competent jurisdiction. However, if the employee elects to file a complaint on a matter over which another appeals body has jurisdiction, it is the employee's responsibility to meet the criteria for filing with that appeals body. The filing of an internal complaint may not affect required filing deadlines. The city may also stay the complaint procedure until resolution of the statutory proceedings but is not required to do so.

Notification of Employee: All employees shall sign a statement that they have received a copy of and have knowledge of the complaint procedures.

Settlement: Complaints are to be settled at the earliest possible step of the procedure. The employee must proceed through all steps of the complaint procedure in proper order, unless there are circumstances that allow for deviation, such as the complaint being about the supervisor and/or Department Director.

Group Complaint: Where a group of employee's desires to file a complaint involving a situation affecting each employee in the same manner, one employee selected by such group will process the complaint.

Waiver of Time Limits: Time limits as set forth in the procedure may be extended by mutual agreement of the parties in writing.

Representation and Witnesses: A complainant may have a representative (employee or non-employee) of his/her choosing present at any step of the procedure. Employees and employee representatives, who are employed by the City of Monroe, shall not lose pay or benefits for time spent in complaint hearings. The expense of any legal representative(s) shall be borne by the party utilizing them. Witnesses may be called

by either party. Witnesses may be questioned by legal counsel of either party, the Human Resources Manager and/or Assistant City Manager and the person conducting the complaint hearing. Management maintains the right to schedule witnesses for hearings.

Forms: All complaints filed under this procedure shall be in writing, and shall state the nature of the complaint, the date of the incident(s) giving rise to the complaint, the desired resolution, and the facts which affect the conditions of the complaint.

Definition of Working Days: For the purpose of counting time under this procedure “working days” as used in this procedure will not include Saturdays, Sundays or holidays. In addition, the counting of working days shall begin the next business day following receipt at any step in the complaint procedure, including the receipt of the complaint or response at each step.

Health and/or Safety Complaint: Complaints relating to issues of health and/or safety shall be expedited through the steps of this procedure.

Complaint Procedure:

In order to provide employees with an orderly process by which they may seek resolution of such differences, the City has established the following complaint procedure:

Step 1 – Supervisor: An employee having a complaint shall file it in writing with his/her supervisor. The complaint must be filed within five (5) working days from the date of the incident giving rise to the complaint. The supervisor shall investigate the complaint and shall provide a solution or explanation in writing within five (5) working days following the date on which the complaint was submitted.

In those situations where the City Manager is the employee’s direct supervisor, the complaint shall be handled in Step 3 and shall be filed directly with the City Manager. Similarly, if the City Manager is next higher in the chain of command over the supervisor, the complaint will proceed directly from Step 1 to Step 3.

Step 2 – Department/Division Head: If the employee is not satisfied with the response from Step 1, the employee may pursue the matter by presenting the original written complaint document along with the written response from Step 1 to the Department/Division Head within five (5) working days of receipt of the Step 1 answer. The Department/Division Head shall schedule a meeting with the employee and supervisor to be held within five (5) working days of receipt of the complaint. In the cases where the Division Head is holding the meeting, the Department Director will also be in attendance at the meeting. The employee may be accompanied by a representative of his/her choosing, but if an employee representative is chosen, the employee must notify their Department/Division Head in advance of the meeting so that the employee representative may be relieved of duty to attend meeting. The Department/Division Head, after review and investigation of all matters of fact relative to the complaint, shall issue a decision in writing, within five (5) working days following the meeting.

Step 3 – Assistant City Manager (ACM): If the employee is not satisfied with the response from Step 2, the employee may submit the original written complaint document along with all responses to the ACM within five (5) working days of the receipt of the Step 2 answer. The ACM will review the complaint and the responses and if necessary, hold a meeting to discuss the matter, within five (5) working days of receipt of the Step 3 filing. If no meeting is held, the ACM will issue a response in writing within 5 working days. If a meeting is held, the ACM will issue a written response within 5 working days following the meeting.

Step 4 – City Manager: If the employee is still not satisfied with the response from Step 3, the employee may submit the original complaint along with all responses to the City Manager within 5 working days of the receipt of the Step 3 answer. The City Manager will review the complaint and the responses within 5 working days following the day the complaint was received. If the City Manager determines the responses were adequate and proper, the employee will be informed in writing.

If the City Manager determines the responses in the previous steps are inadequate or improper, or if sufficient evidence does not appear on its face to warrant a response, the City Manager may investigate further.

The City Manager's decision shall be final and binding on all parties, unless the issue involves an employee suspension of more than 5 days, demotion, or dismissal where additional appeal lies with the Monroe Personnel Board for classified employees.

The Human Resources Manager may be involved in the complaint procedure at any time. An employee who is not comfortable taking a complaint to their supervisor should take the complaint to the Department/Division Head. In the case where the complaint is involving the Department/Division Head or the employee is not comfortable presenting the complaint to the Department/Division Head, the employee should see the Human Resources Manager. In some cases, the Human Resources Manager may refer the employee back to the Department Head for resolution as appropriate.

The following, additional elements apply to the entire complaint procedure:

1. Complaints not pursued to the next step of the procedure within the specified time limit or any written extension thereof, shall be considered to have been resolved based on the decision at the previous step.
2. Any complaints not answered by a City representative within the prescribed time limit or extension thereof shall be considered to have been answered in the negative and may be advanced to the next step.

Review & Questions

Questions regarding this procedure should be addressed to the Human Resources Department.

Procedure Issued on 01/01/2023



Acknowledgement of Receipt and Understanding *City of Monroe*

Complaint Procedure

I hereby acknowledge that I have received a copy of the Complaint Procedure for the City of Monroe. I further acknowledge that I have read and understand the complaint procedures. I understand the City has an open-door policy and I am encouraged to utilize the complaint procedure as necessary without fear of reprisal or retaliation.

Signature

Printed Name

Date

1-7 Corrective and Disciplinary Actions Policy

Purpose:

The purpose of this policy is to explain the principles and procedures to be applied when carrying out corrective or disciplinary actions involving employees of the City of Monroe. Managers and Supervisors at all levels are to be guided by these procedures as well as applicable procedures of the Ohio Revised Code, the Monroe City Charter and ordinances of the City of Monroe. For employees covered by a collective bargaining agreement, wherever the requirements of that agreement conflict with the provisions of this policy, the collective bargaining agreement governs, but where the collective bargaining agreement is silent or there is no conflict, these procedures apply as well.

Basic Principles of Discipline:

- A. Classified Employees: The City may discipline classified employees who have completed their initial or promotional probationary periods only for just cause. The principles underlying the concept of just cause are explained at greater length later in this policy, but this is a legal principle that protects employees from arbitrary or baseless discipline.
- B. Unclassified Employees: Unclassified employees as well as employees who are serving in an initial introductory period are employees-at-will who serve at the pleasure of the employer, and they may be disciplined or discharged for any lawful reason, or no reason at all, at any time. Employees who are serving in a promotional introductory period may similarly be demoted back to the position from which they were promoted at any time during that introductory period, with or without just cause.

Definitions:

- A. Verbal Reprimand: A face-to-face discussion between an employee and his or her supervisor, concerning employee misconduct or poor performance. A verbal reprimand is a verbal warning about an employee's misbehavior or poor performance. It should include instructions to the employee on the standards to be met or how to correct the behavior in the future. A brief memo of the discussion will be recorded, indicating the issue, the corrective action required, and the date of discussion, and a copy will be provided to the employee and Human Resources Office. A copy of the reprimand will be placed in the employee's personnel file.
- B. Written Reprimand: This is a more significant form of discipline, where an employee is admonished in writing for misbehavior or poor performance. The employee will sign for receipt of the written reprimand. An employee must sign for receipt of the reprimand, in part to protect the employee from discipline that the employee has never seen, and refusal to sign for receipt will be treated as insubordination and may result in suspension or discharge. The signed reprimand will be placed in the employee's personnel file and a copy given to the employee. The reprimand should include instructions to the employee of the standards to be met, and how to correct the behavior in the future. The written reprimand may cite previous

verbal reprimands or written reprimands relevant to the discipline in question and may also cite the possible consequences of continued misbehavior or poor performance.

- C. Suspension: A more severe form of discipline than verbal or written reprimands. It includes temporary removal from duties with loss of pay to the employee. It may include loss of employee benefits. It may only be applied for just cause and in compliance with the employee's due process rights.
- D. Demotion: The reduction of an employee to a lower classification, pay grade, or both. Classified employees who have successfully completed their promotional probationary period may only be demoted for just cause.
- E. Discharge: Also known as termination, dismissal, or removal, this means the permanent separation of an employee from the employment of the city. This is the most severe form of disciplinary action. Discharge is imposed in cases of repeated misbehavior or poor performance where prior discipline has failed to correct the employee's behavior, or in cases where the offense is of a serious nature that warrants discharge. Classified employees who have successfully completed their probationary periods may only be discharged for just cause.
- F. Probationary Discharge: The permanent separation of an employee from the employment of the city during the employee's probationary period because the employee's performance has failed to meet the City's expectations and/or needs. Employees are at will during the probationary period and may be removed during that time for any lawful reason or for no reason at all.
- G. Promotional Demotion: When an employee fails to successfully complete a promotional probationary period because the employee's performance in the new role has failed to meet the City's expectations and needs, the city may demote the employee back into his or her prior classification, without any need for just cause.
- H. Administrative Leave: A temporary and immediate suspension of an employee from his or her duties, pending some future action, such as a hearing or investigation. An administrative leave shall be without loss of pay or benefits, unless the City specifies unpaid administrative leave based on some determination of probable cause, including an arrest or criminal charges.
- I. EAP: Employee Assistance Program. A benefit provided to all City employees and their immediate families providing access to professional counseling on financial matters, emotional problems, divorce, grief counseling health disorder, substance abuse or dependency, psychological or psychiatric disorder, or stress. An employee may use the EAP voluntarily or may be referred by management in appropriate situations.
- J. Gender Inclusive: The masculine pronoun "he" and its derivatives, whenever employed herein, includes the feminine pronoun and its derivatives.

Procedures:

A. Principles to be Applied

Discipline of classified employees is based on the concept of just cause, which includes reasonable notice to employees of what is expected of them, a determination of the facts, fair and consistent application of penalties to similarly situated employees, taking into account the severity of the offense and the employee's record of service.

Employees are expected to know the common-sense expectations of any person in public service. It is the duty of all employees to become familiar with the requirements applicable to their position with the City, including City, department and division policies, Personnel Board Rules and Regulations, and personnel policies and procedures to which they are expected to adhere.

B. Disciplinary Penalties/Progression of Discipline

There are five (5) types of disciplinary penalties. They are listed below in increasing order of severity:

1. Verbal Reprimand
2. Written Reprimand
3. Suspension
4. Demotion (if applicable)
5. Discharge

Progressive discipline is based on all of the factors that go into just cause, including:

1. The particular facts of the case
2. The seriousness of the infraction
3. The employee's past disciplinary history

Disciplinary proceedings should begin as soon as practical when the facts have been determined and an appropriate judgment can be made. Discipline should generally be progressive in its application. This means that discipline imposed on an employee for repeated violations will generally progress from a lower form of discipline to a more severe form of discipline. However, the disciplinary process need not include all of the above five (5) types of disciplinary penalties depending upon the seriousness of the infraction. A suspension or discharge may be imposed for the first offense when the severity of the offense warrants such actions.

There is no intent in these principles to limit a supervisor's/manager's discretion to impose a greater, lesser, or identical degree of discipline for like or similar violations.

Format for Reprimands:

- A. **Verbal Reprimand:** A verbal reprimand is a face-to-face discussion between a supervisor and an employee, concerning misconduct or poor performance. It should clearly state the act or acts, or omissions which constitute the misconduct or poor performance. The reprimand should include instructions to the employee on the standard of performance that is expected and if necessary, may spell out what specifically is expected.

A verbal reprimand shall be documented by memo and maintained in the Personnel file in the Human Resources office. The documentation is used to record the fact that the discussion took place, the misconduct or poor performance, and the course of action expected on the part of the employee. It should include a statement that the employee was advised that continued misbehavior or poor performance of this nature will result in further disciplinary action. The Human Resources Manager shall receive a copy of all verbal reprimands issued.

Written Reprimands: A written reprimand is an admonishment for misbehavior or poor performance, reduced to writing and given to the employee. It may specifically state the incident or incidents of misconduct or poor performance. It should include instructions to the employee on the standard of performance that is expected and if necessary, may spell out what behavior is expected. It may cite any prior verbal or written reprimands that may be relevant. It should include a statement advising the employee that continued misconduct or poor performance of this nature will result in further disciplinary action, up to and including suspension from duty without pay or termination. Employees must sign for receipt of the written reprimand. Employees do not have the option to refuse to sign for receipt of a reprimand, and refusal to sign for receipt is insubordination and may result in suspension or discharge. At the employee's request, a disclaimer stating "The Employee's signature indicates receipt of but not necessarily agreement with the contents of this reprimand" may be added.

All written reprimands must have a concurring signature by the Department Head prior to issuance to the employee, and a copy shall be placed in the employee's personnel file. The Human Resources Manager shall receive a copy of all written reprimands issued.

Administrative Leave:

- A. When an employee's misconduct or poor performance indicates that the employee should be immediately removed from the workplace, an administrative leave may be imposed by the City Manager. Administrative leave with pay is not intended to be punitive in any way but is designed to preserve the status quo and protect employees, including the employee placed on leave, pending an investigation and resolution of the issue(s). The City may place conditions on the leave, such as limiting or barring access to City facilities or contact with City employees. While on administrative leave with pay, employees must remain accessible during normal work hours and available to come into City offices or facilities within a reasonably prompt period of time when notified to do so. For payroll purposes, administrative leave with pay carries the same effect as if the employee were working and on active pay status.
- B. A classified employee may only be placed on administrative leave without pay pending

resolution of a possible disciplinary issue or investigation when there has been an independent finding of probable cause, such as an arrest or the bringing of criminal charges through an indictment or information.

- C. An administrative leave is generally initiated verbally but must be confirmed in writing.

Procedure for Suspensions and Discharge/Pre-Disciplinary Hearing:

- A. A supervisor or department head proposing disciplinary action that may be at a level greater than a written reprimand must recommend this to the Assistant City Manager or Human Resources Manager, either verbally or in writing, so that the relevant parties can discuss options before proceeding. No pre-disciplinary hearing is required before issuing a verbal or written reprimand except when a classified employee may face a loss of position, rank or pay.
- B. The Assistant City Manager, Human Resources Manager or designee will determine if there is a basis to go forward with a pre-disciplinary hearing on the matter. If he or she concludes that the charges warrant a hearing, a Notice of Pre-Disciplinary Hearing will be issued to the employee in question. The notice is in writing and shall be delivered, by any means available to the offending employee with copies also going to the employee's supervisor, department head, Human Resources Manager, City Manager, and union representative, if applicable.
- C. The notice shall contain, at a minimum, the following information:
 - 1. The date, time, and place of the hearing.
 - 2. A summary of the factual basis of the charges and may respond to the charges and explain his/her actions.
 - 3. That the employee may be represented by an appropriate individual of his/her choice (i.e., attorney, union representative).

The notice shall set the hearing not earlier than one (1) business days following the date of the notice. If so requested, the employee shall sign for proof of receipt of the hearing notice and return the signed copy to the Human Resources Manager.

- D. The purpose of the hearing is to give the employee notice of the charges, an explanation of the evidence, and an opportunity to respond before the City makes a final decision. Accordingly, the employee may waive the hearing if he or she chooses. Failure to appear, by the employee or their representative, at the designated time and place will be deemed a waiver and the hearing will be conducted without them.
- E. Postponement of the hearing for a brief and reasonable period of time and for good cause may be granted at the discretion of the Hearing Officer. The Hearing Officer is not required to grant requests for postponement.
- F. The Assistant City Manager or Human Resources Manager may conduct the hearing or designate another hearing officer. While the hearing officer should not be a direct fact witness, there is no requirement to select a "neutral hearing officer" as this hearing is an initial check on mistaken decisions, not a "trial" with formal evidentiary requirements.

Conduct of the Pre-Disciplinary Hearing:

- A. The hearing should be conducted with the primary objective of hearing both parties' explanation of the events surrounding the incident. The Hearing Officer needs to hear the facts of the case.

Recommendation to the City Manager:

- A. Following the hearing, the Hearing Officer prepares a report to the City Manager. The report describes the charges, the events leading to the charges, and the facts presented in the hearing. Any written evidence or documents should be attached. At the conclusion of the report, the Hearing Officer states whether he/she does or does not recommend disciplinary action and why. If the City Manager so requests, the Hearing Officer may also recommend a specific penalty or range of penalties, but this is not required. The City Manager is not bound by any recommendation and may take whatever action the City Manager deems appropriate in light of the evidence and facts. The City Manager may, as he/she deems necessary, conduct additional inquiry into the matter, though no new charges may be brought without the employee's opportunity to respond in a second pre-disciplinary hearing.
- B. A copy of the report shall be sent to the Department Head, the Human Resources Manager, the Supervisor, the Employers Legal Representative as necessary, the employee and the employee's attorney or representative.

Notice of Suspension/Discharge:

- Notices of Suspension or Discharge are prepared by the office of the City Manager, authenticated by the City Manager, and signed for delivery to the employee.
 - A Notice of Suspension or Discharge may be hand-delivered to the affected employee or may be delivered by ordinary mail or any other reliable process, such as electronic delivery. A duplicate original or copy of the notice shall be filed with the Personnel Board.
- E. A copy of the Suspension Notice is placed in the employee's personnel file.

Probationary Discharge:

- A. Employees in a probationary status are considered at will and may be discharged at any point during the probationary period for failure to complete probation successfully, without any finding of just cause or requirement for a pre-disciplinary hearing. The determination of whether the employee has been successful during the probationary period lies solely with City management.
- B. The discharge of a probationary employee does not require progressive or any prior discipline. The discharge of a probationary employee is not subject to appeal or challenge in any form.
- C. An employee serving a promotional probationary period is considered at will and may be

demoted at any time during the probationary period back to the position from which the employee was promoted, if there is a vacancy in the employee's prior classification. If there is no vacancy, the employee may be placed in a comparable position. If a comparable position does not exist, the employee may be placed on an appropriate eligibility list or may be terminated. Such terminated employee will be placed on a recall list and will have the first opportunity to fill any vacancies which occur in the next six (6) months, for which he/she is qualified. As with probationary discharges, there is no appeal from this decision.

- D. Employees who are considered unclassified under Civil Service law and regulations are considered at will and have no specified probationary period.

Appeal:

Non-probationary employees who are classified under Civil Service law and regulations may have the right to appeal their suspension, demotion, or discharge. These rights are set forth in the appropriate collective bargaining agreement and/or the City's Personnel Board Rules and Regulations.

Employees who are unclassified under Civil Service law and regulations are considered at will and serve at the pleasure of the City Manager. As such, they are subject to discharge for any lawful reason or no reason at all, at any time. Accordingly, they have no specified probationary period and have no right to appeal any discipline administered under this policy.

The discipline of a Verbal Warning, Written Warning and a suspension of five (5) days or less shall not be appealable to the Monroe Personnel Board.

Review & Questions:

Questions on the application of this policy should be addressed to Human Resources or the Assistant City Manager.

Causes for Corrective or Disciplinary Actions:

The following is a list of examples of causes for corrective or disciplinary action. Some of the items below may result in immediate termination even on the first offense. Not all infractions will follow the steps of progressive discipline. In addition, this list is meant to be a guideline and is not all-inclusive. Examples include, but are not limited to, the following:

- Incompetency
- Inefficiency
- Dishonesty
- Conduct violating morality or common decency
- Insubordination
- Discourteous Treatment of the Public, Supervisors and/or Co-Workers
- Neglect of Duty
- Failure of Good Behavior
- Conviction of a Felony or a Serious Misdemeanor

- Misfeasance
- Malfeasance
- Non-Feasance
- Theft of Public Property
- Assault of the Public While On or Off Duty
- Misuse or Destruction of Public or Private Property
- Sexual Harassment or Bullying
- Misuse of Public Funds or Theft of Any Type
- Intoxication or Drinking of Alcohol During Duty Hours
- Reporting to Work Under the Influence of Alcohol and/or Drugs
- Improper Possession of Narcotics or Weapons During Duty Hours, or on City Premises, or in City Vehicles
- Falsification of Official Records
- Tardiness
- Poor Attendance
- Reckless Operation of City Vehicles
- Threats, Intimidation, Coercion, Harassment, Violent Behavior or Assault of Any Type
- Abuse of City Time
- Misuse of City Computers and Equipment
- Criminal Offenses During Off-Duty and On-Duty Hours
- Sleeping During Duty Hours
- Absence Without Approved Leave
- Violation of applicable collective bargaining agreements
- Violation of Ohio Revised Code and Other Division, Department, or City Policies, Rules, Regulations, Orders or Ordinances
- Failure to commence duties at the beginning of the work period or leaving work prior to the end of the work period.
- Leaving the work area or any duty without the permission of the Supervisor, Department Head, or the City Manager
- Making preparations to leave work without specific prior authorization before the lunch period, or for any official break time, or before the specified quitting time.
- Leaving post of continuous operations position prior to being relieved by employee of incoming shift.
- Neglect or carelessness in signing in or out.
- Creating or contributing to less than serious unsanitary or unsafe conditions.
- Distracting the attention of others, unnecessary shouting/demonstration, or otherwise causing disruption on the job.
- Malicious mischief, horseplay, wrestling, or other undesirable conduct, including use of

profane or abusive language.

- Use of abusive language toward other employees.
- Public use of indecent, profane, or harsh language while on duty or in uniform.
- Accepting personal rewards or presents of any kind for services rendered without the express permission of the City Manager.
- Placing any decorations or advertisements on City property without the permission of the City Manager.
- Smoking while riding in or driving City vehicles.
- Smoking in City buildings.
- Failure to cooperate with other employees as required by job duties.
- Failure to use reasonable care of City property or equipment.
- Use or possession of another employee's working equipment without authorization.
- Neglect, failure, or refusal to report a violation of the rules and regulations of the City.
- Failure to observe any City rules.
- Obligorating the City for any expense, service, or performance without authorization.
- Failure to report minor accidents, injury, or equipment damage.
- Disregarding job duties by neglect of work or reading or watching videos for pleasure during working hours.
- Unsatisfactory work or failure to maintain required standard of performance.
- Unauthorized use of telephone for other than City business purposes or failure to pay for personal long distance phone calls.
- Excessive garnishments.
- Reporting for work or working while unfit for duty
- Unauthorized use of City property or equipment.
- Willful failure to sign in or out when required.
- Failure to report for overtime work without good reason after being scheduled to work according to overtime policy.
- Willful failure to make required reports.
- Solicitation on City premises without authorization.
- Driving City vehicles or apparatus carelessly or maliciously in such a manner as to injure the vehicles or property of citizens, or any other wanton or malicious conduct whereby damage to citizens, or any property may result.
- Disorderly conduct when on or off duty having a negative effect on the city or its departments.
- Continued absence from training sessions without permission or written excuse.
- Removal or taking of any City property without the express written approval by the appropriate supervisor.
- Removal of any property from public or private property, i.e., private property on or near which City work or services are being performed or from a fire or emergency scene if

removal is not associated with or necessary for the proper investigation of a fire or emergency situation.

- Using uniform or association with the city for indirect or direct personal gain.
- No employee shall grant, approve, or countenance the use of his/her affiliation with the City by any person, firm, or corporation for the purpose of influencing the sale of any goods, merchandises, commodities, real estate, stocks, or bonds.
- Unauthorized posting or removal of notices or signs from official bulletin boards.
- Distributing or posting written or printed matter of any description on City premises unless authorized.
- Unauthorized presence on City property.
- Willful disregard of office and/or department/division rules.
- Misuse of two-way radio or related equipment, abusive language over the airways, or interference with business-related transmission.
- Improper or inappropriate use of on-line services.
- Improper taping of conversations.
- Unauthorized absence from work (except job abandonment, which is a constructive resignation and/or grounds for removal).
- Neglect or carelessness in observance of official safety rules, or disregard of common safety practices. Wanton or willful neglect carries more severe penalties.
- Wanton or willful neglect in the performance of assigned duties or in the care, use, or custody of any City property or equipment. Abusing or deliberately destroying City property, tools, or equipment, or the property of employees, in any manner.
- Signing or altering another employee's time sheet, tampering with another employee's timecard, or unauthorized altering of own timecard.
- Falsifying testimony when accidents are being investigated; falsifying or assisting in falsifying or destroying any City records, including work performance reports; giving false information or withholding pertinent information called for in making application for employment.
- Making false claims or misrepresentations in an attempt to obtain any City benefit.
- Performing private work on City time or using City property or equipment for private gain.
- Gambling during working hours.
- Stealing or similar misconduct, including destroying, damaging, or concealing any property of the City or of other employees.
- Manufacturing, distributing, possessing, or using alcohol, or controlled substances (without a properly reported prescription) in the workplace.
- Reporting for or being on duty when under the influence of alcoholic beverages or any other mind-altering chemicals.
- Fighting or attempting to injure other employees, supervisors, or persons, engaging in altercations while on duty.
- Carrying or possessing of firearms, explosives, or other weapons on City property at any time without prior authorization.

- Knowingly concealing a serious, communicable disease (such as TB), which may endanger the lives of others, or the life of the employee, if the employee remains in the workplace.
- Misusing or removing City records or information without prior authorization.
- Instigating, leading, or participating in any unlawful walkout, strike, sit down, stand-in, refusal to return to work at the scheduled time for the scheduled shift, or other unlawful concerted curtailment, restriction, or interference with work in or about the City's work stations.
- Gross or habitual carelessness resulting in injury to members, apparatus, or other property belonging to the City.
- Neglect, failure, or refusal to properly perform the assigned duties, or to respond to an emergency location.
- Immoral conduct or conduct unbecoming a responsible citizen.
- Continual violation of the rules and regulations of the City.
- Using official letterhead, envelopes, or stationary except for the transaction of official business of the City.
- Dishonesty or any dishonest action. Some examples of what is meant by “dishonesty” or “dishonest action” are: theft; pilfering; opening desks assigned to other employees without authorization; making false statements to secure an excused absence or to justify an absence or tardiness; making or causing to be made, inaccurate or false reports concerning any absence from work. The foregoing are examples only and do not limit the terms “dishonesty” or “dishonest action.”
- Committing safety violations.
- Engaging in unauthorized political activity.
- Misusing LEADS or similar system.
- The making or publishing of false, vicious, or malicious statements concerning employees, supervisors, the city, or its operations.
- Refusing to give testimony when accidents are being investigated.
- Giving false testimony during a complaint investigation or hearing.
- Use of abusive language toward supervisors.
- Unauthorized disclosure of confidential or proprietary information without proper legal authorization.

Policy Issued on 01/01/2023



Acknowledgement of Understanding

City of Monroe

Corrective and Disciplinary Actions Policy

I hereby acknowledge that I have received a copy of the Corrective and Disciplinary Actions Policy for the City of Monroe. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-8 Discrimination and Harassment Policy

The purpose of this policy is to establish clearly and unequivocally that the City of Monroe prohibits discrimination and harassment, as defined herein, and to establish a procedure for filing complaints of such actions.

Policy:

It is a violation of this policy to discriminate, in whole or in part, on the basis of race, color, religion, sex (including pregnancy), sexual orientation, national origin, ancestry, age, disability status, genetic information, gender identity or expression, military or veteran status, or any other condition or status protected by law.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state, and local laws, including Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1967 and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws. This policy is also intended to prohibit discriminatory treatment or harassment that might not rise to the level of a legal violation but that is nonetheless unacceptable in the City of Monroe.

The City of Monroe believes in human dignity and the need for mutual respect among employees and between employees and citizens. It is the policy of the City that an environment of mutual respect should be affirmed and encouraged. The city strives to maintain a workplace which is consistently non-hostile, and which fosters an affirming environment grounded in the belief of human dignity and mutual respect for each employee and all citizens.

In a culture of mutual respect, civility is ever present. People listen to each other considerately and are mannerly. All employees are expected to treat co-workers, customers, and members of the public with equality, dignity, and respect, and to behave in a professional, cooperative, and collegial manner. Mistreatment and bullying, even if not illegal or discriminatory in nature, is also prohibited by this policy.

Definitions:

Sexual Harassment is a form of sex discrimination. The Equal Employment Opportunity Commission defines sexual harassment as unwelcome sexual advances (verbal and/or physical), requests for sexual favors, and other verbal and/or physical conduct of a sexual nature when:

- Submission to such conduct is either an explicit or implicit term or condition of employment (such as a promotion, job assignment, overtime opportunity, wage increase, etc.); or
- Submission to or rejection of the conduct is used as a basis for making employment decisions; or
- Severe or pervasive conduct has the purpose or the effect of unreasonably interfering with an individual's work performance or creating a hostile or offensive work environment.

Sexual harassment may take different forms. The following examples of prohibited sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Sexual comments of a provocative or suggestive nature.
- Comments repeatedly emphasizing or criticizing the sexuality or sexual identity of an individual.
- Sexual jokes or innuendoes intended for and directed to another employee.
- Suggestive or demeaning facial expressions, looks, leering, or similar gestures.
- Persistent requests for social or sexual encounters and favors.
- Display or circulation of pictures, drawings, or other depictions of a sexually explicit, demeaning, or offensive nature.
- Unwelcome physical contact including touching, pinching, brushing the body, sexual contact, or assault.

- Conduct that creates an intimidating, hostile, or offensive working environment for persons of the opposite or same sex.
- Comments about a person's body in a sexually offensive manner.
- Comments about an individual's sexual activity, deficiencies, or prowess, or inquiries into one's sexual experiences or discussions of one's sexual activity.
- Explicit or implicit promise of reward or threats of punishment for non-cooperation with sexual conduct or advances which may affect hire, promotion, pay increase, evaluation, assignment, or continued employment.
- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.
- Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Other conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Workplace Relationships: Supervisors may not have dating or any sexual or romantic relationship with any subordinate employee in that person's chain of command, and neither the City Manager, Assistant City Manager or any employee in Human Resources may have such a relationship with any City employee. While an employee is not prohibited from dating or having a sexual or romantic relationship with another co-worker where no such position of authority exists, employees are expected to immediately cease any pursuit of or pressure on any employee who has expressed no interest in such a relationship, including terminating a previously consensual relationship. In short, "no" means no – the first time it is expressed.

Harassment Based on Other Protected Category Status: any unwelcome verbal or physical conduct may be viewed as illegal harassment if such conduct is because of any of the statutorily protected group statutes referenced in this policy and 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Harassment can be found whether the offending person is a supervisor, co-worker, or non-employee regardless of the victim's gender. The victim does not have to be the person harassed but can be anyone affected by the offensive conduct. Harassment may take different forms including verbal/written, physical and visual. The following examples of prohibited harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Profanity or off-color language in speech or writing.
- Staring, glaring or other nonverbal demonstrations of hostility.
- Personal attacks (angry outbursts, excessive use of profanity or name-calling which demeans a person).
- Refusing to address a person as that person has reasonably requested, with the intent to demean or disrespect that person's identity.
- Encouragement of others to turn against a targeted person.
- Using obscene gestures.
- Personal insults and use of offensive nicknames.
- Epithets, derogatory comments, jokes, or slurs:
- Threatening or offensive communications.
- Spreading rumors and gossip regarding individuals; or
- Unwanted physical contact, physical abuse, or threats of abuse to an individual or an individual's property (defacing a person's property).

Harassment **does not** include the conduct or actions of supervisors which are intended to provide employee counseling, discipline or correct problems through verbal warnings, written reprimands, performance evaluations or other supervisory actions to promote positive performance. Being disciplined for a legitimate, non-discriminatory

business reason, enforcement of policies, rules, and procedures, expecting employees to do their jobs and stopping behavior that is inappropriate, not work related, unprofessional, or rude is **not** harassment.

Please note that the above-referenced conduct will be addressed whether or not it meets a legal definition of unlawful “discrimination” or “harassment.”

Unlawful Discrimination – When employment decisions or other adverse actions are taken based on a “protected category” and these actions interfere with equal employment opportunities.

Protected Categories – Race, color, religion, sex (including gender, pregnancy, sexual orientation, and gender identity), national origin, ancestry, age, disability, military or veteran status, and genetic information are considered protected categories under federal law.

Complaint and Investigation Procedures:

The City of Monroe will promptly and diligently investigate charges of discrimination or harassment in accordance with the following procedures:

All complaints will be handled in a confidential manner, subject to public records disclosure requirements. Generally, information concerning a complaint will not be released to anyone who is not directly involved in the investigation (witnesses are considered to be directly involved), subject to the requirements of Ohio public records law. Anyone involved in an investigation will be advised against discussing the subject outside the investigation. To the extent possible, confidentiality will be maintained to protect the employee who files a complaint, to encourage reporting incidents of discrimination or harassment, and to protect the reputation of anyone mistakenly or wrongfully charged with discrimination or harassment, but this is always subject both to public-records laws and the due process rights of other employees.

1. Any employee who believes he or she has been the victim of, has witnessed or is aware of any discrimination or harassment, as defined herein, is REQUIRED to report the alleged act as soon as possible after the incident has occurred, preferably in writing, but this can also be a verbal report. Employees may report the concern or complaint to any member of management they are comfortable with. Chain of command does not apply when reporting alleged acts of harassment and discrimination. The manager may assist the complainant in completing a written statement or, in the event an employee refused to provide information in writing, the manager will summarize the verbal complaint in writing.
 - a. The City of Monroe is prepared to receive complaints about behavior that is perceived as unprofessional or inappropriate regardless of whether the behavior constitutes unlawful harassment or discrimination.
2. Upon receiving a complaint or being advised by a supervisor or manager that a violation of this policy may be occurring or has occurred, the HR Manager will notify senior management, as appropriate, and will begin investigating the complaint to determine whether there is a reasonable basis for believing that the alleged violation has occurred.
3. Investigation of a complaint will normally include interviewing the parties involved and any named or apparent witnesses. Employee complaints will receive a full investigation. In general, complaints will be investigated by the Human Resources Manager and/or his/her designee, though the City reserves the right to assign the investigation to someone else, including external investigators when appropriate. During the investigation, if necessary, the complainant, respondent, and/or witnesses may be separated, including through internal transfer or administrative leave.
4. All employees interviewed in an investigation are required to answer the investigator’s questions fully,

completely, and truthfully. Dishonesty or withholding requested information may result in disciplinary action, up to and including termination of employment.

5. Employees who are found to have engaged in discrimination and/or harassment in violation of this policy may be subject to appropriate disciplinary action, up to and including termination of employment, including for the first offense when warranted.
6. All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation. Any employee who engages in such retaliation may be subject to disciplinary action, up to and including termination of employment, regardless of the outcome of the investigation of the complaint.
7. Any disciplinary action taken pursuant to this policy will be implemented in accordance with the Personnel Policy Manual and/or applicable Collective Bargaining Agreement.

False Reports:

False accusations of discrimination, harassment or retaliation have the potential to destroy careers, families, and lives. An employee found to have knowingly or recklessly submitted a false accusation or to have lied in the course of any investigation may be subject to disciplinary action, up to and including termination of employment.

Retaliation:

Retaliation is adverse action taken against a person who has filed a complaint (or complained) about discrimination or harassment or some other violation of City policy. It also includes adverse action taken against a person who participated in the investigation of an alleged policy violation. The city is committed to prohibiting retaliation in any form. Any complaints of retaliation will be taken seriously, investigated promptly, kept confidential to the extent possible and corrective action will be taken if warranted

Review & Questions:

Questions on the application of this policy should be addressed to the Human Resources Manager or the Assistant City Manager.

Policy Issued on 01/01/2023



Acknowledgement of Understanding

City of Monroe

Discrimination & Harassment Policy

I hereby acknowledge that I have received a copy of the Discrimination & Harassment Policy for the City of Monroe. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-9 Drug & Alcohol-Free Workplace Policy

The City of Monroe is committed to providing a safe and productive work environment and to the elimination of drug and/or alcohol use and abuse in the workplace. This policy applies to all employees and applicants for employment of the City.

Policy:

A drug & alcohol workplace is a workplace free from the unlawful manufacture, distribution, dispensation, possession, or use of alcohol and/or controlled substances on City premises or while conducting City business. Note that the City recognizes that the 131st General Assembly of the State of Ohio Legislature has adopted House Bill 523 concerning medical marijuana; adhering to the provisions of House Bill 523, the City does not recognize medical marijuana as a prescription drug. Marijuana remains an illicit drug under this and all related City policies.

With this policy, this city hereby notifies all employees that the unlawful manufacture, distribution, dispensation, possession, or use of alcohol and/or any controlled substance on City premises and/or while conducting City business is strictly prohibited. As a condition of employment, employees agree to abide by the terms of this policy. Violations of this policy will result in disciplinary action, up to and including termination. As a further condition of employment, employees must report any criminal drug and/or alcohol statute pending charges or conviction to the Human Resources Manager immediately.

The city recognizes drug and/or alcohol dependency as a potential health, safety, and security problem. Employees needing help are encouraged to use our Employee Assistance Program (EAP). The city will assist in referrals for counseling, rehabilitation, and other assistance programs applicable. All requests for referral will be handled confidentially. Employees are expected to abide by all work rules and accepted standards of behavior on the job.

The city intends to maintain a work environment free of drugs and/or alcohol abuse and to comply with all Federal and State requirements. With this goal in mind, the City shall:

- Arrange for periodic training of all employees and supervisors, as appropriate, to assure consistent application of the City's testing program.
- Upon notification from the testing agency, arrange for notice letters to be prepared and distributed and employees scheduled for drug and/or alcohol testing.
- Maintain records of random selections, employees tested and test results.
- Maintain liaison with substance abuse professional, Employee Assistance Program and testing agency.
- Arrange appropriate education for all employees. New employees will receive information at time of hire. Follow up training will be conducted as determined to be appropriate.
- All City supervisors will be training to properly carry out the Drug & Alcohol-Free Workplace Policy
- As part of the Drug & Alcohol-Free Workplace Policy the City conducts drug and alcohol testing. This testing is explained in the Alcohol and Drug Testing Policy and Commercial Driver's License Alcohol and Drug Testing Policy.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023



Acknowledgement of Understanding

City of Monroe

Drug & Alcohol-Free Workplace Policy

I hereby acknowledge that I have received a copy of the Drug & Alcohol-Free Workplace Policy for the City of Monroe. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-10 Equal Employment Opportunity (EEO) & Americans with Disabilities Act (ADA)

Policy:

Equal Employment Opportunity (EEO):

The City of Monroe is an Equal Employment Opportunity (EEO) employer. EEO is defined as fair treatment in employment, promotion, training, and other personnel actions without regard to race, color, religion, sex (including pregnancy, gender identity and sexual orientation), age, national origin, disability, or genetic information.

All employment practices, including, but not limited to hiring, promotions, transfers, separations, layoffs, compensation, and training are administered without regard to race, color, religion, sex, age, national origin, disability, or genetic information.

Americans with Disabilities Act (ADA):

The City of Monroe complies with the Americans with Disabilities Act that prohibits discrimination against individuals with disabilities in all areas of public life, including employment. Title I of the Americans with Disabilities Act is designed to help people with disabilities access the same employment opportunities and benefits available to people without disabilities. As part of the ADA, employers must provide reasonable accommodations to qualified applicants or employees. A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable an applicant or employee with a disability to participate in the application process or to perform the essential job functions, barring undue hardship on the employer.

Employees are encouraged to bring appropriate accommodation requests to the attention of the Human Resources Manager. If an employee feels he/she has been discriminated against on the job, the employee shall file the complaint with the Human Resources Manager or Assistant City Manager. The employee also has the right to file discrimination complaints with the Ohio Civil Rights Commission and the Federal Equal Employment Opportunity Commission (EEOC).

The city encourages reporting of all perceived incidents of discrimination. It is the City's policy to investigate such reports promptly and thoroughly. The city prohibits retaliation of any kind against any individual who files a charge of discrimination or participates in an investigation.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-11 Employment of Relatives/Family Members

Policy:

The City of Monroe is committed to a policy of employment and advancement based on qualifications and merit and does not discriminate in favor of or in opposition to the employment of relatives.

The City's goal is to not create situations such as conflict of interest or favoritism. This extends to practices and decisions involving hiring, retention, transfer, promotion, wages and leave requests. Family members are not permitted to be in positions that have a reporting responsibility to each other.

"Family member" is defined as one of the following: spouse or significant other, domestic partner, those in a dating relationship or members of the same household, parent/step parent, sibling (including step siblings), children (including step-children, foster children and adopted children), grandparents, grandchildren, uncle, aunt, nephew, niece, cousins, in-laws (father, mother, son, daughter, brother, sister – including step), step relatives and domestic partner relatives.

Individuals will not be hired or promoted into a position that would create a conflict in violation of this policy. If employees begin a dating relationship or become family members as defined above, the employee(s) are required to inform the Department Director and Human Resources Manager of the relationship. The Human Resources Manager, along with the Department Director and Assistant City Manager will evaluate the situation and determine the appropriate course of action.

The City reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if no direct reporting relationship or authority is involved.

This policy applies to all current employees and candidates for employment.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-12 Exempt Salaried Employee Pay

Policy:

- A. **Salary Basis Requirements:** The city intends to compensate its exempt status employees accurately and legally. The city prohibits its management staff from making any improper deductions from exempt employees' salaries. If the City classifies you as an exempt salaried employee, you are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and are paid a predetermined salary amount for any work performed in a work week. Job titles do not determine exempt or salary status. Being paid on a "salary basis" means you regularly receive a predetermined amount of compensation each applicable pay period and that amount cannot be reduced because of variation in the quality or quantity of your work. Exempt employees do not need to be paid for any full work week in which they perform no work
- B. **Permissible Pay Deductions:** Subject to certain exceptions listed below, an exempt employee must receive his full salary for any work week in which he performs any work, regardless of the number of days or hours worked. Under applicable federal and state law, however, your salary can be reduced for the following reasons:
1. Full day absences from work for personal reasons (other than sickness or disability).
 2. Full day absences from work due to sickness or disability pursuant to a bona fide policy of providing compensation for salary lost due to illness.
 3. To offset amounts received as jury or witness fees or military pay.
 4. Unpaid disciplinary suspensions for one or more full days for violations of the City's written workplace conduct policies (See the City's Discipline Policy).
 5. Penalties imposed for infractions of safety rules of major significance (in partial or full day increments).
 6. For the first or last week of employment if you work less than a full work week; and
 7. Deductions for applicable unpaid leave taken under the FMLA (covering full or partial day absences).
- C. The city also may take certain other deductions from your salary such as local, state and federal taxes, social security and FICA taxes, any applicable fringe benefit plan that requires an employee contribution for participation, court-ordered deductions (garnishments and child support), or any other reasons where you have authorized the deduction, in writing, and the city has approved it. Additionally, it is not an improper deduction to reduce your unused and applicable vacation, personal days, or sick hours for full or partial day absences for personal or medical reasons. As a public sector employer, the city may, if it deems necessary, reduce an exempt employee's pay in less than full day increments when an exempt employee: 1) did not seek permission for the absence or such permission was denied; 2) all applicable vacation, sick,

personal, and/or compensatory hours have been exhausted; or 3) chooses to use leave without pay.

Reporting Questions or Concerns: While the City strives to pay our employees correctly, sometimes mistakes can occur. Therefore, if you have questions or concerns about any deduction from your salary, immediately contact the Assistant City Manager without fear of reprisal. Retaliation will not be tolerated.

Employee concerns will be promptly investigated. If it is determined that an improper deduction took place, you will be promptly reimbursed by the next applicable pay period. The City will not tolerate retaliation against individuals who report alleged violations of this policy or who cooperate in any ensuing investigation. Corrective action will be taken against any employee who violates this policy.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-13 Family and Medical Leave Act (FMLA) Policy

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). The purpose of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. The City will not interfere with, restrain, or deny the exercise of any right provided by the FMLA. This policy statement is to set forth the conditions under which employees may apply for and be granted leaves of absence for family and medical reasons.

Eligibility

To be eligible for leave under this policy, employees must meet **all** of the following requirements:

- Have worked at least twelve (12) months for the City of Monroe.
- Have worked at least 1,250 hours over the twelve (12) months preceding the date the leave would commence.
- Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.
- Have not exhausted his/her 12-week allotment of FMLA leave in the preceding rolling 12-month period.

The 12 months of employment do not have to be consecutive. All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

Employee Spouses

For the purposes of this Policy, spouses both working for the City of Monroe are considered one person and may therefore take a combined total of 12 weeks of leave between them for the birth, care after birth or placement of a child or care after placement, or for the care of the employee's parent with a serious health condition. Where the employee spouses both use a portion of the total 12 workweek FMLA leave entitlement for the reasons listed in this paragraph, each employee spouse may use the difference between the amount he/she has taken individually and the 12 workweeks of FMLA leave for other applicable reasons.

The aggregate number of workweeks of leave to which employee spouses may be entitled for covered military leave is limited to 26 workweeks during the single 12-month period if the leave is for covered service member leave or a combination of covered service member leave and any other FMLA qualifying leave.

Reasons for Leave

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12 workweeks may be used as one continuous block of time or as intermittent leave. The city uses a 12-month rolling period to calculate FMLA. To qualify as FMLA leave under this policy, the leave must be for any one, or for a combination, of the following reasons:

- The birth of a child or placement of a child with the employee for adoption or foster care.

- To care for a spouse, child or parent who has a serious health condition.
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job. This includes any period of incapacity due to pregnancy, prenatal medical care, or childbirth.
- For any qualifying exigency arising out of the fact that a spouse, child, or parent is a military member on covered active duty or on call to covered active-duty status.
- To care for a covered service member with a serious injury or illness (Military Caregiver Leave). This reason alone allows the employee additional time off above the 12-workweek entitlement.

A “serious health” condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing one or more of the essential functions of the employee’s job or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a healthcare provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Military Family Leave

The military family leave provisions of the FMLA entitle eligible employees of covered employers to take FMLA for any “qualifying exigency” arising from the foreign deployment of the employee’s spouse, son, daughter, or parent with the Armed Forces.

Qualifying Exigency Leave

If eligible, an employee may be granted up to 12 workweeks of unpaid, job-protected leave during any 12-month period for qualifying exigencies that arise when the employee’s spouse, son, daughter, or parent is on covered active duty or has been notified of an impending call or order to covered active duty.

- For members of the Regular Armed Forces, covered active duty is duty during deployment of the member with the Armed Forces to a foreign country.
- For members of the Reserve components of the Armed Forces (members of the National Guard and Reserves), covered active duty is duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation.
- 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 United States. It also includes deployment to international waters.

“Qualifying exigencies” may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Military Caregiver Leave

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember is entitled to up to 26 weeks of unpaid leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single 12-month period and, when combined with other FMLA qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A covered servicemember is either: **1.)** a current member of the Armed Forces (including a member of the National Guard or Reserves) 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 **2.)** a veteran of the Armed Forces (including the National Guard or Reserves) discharged within the five-year period before the family member first takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness. A veteran who was dishonorably discharged does not meet the FMLA definition of a covered servicemember.

For a current servicemember, a serious injury or illness is one that may render the servicemember medically unfit to perform his or her military duties. For a veteran, a serious injury or illness is one that rendered the veteran medically unfit to perform his or her military duties, or an injury or illness that qualifies the veteran for certain benefits from the Department of Veterans Affairs or substantially impairs the veteran's ability to work. For veterans, it includes injuries or illnesses that were incurred or aggravated during military service but that did not manifest until after the veteran left active duty.

Guidelines

Requesting FMLA – Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMA leave when the need is foreseeable and such notice is practicable. If leave is not foreseeable, the employee must provide notice as soon as practicable. The need for leave may be communicated to the Human Resources Department. If the employee communicates the need for leave to their supervisor or Department Head, that individual is responsible to notify Human Resources. The employee must comply with the call-in procedures in place for the employees Department/Division.

The Human Resources Department will discuss the need for leave with the employee and provide the employee with the appropriate certification form(s). Certification forms must be completed by a healthcare provider and need to be returned to Human Resources within 15 calendar days from receipt. The City shall inform the employee if a submitted certification form is incomplete or insufficient and will provide the employee with at least seven (7) calendar days to remedy the deficiencies.

Upon receipt of completed certification, the City will decide whether the leave will be designated as FMLA-protected leave and the amount of leave counted against his/her 12 workweek (or 26 workweek) entitlement. Human Resources will notify the employee of the designation decision. Failure to timely return a completed certification form or failure to remedy deficiencies will result in denial of FMLA leave.

The City may require additional medical documentation, if necessary, in order to determine FMLA eligibility. A second opinion from an independent healthcare provider, selected and paid for by the city, may also be required. If said second opinion differs from that of the initial healthcare provider, the city

may require a third opinion from a healthcare provider jointly selected by the city and the employee. The city will pay for the third opinion. The opinion of the third provider shall be binding on the City and the employee. The City may also require the employee to obtain subsequent re-certifications during a leave but not more often than every thirty (30) days, except under certain circumstances provided in the Family and Medical Leave Act.

In the case of an extended leave, the employee must maintain regular contact with his/her immediate supervisor and advise of any changes in the leave. The employee is expected to advise the immediate supervisor of his/her intention to return to work and the expected date of return. An employee who decides not to return to work shall advise the Human Resources Department as soon as possible.

If an employee requests leave and the City determines that the employee is not eligible, he/she will be provided the reason(s) why.

Calculation of Available Leave Time – The City calculates available leave time for any employee placed on FMLA by first determining how much FMLA the employee has taken in the immediately preceding 12 months, then subtracting that time from the maximum allowable 12 workweeks. In other words, the employee may use no more than 12 workweeks of FMLA leave in any 12-month period. The City reserves the right to designate an employee's absence as FMLA in accordance with the provision of the law, including leave of absence for work-related injury.

Pay During Leave – An employee must exhaust all unused and applicable paid time off (vacation, sick, personal days, compensatory time) while on FMLA. The paid time off is included in calculating the 12-workweek limit on family and medical leave. FMLA leave will also run concurrently with applicable workers compensation absences. Upon exhaustion of all paid time off, the employee may go into non-pay status for the remainder of the 12 workweeks, assuming the employee had less than 12 weeks of paid time off available. All leave under FMLA, whether paid or unpaid, is charged concurrently under any applicable short-term and/or long-term disability pay policy.

Status of Benefits During Leave – During any leave for which paid time off is being used by the employee, benefits continue as usual. Use of FMLA leave will not result in the loss of any employment benefit accrued prior to the start of an eligible employee's FMLA leave. Employee premium contributions will be deducted from the employee's paycheck as usual. During any unpaid portion of leave,

During any unpaid portion of leave, the employee must continue to pay the same premium contribution as he/she would through payroll deduction. Failure by the employee to pay their portion of the premiums may result in termination of coverage.

No Work While on Leave – Working another job while on family/medical leave or any other authorized leave of absence is grounds for immediate termination. The FMLA does not protect employees who fraudulently obtain FMLA leave.

Medical Recertification – Depending on the circumstances and duration of FMLA leave, the City may require employees to provide recertification of medical conditions giving rise to the need for leave. The city will notify employees if recertification is required and will give employee at least 15 calendar day to provide medical recertification.

Intermittent Leave or Reduced Work Schedule – If an employee can take care of family/medical obligations without complete absence from work (i.e., needing two afternoons a week for therapy or for transporting a parent or child to therapy), the employee should talk first with his/her supervisor then with Human Resources to discuss suitable arrangements. Employees should make every effort to schedule

intermittent leave around business demands. The city may request an employee modify scheduled intermittent leave based on business demands.

The Family Medical Leave Act permits intermittent or reduced work schedule leave but also recognizes that the employer may have to transfer the employee to a different assignment in order to make such intermittent leave possible. Such schedules, if needed, must be evolved on an individual basis. The maximum amount of time off under this circumstance is the equivalent of 12 workweeks (in a 12-month rolling period) prorated to the employee's normal schedule.

Return from FMLA Leave – Unless notified that providing such certification is not necessary, an employee returning to work from FMLA leave that was taken because of his/her own serious health condition that made him/her job, must provide the City medical certification confirming that he/she is able to return to work and that the employee is able to perform the essential functions of his/her position, with or without reasonable accommodation. Failure to provide return to work/fitness for duty certification will result in delay or denial of job restoration and could result in termination.

Upon return from FMLA leave, the employee will be restored to his/her current or equivalent position with equivalent pay, benefits and other terms and conditions of employment. The employee's right to reinstatement may also be affected if he/she is determined to be a "key employee" as defined by the FMLA. The employee will be notified of that designation when he/she requests FMLA leave or when leave begins, if earlier.

Certification Supporting the Need for Military Family Leave – When an employee seeks leave due to a qualifying exigency arising out of the active-duty or call-to-active-duty status of a covered servicemember, the City may require the employee to provide: 1.) a copy of the servicemember's active-duty orders or other documentation issued by the military which indicates the servicemember is on active-duty or call-to-active-duty status and details the dates of the servicemember's active-duty service; and 2.) a certification from the employee detailing the nature of the qualifying exigency for which they are requesting leave. The employee shall provide a copy of new active-duty orders or other documentation issued by the military for each leave requested for exigency purposes.

When leave is taken to care for a covered servicemember with a serious injury or illness, the city may require the employee to obtain certification by the servicemember's authorized healthcare provider. In addition, in order to confirm entitlement to such leave, the city may request that the certification provide additional information from the employee and/or the covered servicemember.

Notice of Rights – A poster advising employees of their rights under the Family and Medical Leave Act of 1993 is posted in each building, department, or division as appropriate. The notice is also attached to this policy.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-14 Immigration Control and Form I-9

It shall be the policy of the City of Monroe to comply with the Immigration Reform and Control Act of 1986 by verifying employment eligibility of U.S. citizens and eligible aliens.

Policy:

All new employees hired after November 6, 1986, are required to complete an Employment Eligibility Verification Form I-9. Employees must complete and sign Section 1 of Form I-9 no later than their first day of employment. Employees may complete form I-9 either on the first day of employment or before the first day of employment if the job offer has been accepted. If another person or a translator assists in the completion of Section I, that person shall complete the Preparer and/or Translator Certification in Section I. Employees must sign the form even if a preparer or translator helps them.

Newly hired employees will be provided with complete instructions to the form and the List of Acceptable Documents that can be submitted to prove identity and work authorization eligibility. The employee can present one item from List A alone or one item from List B AND one item from List C combined. Verifying documentation must be submitted to the employer within three business days with the first day of employment being day one.

Section II of the form shall be completed by the employer or the employer's representative. Section II must be completed by the end of the third business day, or within 72 hours after employment commences, even if the employee is not scheduled to work for some or all that period. Before signing in Section II, the employer or the employer's representative must actually examine the identity and eligibility documents submitted by the employee.

If there is any doubt as to the authenticity, accuracy or validity of the documents presented, the matter should be referred to the City Manager's Office for review and further action.

Documents presented for identification and eligibility verification will be photocopied. The photocopy shall be retained in the employee's confidential personnel file.

Failure of new employees to complete the Form I-9 and/or submit verifying documentation within the time limits may be grounds for disciplinary action, up to and including immediate termination.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023



Employment Eligibility Verification
Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No. 1615-0047
Expires 10/31/2022

► **START HERE:** Read instructions carefully before completing this form. The instructions must be available, either in paper or electronically, during completion of this form. Employers are liable for errors in the completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Attestation *(Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)*

Last Name (Family Name)		First Name (Given Name)		Middle Initial	Other Last Names Used (if any)	
Address (Street Number and Name)		Apt. Number	City or Town		State	ZIP Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number [][][] - [][] - [][][][]		Employee's E-mail Address		Employee's Telephone Number	

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following boxes):

☐ 1. A citizen of the United States	
☐ 2. A noncitizen national of the United States <i>(See instructions)</i>	
☐ 3. A lawful permanent resident (Alien Registration Number/USCIS Number): _____	
☐ 4. An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy): _____ Some aliens may write "N/A" in the expiration date field. <i>(See instructions)</i>	
<i>Aliens authorized to work must provide only one of the following document numbers to complete Form I-9: An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number.</i> 1. Alien Registration Number/USCIS Number: _____ OR 2. Form I-94 Admission Number: _____ OR 3. Foreign Passport Number: _____ Country of Issuance: _____	QR Code - Section 1 Do Not Write In This Space

Signature of Employee	Today's Date (mm/dd/yyyy)
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Preparer and/or Translator Certification (check one):

☐ I did not use a preparer or translator. ☐ A preparer(s) and/or translator(s) assisted the employee in completing Section 1.
(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)

I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator		Today's Date (mm/dd/yyyy)	
Last Name (Family Name)		First Name (Given Name)	
Address (Street Number and Name)		City or Town	State ZIP Code



Employer Completes Next Page





Employment Eligibility Verification
Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No. 1615-0047
Expires 10/31/2022

Section 2. Employer or Authorized Representative Review and Verification

(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")

Employee Info from Section 1	Last Name (Family Name)	First Name (Given Name)	M.I.	Citizenship/Immigration Status
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List A Identity and Employment Authorization	OR	List B Identity	AND	List C Employment Authorization
Document Title		Document Title		Document Title
Issuing Authority		Issuing Authority		Issuing Authority
Document Number		Document Number		Document Number
Expiration Date (if any) (mm/dd/yyyy)		Expiration Date (if any) (mm/dd/yyyy)		Expiration Date (if any) (mm/dd/yyyy)
Document Title		Additional Information QR Code - Sections 2 & 3 Do Not Write In This Space		
Issuing Authority				
Document Number				
Expiration Date (if any) (mm/dd/yyyy)				
Document Title				
Issuing Authority				
Document Number				
Expiration Date (if any) (mm/dd/yyyy)				

Certification: I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

The employee's first day of employment (mm/dd/yyyy): _____ (See instructions for exemptions)

Signature of Employer or Authorized Representative	Today's Date (mm/dd/yyyy)	Title of Employer or Authorized Representative		
Last Name of Employer or Authorized Representative	First Name of Employer or Authorized Representative	Employer's Business or Organization Name		
Employer's Business or Organization Address (Street Number and Name)		City or Town	State	ZIP Code

Section 3. Reverification and Rehires (To be completed and signed by employer or authorized representative.)

A. New Name (if applicable)			B. Date of Rehire (if applicable)	
Last Name (Family Name)	First Name (Given Name)	Middle Initial	Date (mm/dd/yyyy)	

C. If the employee's previous grant of employment authorization has expired, provide the information for the document or receipt that establishes continuing employment authorization in the space provided below.

Document Title	Document Number	Expiration Date (if any) (mm/dd/yyyy)
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I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative	Today's Date (mm/dd/yyyy)	Name of Employer or Authorized Representative
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LISTS OF ACCEPTABLE DOCUMENTS

All documents must be UNEXPIRED

Employees may present one selection from List A
or a combination of one selection from List B and one selection from List C.

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card 2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551) 3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa 4. Employment Authorization Document that contains a photograph (Form I-766) 5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status: a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: (1) The same name as the passport; and (2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form. 6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address 2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address 3. School ID card with a photograph 4. Voter's registration card 5. U.S. Military card or draft record 6. Military dependent's ID card 7. U.S. Coast Guard Merchant Mariner Card 8. Native American tribal document 9. Driver's license issued by a Canadian government authority For persons under age 18 who are unable to present a document listed above: 10. School record or report card 11. Clinic, doctor, or hospital record 12. Day-care or nursery school record	1. A Social Security Account Number card, unless the card includes one of the following restrictions: (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION 2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240) 3. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal 4. Native American tribal document 5. U.S. Citizen ID Card (Form I-197) 6. Identification Card for Use of Resident Citizen in the United States (Form I-179) 7. Employment authorization document issued by the Department of Homeland Security

Examples of many of these documents appear in the Handbook for Employers (M-274).

Refer to the instructions for more information about acceptable receipts.

1-15 Funeral Leave Policy

Any regular full-time employee may request and be granted usage of funeral leave, upon approval of the Department Head or designee, for a maximum of five (5) days in the event of a death of an immediate family member. For purposes of this policy, the "immediate family" is defined as "mother, father, mother-in-law, father-in-law, child (including step-child), spouse (including a domestic partner), grandparents, siblings, grandchildren, stepparents, stepchildren, step siblings, or legal guardian or other person who stands in place of the employee's parent.

Any regular full-time employee may be granted usage of funeral leave, upon approval of the Department Head or designee, for a maximum of three (3) days in the event of a death of the following family members: brother-in-law, sister-in-law, daughter-in-law, son-in-law, spouses' grandparents, aunt, or uncle.

One (1) day of funeral leave may be granted by the Department Head or designee for the death of any legal relative or member of the employee's household other than those listed above.

Additional days off may be granted by the Department Head or designee to the days provided above. Additional days approved shall be deducted from the employee's sick leave balance. If the employee does not have a sufficient sick leave balance to cover the additional days off, use of vacation or personal time may be approved by the Department Head or designee.

When an employee is on pre-approved scheduled leave and has a death in the family that falls within the scope of this policy, the employee may be permitted to change the pre-approved leave to funeral leave. If approved, the paid time off (PTO) previously scheduled will be credited back to the employees PTO bank.

Employees may be required to submit proof of death, such as an obituary, to receive paid funeral leave in accordance with this policy.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-16 Job Classifications & Employee Status

Policy:

In accordance with federal law and the rules of the Monroe Personnel Board, the City categorizes its jobs using the following definitions:

Fair Labor Standards Act (FLSA) Classifications

Employees whose jobs are governed by the FLSA are either “exempt” or “nonexempt.”

Exempt: An exempt job, as stipulated in the FLSA, is exempt from the provisions of that law which requires the payment of premium pay for hours worked in excess of 40 per week. Generally, the term “exempt” refers to set position exempt from overtime pay. These positions are paid on a salaried basis.

Non-Exempt: Under the FLSA, employees in a non-exempt job must be paid an overtime premium rate for hours worked in excess of 40 per week. Because of their varying work schedule, law enforcement and firefighters have different hourly limitations; however, their jobs are still considered non-exempt. Generally, the term “non-exempt” refers to positions paid on an hourly basis.

Job Classification

Classified: Jobs in the Classified service of the City are those which are covered by the rules of the Monroe Personnel Board. These positions require a competitive examination to determine the fitness of applicants. Appointments to all position in the classified service shall be in accordance with the Personnel Board Rules and Regulations.

Unclassified: Jobs in the “unclassified” service are those excluded from the rules of the Personnel Board. A competitive examination is not required for an applicant to receive appointment to that vacant position. Many of these positions are documented in the City Charter and/or City ordinance. Unclassified employees are considered at-will-employees, meaning that either the city or the employee may terminate the employment relationship at any time, for any reason, with or without cause.

Employee Status Definitions

All jobs in the City of Monroe will be classified per the rules of the FLSA and will be listed as classified or unclassified. In addition, all employees shall be categorized as one of the following:

1. Full-time employee means an employee who works 32 hours per week on a regularly scheduled basis or the standard full-time workweek as designated by the Appointing Authority.
2. Part-time employee means an employee who works less than 32 hours per week or less than full-time as designated by the Appointing Authority, but on a regularly scheduled basis.
3. Temporary employee means an employee who works in a position that has a specified duration of time.

4. Probationary employee means a classified employee serving the first 12 months of his/her appointment, promotion, re-employment, or reinstatement to any non-temporary position. An employee's probationary period may be extended for a reasonable amount of time if it is determined that an extended period of observation and evaluation would be in the best interest of the city. In addition, an employee missing work for more than 15 days, whether in one lump sum or accumulated over time, may have their probationary period extended by the number of days missed. During the probationary period, classified employees are considered at-will employees, meaning that either the city or the employee may terminate the employment relationship at any time, for any reason, with or without cause. Upon completion of the probationary period, a classified employee can only be terminated for cause.
5. *Seasonal employee* means an employee who works on the academic program year, or who works on a recurring, but temporary basis annually.
6. *Student employee* means a person employed to work in a non-professional position requiring little or no experience. The person must be a student at an educational institution; however, their assigned position need not be directly related to the content or level of the person's education.
7. *Provisional employee* means an employee who has temporarily filled a classified position because the Personnel Board cannot certify a list of persons eligible for appointment from a competitive examination.
8. *Interim employee* means an employee hired to fill a vacancy in a classified position created by the long-term absence of a regular employee for the period of the absence or until an examination can be held. Interim appointees will be notified that their appointment shall cease upon the return of the regular employee for whom the interim employee is working, or the position is filled through the examination process.
9. *Executive level* means an employee holding the position of Assistant City Manager, Finance Director, Public Works Director, Fire Chief, Police Chief or Development Director.

The job description is the foundation document for the City's Job Classification system. The job description indicates whether the job is exempt or not, whether the job is classified or not; the position title; a description of duties, responsibilities, requirement, qualifications, and the essential functions of the position. Position descriptions are critical to the mission of the city because they form the basis for performance appraisals of each employee. The job description defines what an employee is responsible for, and the performance appraisal describes how well the employee fulfills those responsibilities.

A copy of all job description is available from the Human Resources Department.

Most of the non-exempt Classified positions are covered by a collective bargaining agreement with one of the labor unions that represent City employees. Those unions and the employees they represent are as follows:

Ohio Patrolmen's Benevolent Association (OPBA): Represents Patrol Officer, Police Sergeants, and Police Lieutenants.

International Association of Firefighters Local #3824 (IAFF): Represents Firefighters/Paramedics, Fire Lieutenants, EMS Coordinator and Battalion Chiefs.

International Brotherhood of Teamsters: Represents Operator/Laborers and Crew Leaders in the Public Works Department.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-17 Leave of Absence Procedure

Procedure Covering the Following:

- **Leave of Absence Without Pay**
- **Leave of Absence for Employees Not Eligible for FMLA Leave**
- **Ohio Military Family Leave Act**
- **Leave of Absence for Employees Called into Military Service**
- **Paid Military Leave for Permanent Public Employees**
- **General Leave of Absence Provisions**

Leave of Absence Without Pay

After all available leave has been exhausted, and upon written application to the City Manager, leaves of absence or renewals thereof without pay may be granted by the City, at its discretion. The written request must include the reason for the leave, and the expected start and end dates. If the leave is health-related, the employee must include a statement from a physician attesting to the need for leave.

Approved leave without pay means that time previously worked for the city (prior to leave without pay beginning) is not lost in computation of length of service and the benefits dependent thereon. Time spent on leave without pay will not be credited toward the calculation of any applicable paid time off. In addition, an employee on approved leave without pay will not be eligible for any holiday pay falling within the unpaid leave period.

Employees are required to pay all applicable insurance premiums while on leave without pay. Failure to pay the applicable premiums may result in termination of coverage.

The appropriate bargaining unit may establish other rules relative to Leave Without Pay. Please refer to your labor contract for additional details.

Leave of Absence for Employees Not Eligible for FMLA Leave

The City of Monroe will consider an employee's request for medical or caregiver/parental leave of absence, where the employee does not qualify for protection under the Family and Medical Leave Act (FMLA).

Eligible employees may request non-FMLA leave if:

- They do not meet the FMLA eligibility requirements due to years of service, number of hours worked in the preceding 12 months, or they have exhausted their twelve-week FMLA entitlement, and
- The leave requested is due to personal medical or family medical, caregiver, or parental needs.

Leave of absence for family medical, caregiver or parental needs shall only cover an employee's spouse, child, or parent (not parent-in-law).

To receive approval, the employee shall submit all required documentation that supports the need for the leave. The city may refer an employee to a healthcare provider of its choice to obtain information concerning a period of absence. If granted, the initial leave of absence, which, under certain extenuating circumstances may be requested verbally but then must be reduced to writing. The duration of the leave of absence and any renewals shall be specifically stated in the request and in the granting of the leave. When the leave is foreseeable, employees are required to request the leave at least 30 days in advance.

An approved leave of absence due to a personal medical or family medical, caregiver or parental needs may be granted for a total continuous period or periods of up to 12 workweeks in a rolling 12-month period measured forward from the first date of absence for the applicable leave. Unless otherwise prohibited by law, failure of an employee to return to work at the conclusion of the leave of absence will result in termination of employment. If the leave was for an employee's own health condition, the employee will be required to provide a fitness for duty certification confirming that the employee is able to return to work and perform the essential functions of the job, with or without a reasonable accommodation or only can return to work with certain suggested job limitations and/or restrictions.

All requests shall be submitted to the Human Resources Department. Requests will be reviewed on an individual basis, in consideration of job requirements, departmental needs and resources. Requests for such leave does not guarantee that it will be approved.

If the leave will be unpaid, the Human Resources Department will forward the request to the City Manager for approval. Employees are required to pay all applicable insurance premiums while on leave without pay. Failure to pay the applicable premiums may result in termination of coverage.

Ohio Military Family Leave Act

The Ohio Military Family Leave Act provides two weeks of unpaid leave for an employee who is the spouse, parent, or a person who has or had custody of a member of the uniformed services when that member is deployed or injured. Under the Act, employees may take leave up to 10 days or 80 hours (whichever is less) once per calendar year. To do so, the employee must satisfy the following conditions:

1. **Length of Employment:** the employee must be employed by the employer at least 12 consecutive months and for at least 1,250 hours in the 12 months immediately preceding commencement of the leave.
2. **Family Relationship:** The employee must be the parent, spouse, or a person who has or had legal custody of a person who is a member of the uniformed services when that member is called for active duty longer than 30 days or is injured while serving on active duty.
3. **Notice:** The employee must provide 14 days' notice of intended leave for active-duty deployment or two days' notice of intended leave for injuries. No notice is required for leave taken because of critical or life-threatening injuries.
4. **Time Frame:** Leave must be taken on more than two weeks prior to or one week after the date of deployment.
5. **Exhaustion of Other Leave:** The employee must exhaust all available forms of leave, except sick leave or disability leave.

Eligible employees will be required to provide certification from the appropriate military authority to support the leave request. Eligible employees will continue to receive applicable benefits (other than

salary or wages) during the leave. While on leave, the employee will be required to pay any applicable insurance premiums. Failure to pay the applicable premiums may result in termination of coverage.

After the leave, the eligible employee will be restored to his/her position or one with equivalent seniority, benefits, pay and other terms and conditions. Eligible employees may utilize the Ohio Military Family Leave Act without interference or fear of retaliation.

Leave of Absence for Employees Called into Military Service

The City will grant employees called into military service an unpaid leave of absence and reemployment rights as provided by the laws of the United States and the State of Ohio, including but not limited to the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended. Employees may use accrued paid time off during a military leave of absence but are not required to do so. The city will require the employee to provide satisfactory evidence of his or her actual performance of military service.

Ohio Revised Code 5923.05

Paid Military Leave for Permanent Public Employees

(A)(1) Permanent public employees who are members of the Ohio organized militia or members of other reserve components of the armed forces of the United States, including the Ohio national guard, are entitled to a leave of absence from their respective positions without loss of pay for the time they are performing service in the uniformed services, for periods of up to one month, for each federal fiscal year in which they are performing service in the uniformed services.

(2) As used in this section:

(a) "Federal fiscal year" means the year beginning on the first day of October and ending on the thirtieth day of September.

(b) "Month" means twenty-two eight-hour workdays or one hundred seventy-six hours (176 hours), or for a public safety employee, seventeen twenty-four-hour days or four hundred eight hours (408 hours), within one federal fiscal year.

(c) "Permanent public employee" means any person holding a position in public employment that requires working a regular schedule of twenty-six consecutive biweekly pay periods, or any other regular schedule of comparable consecutive pay periods, which is not limited to a specific season or duration. "Permanent public employee" does not include student help; intermittent, seasonal, or external interim employees; or individuals covered by personal services contracts.

(d) "State agency" means any department, bureau, board, commission, office, or other organized body established by the constitution or laws of this state for the exercise of any function of state government, the general assembly, all legislative agencies, the supreme court, the court of claims, and the state-supported institutions of higher education.

(e) "Service in the uniformed services" means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time national guard duty, and performance of duty or training by a member of the Ohio organized militia pursuant to Chapter 5923. of the Revised Code. "Service in the uniformed services" includes also the period of time for which a person

is absent from a position of public or private employment for the purpose of an examination to determine the fitness of the person to perform any duty described in this division.

(f) "Uniformed services" means the armed forces, the Ohio organized militia when engaged in active duty for training, inactive duty training, or full-time national guard duty, the commissioned corps of the public health service, and any other category of persons designated by the president of the United States in time of war or emergency.

(g) "Public safety employee" means a permanent public employee who is employed as a fire fighter or emergency medical technician.

Please refer to section 5923.05 of the Ohio Revised Code for additional guidelines. Eligible employees will be required to provide certification from the appropriate military authority to support the leave request. Eligible employees will continue to receive applicable benefits during the leave.

General Leave of Absence Provisions

- Unless otherwise prohibited by law, there shall be no obligation on the City's part to provide work for an employee prior to the expiration of that employee's leave of absence.
- Unless otherwise prohibited by law, failure of an employee to return to work at the conclusion of the leave of absence will result in termination of employment.
- Misrepresentation or omission of facts to obtain a leave of absence or to secure an extension of a leave of absence will result in termination of employment.
- Unless specifically authorized in writing by the City or with respect to military duties performed pursuant to a military leave of absence, a leave of absence will not be granted to engage in employment elsewhere, or to perform services for him or herself or another person or entity. Any employee who engages in employment, including self-employment or performs services elsewhere while on a leave of absence will be deemed to have voluntarily quit his/her employment with the City of Monroe.

Review & Questions

Questions regarding this procedure should be addressed to the Human Resources Department.

Procedures Issued on 01/01/2023

1-18 Media & Community Relations Policy

Policy:

Media:

The media (including online social media) is one of the most effective tools to disseminate accurate and timely coverage of City policies, programs, and events to residents and other stakeholders. It is important to use these tools wisely to ensure the City's message is accurate and consistent.

This Media Relations Policy will guide elected and appointed officials and the Administration in developing a successful working relationship with the media.

The media, as referred to throughout this policy, includes (but is not limited to) local, regional, national, and international:

1. Print publications (e.g., daily/weekly newspapers; professional and commercial magazines; journals.)
2. Radio and television stations
3. Wire services (e.g., Associated Press, Reuters)
4. Web-based media services and online social networking sites (e.g., Twitter, Facebook)

Community Relations:

The City Manager's office is the City's primary liaison with the media and is responsible for ensuring information released by the city is accurate, consistent, and distributed to appropriate outlets in a timely manner.

In instances where media coverage is required or anticipated, or for any issue that could impact the City's public image, Department Heads shall notify the City Manager's office at the earliest opportunity.

Employees are prohibited from communicating with any media representative about official City matters, unless given prior approval from the City Manager's Office. To ensure consistency and accuracy of messages, the City Manager's office will help identify the proper spokespeople for any given subject, determine key messages, and prepare employees for media interviews and public presentations where the media may be present. The City Manager will determine when it is appropriate to contact City Council regarding information released to the media.

Timeliness of response:

Staff shall give priority to information requests received from the media. Reasonable efforts shall be made to determine and honor media deadlines.

All media inquiries shall be responded to with accuracy as soon as practical; however, factual accuracy is more important than providing a quick answer to a question.

When unsure of a response to an inquiry, it is acceptable to tell the media representative facts must be confirmed and that you will return the call in a prompt fashion.

Spokesperson:

In some circumstances, the City Manager will designate a single spokesperson to respond to an issue of major significance to ensure information is disseminated swiftly, accurately and consistently to all interested media sources. When such a designation is made, the City Manager will notify elected and appointed officials and Staff to forward all inquiries to that spokesperson.

Evaluating media activities:

The City Manager's office provides ongoing review and evaluation of the City's press information efforts. In addition to providing daily reports of relevant news stories to key elected officials and staff, the City Manager's office maintains a media release file (a record of press releases distributed by the City of Monroe).

Emergency Operations Center/NIMS:

The City Manager (or his designee) is the primary public information contact when the emergency operation center is activated.

City Council and Board and Commission members:

The Mayor is usually the official spokesperson for City Council. The chair of a Board or Commission usually serves as that group's spokesperson. In this capacity, the official spokesperson's statements should reflect the actions taken by the group – not personal opinion.

City Council, Board and Commission members respond to media inquiries at their own discretion with the knowledge that their responses reflect on the community and the City. If speaking with a representative of the media, members of Council and its Boards and Commissions are encouraged to explain if their response is on behalf of the entire Council, Board or Commission, or if they are expressing their individual views. However, there is no guarantee the media or public will make that distinction when the comments are printed, posted, or broadcast.

City Council members and appointed officials are asked to notify the City Manager if they have been contacted by the media, particularly if the inquiry relates to a controversial, potentially controversial, or unusual topic.

As a courtesy, members of City Council and its Boards and Commissions are encouraged to notify other members if they plan to write an editorial or letter to the editor or post information online. They are asked to provide the City Manager advance copies.

Unless otherwise notified, Council, Board and Commission members' contact phone numbers and e-mail addresses may be given to the public and media.

Responding to Council actions:

Staff shall not make judgmental comments regarding individual members of or actions by Council, Boards and Commissions. They shall also refrain from offering personal opinions on official City policy when responding to media inquiries. Staff shall not anticipate an action or position that has not formally been taken by City Council.

Public meetings:

Every effort should be made to encourage accurate media coverage of City Council, Board and Commission meetings, actions, and decisions.

Distribution of Agenda Packets:

The Agendas for all City Council, Board and Commission meetings shall be posted on the City's Web site at least 24 hours before the meeting.

The Sunshine Law requires the city to provide 24 hours advance notice to those media contacts who have requested notification of public meetings. Such notification must also include the purpose or agenda for the meeting. The City Manager shall give advanced approval for proposed items on agendas.

Media Attendance at Meetings:

Media representatives are encouraged to attend and report on actions taken at City Council/Council Committee meetings, work sessions and regularly scheduled Board and Commission meetings. Reasonable accommodations will be explored to facilitate their coverage (e.g., a media table, access to outlets for laptops, space for TV cameras, etc.) provided this does not distract or disrupt the proceedings as determined by the mayor or meeting chair.

Recordings, Photos of Meetings:

Recordings and photography at City Council and Board and Commission meetings are allowed provided they do not disrupt the proceedings in progress as determined by the mayor or meeting chairperson. Anyone wishing to record a City Council, Board or Commission meeting must notify the Clerk of Council prior to the meeting to ensure appropriate accommodations are available.

Community Relations as Primary Media Contact:

The City Manager's office manages media relations activities for all departments, including preparation of City news releases, response to media inquiries, and promotion of programs, events, and policies.

Staff members shall consult with the City Manager's office before talking to the media. If the inquiry involves policy issues, the staff member may respond only after direction to do so from his Department Head and the City Manager.

Often, a staff member's job-related knowledge makes that individual the most logical respondent to a media inquiry. This is often the case with routine factual information relating specifically to an

employee's job functions. That does not preclude contacting the City Manager's office prior to talking to the media.

When interacting with the media, staff members shall bear in mind they represent the City. Staff appearing on camera for TV interviews or photos should dress and comport themselves accordingly.

Scope of Response:

Staff members shall not respond to media inquiries that are not directly related to their professional responsibilities. Such questions should be referred to the appropriate Department Head. No inquiry should ever be responded to without first consulting the Department Head and/or City Manager's Office.

The media shall not be intentionally misled or provided inaccurate or incomplete information by a staff member.

Do not discuss staff members or personnel actions. These requests shall be directed to the City Manager's office.

Department of Police:

In releasing information about police investigations and operations, the city will comply with the Ohio Revised Code.

Media requests for information regarding a police policy matter or specific field incident shall be referred to the Chief of Police. Certain investigations, incidents or events involving police activities could be jeopardized with early or inappropriate release of information. In these situations, information may be released only by the Chief of Police or his designee. If possible, the Department of Police shall contact the City Manager's office immediately when a fast-breaking story occurs and be called in to assist in responding to press inquiries when necessary.

Legal matters:

Staff members shall neither respond to media inquiries regarding an issue involving City litigation nor offer legal opinions on City policies or activities. Media inquiries regarding filed cases should be referred to the City Manager's office, which will work with the City Law Director on an appropriate response.

Election issues:

Staff members shall not offer personal opinions to the media on Monroe City Council elections or other City-related election issues.

Factual discrepancies:

It is the responsibility of the City Manager's office to contact the media when a story has been published or aired containing a factual error that significantly impacts the public's perception. Depending on the nature of the error, the request for correction could be made by written letter, e-mail, or a phone call.

Information written by staff:

The City encourages staff to write articles for newspapers, magazines, trade journals, scholarly journals, Web sites, social media or other outlets on innovative City programs and services as a means of enhancing personal development and highlighting City achievements.

If authorship is related to their work or otherwise reflects upon the City of Monroe, staff members wishing to submit articles and information intended for publication shall have such work (including the publication title and projected publication date) reviewed by their Department Head and City Manager before submission for publication.

It is the responsibility of the Department Head to forward a copy of the published article to the City Manager for review and approval purposes.

Letters to the Editor:

When appropriately presented, letters to the editors of newspapers and electronic media may be effective tools in clarifying a misconception of City policies and programs and for correcting inaccurate information that has been reported by the press. Elected and appointed officials and Department Heads who believe a city letter to the editor is warranted should discuss their concerns with the City Manager, who will determine if a response is appropriate and who should prepare and sign the letter.

Any letters to the editor or other opinion-based written materials created by employees in their official capacities or that will reflect upon the City must be approved by the City Manager before submittal.

Responding as Private Citizens:

The following guidelines should be followed for those staff members or employee groups who choose to contact or respond to City-related news stories as private citizens.

1. Letters may not be prepared on City time, distributed on City stationery, mailed at City expense, or sent from City computers.
2. Telephone contact may not be made on City time using City telephones or other devices.
3. Use of City facilities or supplies is prohibited.
4. Staff members should avoid including their official title or intimate that the response is on behalf of the city. If the staff member is identified as a city employee, they must include language that states the opinions set forth in their communication do not necessarily represent the views or position of the city.

Media Interviews/Media Inquiries:

Interviews with reporters are usually held over the phone or in person during a pre-scheduled interview. Before being interviewed, it is important to determine the focus of the story and the specific information desired by the reporter. It is acceptable to ask the reporter from what angle he is approaching the story. During the interview, always assume all your statements will be made public, even if you believe the conversation is “off the record.” The reporter may also ask to record the interview.

Depending on the story, a photographer may accompany the reporter or schedule a follow-up session. The photographer will appreciate any assistance you can provide in appropriate photographs, which could enhance the story. Staff members may decline to be photographed.

Video:

Television is a visual medium. Television reporters will be most interested in interviewing a staff spokesperson on camera or recording an activity with high visual appeal.

When interviewed on-camera, wear bright colors and simple patterns. Avoid light (pale) colors (white, yellow) as they do not photograph well. All interviews are subject to editing by the media before airing.

Audio:

Radio and podcast interviews are usually pre-recorded in-person or over the phone. When interviewed over the phone, most reporters will ask permission before recording. All interviews are subject to editing by the media before airing.

UNSCHEDULED MEDIA INTERVIEWS

Television Inquiries – Television crews that arrive in the city with no pre-arranged interview appointment should be directed to the City Manager’s office for assistance. If a television crew requires footage with no interview (commonly referred to as a B-roll), the Department Head or designee should accompany the videographer.

PREPARATION AND DISTRIBUTION OF INFORMATION

Media Releases and Other Communications Tools

Information in news releases and other communications tools shall be written and distributed only, after notification of the City Manager’s office. Departments desiring news releases should contact the City Manager.

All news releases distributed by the City of Monroe shall be on official City letterhead or e-mailed in such a way that the City of Monroe is clearly identified as the source of information. The release shall include the date and the name of the City staff person who can serve as a media contact for inquiries or additional information. The City Manager’s office maintains an updated media list.

Media Conferences

A media conference can only be convened at the direction of the City Manager.

Public Records Requests

Employees shall alert the City Manager's office regarding any public records request by the media. They should use their best judgment about alerting City Manager's office to potentially controversial public records requests from other individuals or organizations.

Determining Whether a Record May be Disclosed

In situations where there is a discrepancy or uncertainty on the part of a city employee regarding release of an official record to a member of the media, the City Manager's office should be contacted. They will determine whether attaining legal opinion is necessary. Specific categories of records may be exempted by the Public Records Act.

The City Manager shall be made aware of all information prior to release to any news source.

Social Media

This portion of the media relations policy refers to tools existing on the implementation date of this plan and developed afterward.

Technology has made it easy to post information and opinions on the Internet via Facebook, Twitter, blogs, other social media and other information sharing systems. While the City recognizes and encourages innovative ways to use these technology tools to communicate with its customers, enhance its services and provide benefits to the organization, such use must be part of a comprehensive approach to communication.

When employees wish to communicate messages about the City, they shall start the process with their Department Head. The City Manager's office will maintain a list of approved users and account holders, and coordinate exchange of news, internal links, and information.

Authorized Employees using any social media for work-related functions are bound by the City's Technology Use Policy. Staff using an account for City/work purposes must identify themselves as a city employee in all instances.

On work-related and personal sites, employees are bound by applicable personnel policies, including, but not limited to, Sections 5.00 and 5.31 of the Personnel Policy Manual "Ethics of Public Employment" and "Off-Duty Conduct." City employees who hold personal accounts are expected to know and understand the content and information posted to these accounts can be and easily connected to an individual's employment with the City of Monroe. Therefore, personal accounts may be viewed in some capacity as a reflection on the City by nature of their public accessibility.

On both personal and work sites, employees shall ensure their online content is consistent with the ethics and acceptable behavior of the organization. They may not post information or opinions that portray the city, Monroe's elected and appointed officials, or other employees in a negative light.

Further, posting proprietary information, content or confidential and/or sensitive information related to the city is prohibited on employees' personal pages.

Because of the necessity for open records and transparency of government, City employees using social media to communicate City messages may only do so using City of Monroe accounts. Employees shall be aware that posting information to personal sites during work hours is discouraged and may be subject to public record laws.

Employees using these tools and whose conduct on or off the job negatively affects job performance or job performance of other employees, or the image or reputation of the city, will be subject to disciplinary actions, up to and including dismissal.

The city discourages use or updates to personal social networking sites with City equipment and/or on City time.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023



Acknowledgement of Understanding

City of Monroe

Media and Community Relations Policy

I hereby acknowledge that I have received a copy of the Media and Community Relations Policy. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-19 Medical Examinations and Fit for Duty

Policy:

A physical and/or psychological examination by a qualified physician may be required following a conditional job offer to ensure the selected candidate is able to perform the duties of the position for which they are being offered, with or without a reasonable accommodation. No medical screening, including drug testing, will be conducted until after the city has made a conditional offer of employment. Upon the candidate accepting the offer, the pre-employment screening process will begin. Jobs covered by the Ohio Police and Fire Pension Fund (OP&F) require successfully passing a pension physical with examination criteria determined by OP&F. Psychological examinations are required for certain positions as determined appropriate.

A current employee may be required to submit to a physical and/or psychological examination during their tenure with the city. Such an examination is intended to confirm the employee can perform the essential functions of the job, with or without a reasonable accommodation and that the employee is fit for duty, both physically and/or mentally. Employees suspected to be unfit, whether physically and/or mentally, and/or unable to perform the essential functions of their job, and/or posing a risk to themselves or others based on physical and/or psychological factors will be placed on paid administrative leave and scheduled to see a physician. The City shall select the physician to administer the examination and shall assume all costs. The employee will be responsible for attending the examination and must cooperate with the physician. The fit for duty report will be delivered to the Human Resources Manager and/or Assistant City Manager. The employee must sign a consent form to release the report. Employees who refuse examination or fail to cooperate may be subject to disciplinary action, up to and including termination.

Upon receipt of the physician's report, the Human Resources Manager will notify the employee whether they have been determined fit or unfit to return to work. When an employee is determined unfit, they will be removed from paid administrative leave and must use accrued paid time off to cover any future absence. The employee will be required to complete the prescribed steps from the physician in order to become "fit" to return to work. A full duty release must be presented to the Human Resources Manager before an employee will be allowed to return. Failure of an employee to complete the prescribed treatment plan will result in disciplinary action, up to and including termination.

A job applicant and/or employee may be disqualified from holding a position with the city if it is determined that the individual is unable to perform the essential functions of the job sought or held, with or without a reasonable accommodation. Prior to disqualification or termination, and if applicable, the Human Resources Manager will work with the Department Director to consider whether a reasonable accommodation can be made which would enable the individual to perform the essential duties of the position. The reasonable accommodation cannot impose an undue hardship on the city.

The City reserved sole discretion to determine fit for duty criteria and whether an employee needs a physical and/or psychological evaluation to determine fit for duty status.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023



Acknowledgement of Understanding

City of Monroe

Medical Examinations & Fit for Duty Policy

I hereby acknowledge that I have received a copy of the Medical Examinations & Fit for Duty Policy. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-20 Management Philosophy to Maintain an Environment of Human Dignity and Mutual Respect

Policy:

As leaders in City Government, each of us must be conscious of maintaining a workplace which is consistently non-hostile, and which fosters an affirming environment grounded in the belief of human dignity and mutual respect for each employee and for all citizens. Employees are expected to always treat each other and members of the public with dignity and respect.

Procedure:

In a culture of mutual respect, civility is ever present. People listen to each other, considerately. People are mannerly and ask for other's opinions.

There are several behaviors, which are inconsistent with a respectful environment. Examples would include:

- Racial slurs, sexual innuendoes, foul or off-color jokes (verbal or in writing), inappropriate pictures or posters.
- Harassment or bullying of any kind, verbal or physical, whether racial, sexual, or otherwise.
- Profanity or off-color language in speech or in writing.
- Any other expressions or actions that demean any person, self, or others.

In no way are the examples above meant to be a full, exhaustive list. Other behaviors not mentioned may be considered a violation of this policy.

The City of Monroe believes in human dignity and the need for mutual respect, among employees and between employees and citizens. It is the policy of the City that an environment of mutual respect should be affirmed and encouraged. Those behaviors which are found to not support this policy will be reviewed for appropriate remedial action, which may include disciplinary action, up to and including termination.

Review & Questions:

It is noted that other City policies also specifically address the topics of harassment and discrimination.

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023



Acknowledgement of Receipt and Understanding

City of Monroe

Management Philosophy to Maintain an Environment of Human Dignity and Mutual Respect Policy

I hereby acknowledge that I have received a copy of the Management Philosophy to Maintain an Environment of Human Dignity and Mutual Respect Policy for the City of Monroe. I further acknowledge that I have read, understand and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-21 Non-Disciplinary Separation Policy

Policy:

Layoff/Reduction in Force:

General Policy: If it becomes necessary to reduce staffing levels, the City Manager shall lay off employees by using a system which systematically considers length of service and work performance in order to determine the order of layoff. Layoffs may occur for any of the following non-exhaustive reasons:

- Lack of work.
- Lack of funds.
- Abolishment of job.

The head of the department/division concerned shall prepare and process for the City Manager's approval, a list of those employees to be laid off.

An effort will be made to transfer employees to another department rather than lay them off. However, when the employee is not qualified to hold another position, the Department/Division Heads will make their recommendations to the City Manager based on any or all of the following criteria:

- Evaluation of work performance.
- Seniority.
- Skill and ability.

An employee who is laid off as a result of a reduction in force will be given preference in filling any positions which subsequently opens and for which the employee is qualified.

Pay Following Displacement: Whenever an employee displaces to a lower classification as a result of layoff, effort shall be made not to reduce his/her pay; however, pay rates shall be established according to the following provisions:

- If the lower pay range permits, the employee's rate shall be set at the same or most nearly the same pay level, without receiving an increase.
- If the employee's pay rate exceeds the pay range of the lower classification, it will be set at the top level of the lower pay range.

Appeals: Employees may appeal their layoff to the Monroe Personnel Board. Such appeal must be in writing and include reasons as to why the layoff or displacement was improper.

Disability/Medical Separation:

This section outlines the conditions under which Disability/Medical Separation may be granted, and procedures for administering its use. It is intended to outline the procedures to be followed after determining that no reasonable accommodation can be made.

Voluntary Reduction: When an employee becomes physically unable to perform the essential functions of his/her position even with a reasonable accommodation but is still able to perform the duties of a vacant lower-level position, he or she may voluntarily request reduction to the lower-level position (and associated wage rate). Such request shall be in writing, shall state the reason for the request, and, if approved by the Employer, will be attached to the implementing Personnel Action.

Involuntary disability/medical separation may be applicable in the following cases:

- If an employee becomes unable to perform the essential job duties of the employee's position and if the employee has exhausted all applicable and approved leave, the city may involuntarily separate the employee, except as provided by law.
- If an employee on approved leave is unable to return to work when the approved leave is exhausted, then the city may involuntarily separate the employee if the employee cooperates under this procedure, or remove the employee for not-reporting-without-leave if the employee does not cooperate.
- If an employee is placed on leave of absence without pay and is subsequently separated due to the same disabling illness, injury, or condition, then the total combined time of absence due to the disability shall not exceed three (3) years for purposes of reinstatement rights under this section.

Medical Examination: Employees may be required to submit to medical examinations in relation to involuntary disability/medical separation.

The refusal to submit to the examination, the unexcused failure to appear for an examination, or the refusal to release the results of an examination will subject the employee to removal.

Right to Pre-Separation Conference: Rights of Appeal

The City shall institute pre-separation proceedings when it has received the results of a medical or psychological examination conducted as provided by this policy and initially determines that an employee is incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation, and determines the employee is not eligible, or no longer eligible, for a leave of absence without pay due to a disabling injury, illness, or condition. Under those proceedings, a conference shall be scheduled, and advanced written notice shall be provided to the employee. If the employee does not waive the right to that conference, then at that conference, the employee has a right to examine the City's evidence of disability, to rebut that evidence, and to present testimony and evidence on the employee's own behalf.

If the City Manager determines, after weighing the testimony presented and evidence admitted at the pre-separation conference, that the employee is capable of performing his/her essential job duties, then the pre-separation conference shall cease, and the employee shall be considered to be fit to perform his/her essential job duties. After weighing the testimony presented and the evidence admitted at the pre-separation conference, that the employee is unable to perform his/her essential job duties, then the City Manager shall issue to the employee an order of involuntary disability/medical separation.

The City shall notify the employee, at the time of the involuntary disability/medical separation, of the required procedures to apply for reinstatement.

Right to Reinstatement/Rights of Appeal

An employee may make a written request to the Assistant City Manager for reinstatement from an involuntary disability/medical separation, which request shall be accomplished by substantial, credible medical evidence that the employee is once again capable of performing the essential functions of the employee's job, and which request shall be made not more than once every three (3) months and not later than three (3) years following an involuntary disability/medical separation or a leave of absence followed by an involuntary disability/medical separation.

When an involuntary disability/medical separation employee presents to the Assistant City Manager substantial, credible medical evidence that the employee is once again capable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation, the City shall either reinstate the employee or require that the employee submit to the medical or psychological examination.

The City shall reinstate the employee after receiving the results of that examination if the City Manager determines that the employee is once again capable of performing the essential duties of the employee's assigned position with or without a reasonable accommodation.

The City Manager shall institute a pre-reinstatement proceeding if he initially determines that the employee remains incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation. Under these proceedings, a hearing shall be scheduled, and adequate advanced written notice shall be provided to the employee. If the employee does not waive the right to that hearing, then at the hearing the employee has a right to examine City's evidence of continuing disability, to rebut that *evidence*, and to *present testimony* and evidence on the employee's own behalf.

If the City Manager determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is once again able to perform the essential job duties of the employee is assigned position, with or without a reasonable accommodation, then the City shall reinstate the employee. If the City Manager determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is not able to perform the essential duties of the employee's assigned position with or without a reasonable accommodation, then he shall not reinstate the employee.

If approved for reinstatement, the employee shall be assigned to a position in the classification of the employee held at the time of involuntary disability/medical separation. If the classification the employee held at the time of involuntary disability/medical separation no longer exists or no longer is utilized by the City, then the employee shall be placed in a similar classification. If no similar classification exists, the employee may be laid off.

If the employee has been granted disability benefits by a state retirement system, the requirements of this rule shall apply for up to five (5) years, except that a licensed practitioner shall be appointed by the public employee's retirement board and application for reinstatement shall not be filed after the date of service eligibility retirement.

An employee refused reinstatement as provided above shall be notified in writing of the refusal to reinstate and of the right to appeal.

An employee who fails to apply for reinstatement within three (3) years following an involuntary disability/medical separation, or a leave of absence followed by an involuntary disability/medical separation, shall be deemed permanently separated from service.

Resignation:

Employees who plan to voluntarily resign are encouraged to notify their Department/Division Head at least 10 working days in advance of the effective date of separation. The Department/Division Head may consent to the employee leaving sooner. Any employee who resigns is encouraged to give his/her reasons for resigning and to discuss with his/her supervisor any working conditions which he feels are unsatisfactory.

A formal letter of resignation is encouraged. The City hereby accepts resignations upon receipt and will rely on having received them. Resignations may not, therefore, be revoked without permission. A copy of the letter of resignation shall be forwarded to the City Manager.

Failure to give proper notification shall result in ineligibility for reinstatement and may become a matter of public record.

When a dismissed employee has a pending appeal before the Monroe Personnel Board, the acceptance by a Department Division Head of a dismissed employee's resignation which is received before final action on the part of the Board will be considered a withdrawal of all charges before the Board. Further, the separation of the employee concerned shall be recorded as a resignation not in good standing, unless otherwise agreed and the proceedings shall be dismissed without judgment.

When an employee subject to disciplinary action is provided the opportunity to resign as opposed to being terminated, such resignation shall be deemed as a resignation not in good standing. Said option shall be at the discretion of the City Manager, which shall be in the best interest of the City. The opportunity to resign shall not prevent or eliminate the prosecution of any criminal charges.

An employee who voluntarily terminates employment with a ten (10) day written notice shall receive the following:

1. All unused, recorded, and approved compensatory time to be paid at the rate of pay at the time of separation.
2. All vacation time that is accrued and all unused vacation time for that year

Absence without leave for three (3) consecutive workdays or more or failure to timely return from an authorized leave shall constitute job abandonment and shall be deemed a resignation.

Retirement:

Most employees are eligible to retire with PERS benefits, provided they meet the requirements of the PERS system, which are generally outlined in "Retirement Plan" of this manual. Other employees are included in the Police and Fireman's Disability and Pension Fund. Information on these retirement systems may be obtained from the City Manager.

Employees are requested to notify the Employer in writing at least 60 calendar days prior to the effective date of their anticipated retirement.

Re-Employment:

An employee who has resigned from City service and is subsequently re-employed will not be credited with prior City service for the purpose of computing vacation, sick leave benefits, or other benefits that may be in effect, unless specifically approved by the City Manager, or unless mandated by law.

Any employee who resigns while disciplinary action is pending shall not be eligible for re-employment.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-22 Outside Employment Policy

Policy:

Under no circumstances shall an employee have other employment which conflicts with the policies, objectives, and operations of the several offices of the City. In addition, an employee shall not become obligated through employment to a second employer whose interests might be in conflict with those of the City office in which he/she works. Employees shall supply information on additional employment to their Department Director in order for the Director to document any possible conflicting employment obligations. All outside employment must be approved by the Department Director and City Manager.

Employment “conflicts,” as set forth in this policy, are when a second job impairs the employee’s ability to perform the duties of his position.

Full-time employment by the City shall be considered the employee’s primary occupation, taking precedence over all other occupations.

“Outside” employment, or “moonlighting,” shall be a concern to the Employer only if it adversely affects the job performance of the employee’s City job. Two common employment conflicts which may arise are:

- Time Conflict - defined as when the working hours required of a “secondary job” directly conflict with the scheduled working hours of an employee’s job with the city, or when the demands of a “secondary job” prohibit adequate rest, thereby adversely affecting the quality of the employee’s job performance with the city.
- Interest Conflict - defined as when an employee engages in “outside employment” which tends to compromise his judgment, actions, and/or job performance with the City, or which conflicts with the policies, objectives, or operations of the City, or negatively impacts the City’s reputation or interest relative to liability issues. The city has the sole discretion to determine when a conflict of interest exists.

Should the City determine that an employee’s outside employment is adversely affecting the employee’s job performance, it may recommend -- but may not demand -- that the employee refrain from such activity. However, any conflict, policy infraction, or other specific offense which is the direct result of an employee’s participation in outside employment will subject the employee to discipline or discharge.

No employee shall wear the Employer’s uniforms nor use City-owned equipment in performing job duties of any secondary employment, with the exception of law enforcement officers engaged in authorized outside employment. Employees are prohibited from using their position with the city for personal gain.

If a police officer’s outside employment is related to law enforcement or security in any way, he shall follow the guidelines set forth in the Police Department Policy Manual.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023



Acknowledgement of Understanding

City of Monroe

Outside Employment Policy

I hereby acknowledge that I have received a copy of the Outside Employment Policy. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I am required to inform the City of Monroe of any outside employment whether current or future. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

City of Monroe

OUTSIDE EMPLOYMENT NOTIFICATION

Part 1 – To be completed by employee:

NAME _____ TITLE/POSITION _____

DEPARTMENT _____ DIVISION _____

DATE _____

NAME OF OTHER EMPLOYER(S) OR SERVICE TO BE PROVIDED:

NATURE OF WORK TO BE PERFORMED: _____

ANY KNOWN CONFLICTS OF INTEREST (DIRECT OR INDIRECT): _____

Part 2 – To be completed by Department Director:

DEPARTMENT DIRECTOR'S RECOMMENDATIONS AND REASONS: _____

APPROVED _____

DISAPPROVED _____

DEPARTMENT HEAD

Date

Part 3 – To be completed by City Manager:

CONCURRED:

CITY MANAGER

Date

1-23 Performance Evaluations

Policy:

The purpose of this policy is to establish a uniform set of instructions for the performance evaluation of employees. The performance evaluation system is intended to be beneficial to both the employee and the city. The electronic and/or written documentation and the discussion that takes place with an evaluation should:

- Provide effective, honest communication between a supervisor and employee.
- Recognize accomplishments and effective performance.
- Point the way to employee training and development.
- Define examples of insufficient performance, where expectations are not being met.
- Define performance improvements needed and specific expectations to be met.
- Build a sense of commitment and ownership from both the employee and supervisor/manager.
- Increase the effectiveness of the overall team of City employees.

**An employee should not learn of a performance or behavior deficiency for the first time during a performance evaluation.*

The evaluation serves as the basis for management decisions regarding training needs, job assignments, promotion, and retention of employees. The evaluation also provides a planning process intended to challenge the employee to set new goals and to reach new levels of performance for the long-range benefit of the employee as well as the city. The importance of accuracy and honesty on an evaluation cannot be understated.

Procedure:

The first evaluation for a classified employee shall be conducted approximately halfway through the probationary period. Generally, the probationary period is always 12 months. An employee's probationary period may be extended for a reasonable amount of time if it is determined that an extended period of observation and evaluation would be in the best interest of the city. The first evaluation for unclassified employees shall be conducted approximately six (6) months after the date of hire. Thereafter, for all employees, annual evaluations will be conducted on or near the employee's anniversary date of hire. An evaluation may also be conducted at other intervals as deemed appropriate by the manager.

Every employee will be evaluated at least annually and before granting of a merit increase or contractual step increase. Some departments will conduct monthly evaluations for new employees. Those evaluations are required to be documented in written form and acknowledged by the employee. For the positions being evaluated monthly, the requirement for a formal six (6) month evaluation may be waived.

Evaluation Content:

Most of the evaluations will be based specifically on the job description. The evaluation for management employees, Department Directors and the Assistant City Manager will be focused on leadership skills and other specific performance measures determined appropriate. Supervisory employees will have a section in the evaluation where they will be evaluated on their leadership skills and effectiveness. All staff will be evaluated an attitude and initiative as a core value of the City of Monroe. Some performance evaluations

may include other content that is required by collective bargaining agreement, certification, licensure, or departmental accreditation standards.

In order to provide clearly defined parameters for the employee to progress over the next evaluation period, the supervisor will document individualized goals for the employee to accomplish. On the next subsequent performance evaluation, the supervisor will provide commentary on how well the employee performed on those individualized goals over the evaluation period.

The five-point rating scale used to assess an employee's performance is as follows:

1. *Does Not Meet Expectations* – Performance is clearly below expectations. Corrective action should be taken.
2. *Partially Meets Expectations* – Performance is less than expected. There is a need for improvement. Corrective action may be necessary.
3. *Meets Expectations* – Performance meets expectations. Employee performs in a satisfactory manner.
4. *Exceeds Expectations* -Performance is well above expected level.
5. *Far Exceeds Expectations* – Performance significantly exceeds expectations on a continuing basis.

The supervisor, Department Head and employee are provided an opportunity to comment on the employee's evaluation during the evaluation period. In addition, the employee will complete a self-assessment at the beginning of the evaluation process. No person shall comment on the performance evaluation once signed by the employee, including electronically. The employee shall be required to sign his or her evaluation. By signing, the employee acknowledges receipt and review of the evaluation; however, his/her signature does not necessarily indicate agreement with its contents. If an employee refuses to sign the performance evaluation, the Human Resources Manager will note the refusal on the evaluation but that shall not otherwise affect the use or validity of the evaluation.

It's important to note that the evaluation should be an opportunity for open, honest, and helpful communication between the supervisor and the employee. A formal face-to-face discussion between the employee and the supervisor regarding the contents of the performance evaluation is required. For more specific, technical instructions on how to complete the electronic and/or written performance evaluation, contact the Human Resources Department. In addition, the Human Resources Department can serve as a resource to train supervisors on how to complete an effective performance evaluation.

On-Going Expectations:

All employees, whether classified or at-will are expected to satisfactorily perform their job duties and have regular, predictable attendance. Employees are expected to always conduct themselves as professionals and to treat everyone around them with respect, decency, and dignity. Failure to meet any of these criteria at any point during employment, will result in disciplinary action, up to and including termination.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

City of Monroe, Ohio

1-24 Personal Leave Policy

Policy:

This policy applies to full-time employees not covered by a collective bargaining agreement (CBA). Employees who are covered by a CBA should review their applicable contract for the appropriate information.

Full-time employees shall be entitled to two (2) paid personal days per year.

Personal Leave shall be approved by the employee's Supervisor. The granting of personal leave requests shall be subject to the scheduling needs of the City. Employees may carry over up to 16 hours of personal leave from one year to the next. Personal Leave shall be charged in the minimum amount of two (2) hours. There shall be no pay out of personal leave at the time of separation from employment.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-25 Personnel Files – Maintenance and Inspection

Purpose:

The purpose of this policy is to establish guidelines for the local application of the provisions of the Ohio Revised Code (R.C. 149.43 and R.C. Chapter 1347) pertaining to the availability of personnel public records, their inspection and copying.

Policy:

Ohio Revised Code (ORC 149.43) provides that all public records shall be “promptly prepared and made available for inspection to any person at all reasonable times during regular business hours”. The Code further specifies that, “upon request, a public office or person shall make copies available at cost, within a reasonable period of time”.

All requests, oral or in writing, for viewing or copying of personnel files should be referred to the Human Resources Department. Individual employees, Supervisors or Directors should advise the requestor that such requests, have been referred to the Human Resources Department.

Information on Medical Records is not considered “Public Record” and will therefore not be released under this law.

Information regarding “Peace Officers” is significantly restricted under State law. Therefore, any response to requests for records of peace officers should be handled very carefully in compliance with the law.

The law also restricts information on persons under the age of 18. Therefore, any requests should be reviewed carefully.

Other provisions of State law must be fully adhered to, to assure that access is provided to “public records” as defined in the law.

Nothing herein shall prevent the dissemination of impersonal statistical information.

The City shall maintain official personnel files for all municipal employees. Employee files are maintained by the Human Resources Department. Employees must advise the Human Resources Department on any changes in the employee’s name, address, emergency contacts, marital status, dependents, etc.

An employee may inspect his/her official personnel file at reasonable dates/times. Employees may contact the Human Resources Department to set up an appointment.

Nothing in this policy shall prohibit the City from maintaining two sets of files on each employee, one for strictly City use and one for non-confidential information accessible to the public. The public-accessible file may contain documents with confidential information in them, as long as the documents are redacted to keep such information confidential. The Ohio Public Records Law, R.C. 149.43, requires that the public must have access to any records that are not either: specifically listed as confidential under that law; or records whose release is prohibited by some other state or federal law.

Nothing prohibits the city from charging a reasonable fee for the preparation of copying of data for public use.

If under the public records act, a person other than the employee, supervisor, department manager, or the City Manager makes a request to inspect an employee's personnel records, the employee will be notified of the date and time of the inspection and given an opportunity to review the file or information prior to inspection.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-26 Political Activity Policy

Policy:

City employees shall not take an active part in political campaigns which involve candidates for any City offices, other than to cast a vote in an election or to express privately their views and opinions as a citizen. Political activities in regard to State and National offices, are not prohibited, but such activities must be confined to non-working hours and shall not take place on City property or while using City property.

Employees of the City are to serve all City residents equally. The political opinions or affiliations of any resident shall in no way affect the amount or quality of service received from the City.

Certain specific political activities are legally permitted or prohibited to all classified City employees, including classified employees on authorized leave of absence from their positions. Unclassified employees are substantially less restricted, except those unclassified employees subject to Federal Merit Standards. Employees who are subject to Federal Merit Standards are generally those paid with federal funds distributed directly or by the State of Ohio.

All employees are encouraged to exercise their constitutional rights to vote. References in this policy to politics and political activity refer to partisan activities, campaigns, and elections involving primaries, partisan ballots, or partisan candidates. The following are examples, but the lists are not necessarily all-inclusive:

Activities Prohibited to All Employees (including Unclassified Employees Not Subject to Federal Merit Standards):

1. Soliciting a contribution from any person while the soliciting employee is performing his official duties.
2. Soliciting a contribution while the soliciting employee is in those areas of a public building where official business is transacted or conducted.
3. Soliciting a contribution from a public employee while that employee is performing his official duties.
4. Soliciting a contribution from a public employee while that employee is in those areas of a public building where public business is transacted.
5. Coercing, intimidating, or causing harm to another person or threatening to do so, because that person makes or does not make a contribution to a candidate, campaign committee, political party, legislative campaign fund, or political action committee.
6. Knowingly soliciting a contribution at the direction of or with the authorization of a city elected officer or his campaign committee from:
 - a. A City employee whose Appointing Authority is the City elected officer.
 - b. A City employee whose Appointing Authority is authorized or required by law to be appointed by the City elected officer.
 - c. A City employee who functions in or is employed in or by the same public agency, department, division, or office as the city elected officer.
7. Knowingly soliciting a contribution at the direction of or with authorization of a candidate for City elected office or his campaign committee from:

- a. A City employee whose Appointing Authority will be the candidate, if elected.
- b. A City employee whose Appointing Authority will be appointed by the candidate, if elected.
- c. A City employee who will function in or be employed in or by the same public agency, department, division, or office as the candidate, if elected.

Activities Permitted to Classified Employees and Unclassified Employees Subject to Federal Merit Standards:

- 1. Registering and voting.
- 2. Expressing opinions, either orally or in writing, but not political campaigning.
- 3. Voluntarily financially contributing to political candidates or organizations.
- 4. Circulating nonpartisan petitions or petitions stating views on legislation.
- 5. Attending political rallies. Employees may attend political rallies that are open to the general public.
- 6. Signing nominating petitions in support of individuals.
- 7. Displaying political pictures in the employee's home(s) or on the employee's property.
- 8. Wearing political badges or buttons or displaying political stickers on their private vehicles.
- 9. Participating as a precinct election official.

Activities Prohibited to Classified Employees and Unclassified Employees Subject to Federal Merit Standards:

- 1. Participating as a candidate for public office in a partisan election or in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party.
- 2. Filing petitions meeting statutory requirements for partisan candidacy to elective office.
- 3. Circulating official nominating petitions for any candidate participating in a partisan election.
- 4. Holding an elected or appointed office in any partisan political organizations.
- 5. Accepting party-sponsored appointment to any office normally filled by partisan election.
- 6. Campaigning by writing for publications, by distributing political material or by making speeches on behalf of a candidate for partisan elective office.
- 7. Soliciting, either directly or indirectly, any assessment, contribution, or subscription either monetary or in-kind for any political party or political candidate.
- 8. Soliciting the sale of, or selling, political party tickets, materials, or other political matter.
- 9. Engaging in partisan activities at the election, such as soliciting votes, or transporting or helping get out the voters on election day.
- 10. Engaging in political caucuses of a partisan nature.
- 11. Participating in a political action committee which supports partisan activity.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-27 Promotions, Demotions and Transfers

Policy:

Promotions:

Promotion is a move to a new position of superior rank, duties, remuneration, or professional growth. Job promotion can be within the same or different department and/or divisions of the city. The City of Monroe is committed to investing in our employees and rewarding good performance to encourage overall excellence. For this reason, promotion from within is a highly regarded practice in the city as a way of giving our employees the chance for career advancement.

As far as practicable, promotional opportunities shall be offered first to current employees who are qualified for the position, possess the necessary skills, and can perform the essential job functions, with or without a reasonable accommodation. The City may limit a selection process to qualified employees or may allow such employees preference in application and/or consideration, to the extent permitted by applicable laws, City Charter, City Policy and/or Personnel Board Rules and Regulations. While it is preferred to promote from within and the city may first consider current employees above outside entry level candidates, it may be determined that outside recruitment is in the City's best interest.

Factors to consider for promotion include, but are not limited to, an employee's successful completion of any required probationary period, satisfactory performance, and attendance, meeting the minimum qualifications for the promotional position, ability to perform the essential functions of the job, records of merit, efficiency, character, conduct, seniority, no active disciplinary action, and any other job-related qualifying criteria deemed appropriate. An employee not meeting any one of the criteria above may be disqualified from consideration for a promotional opportunity for which the employee applies.

To be considered, employees must meet the criteria above under "factors to consider for promotion." The City retains the sole discretion to make exceptions to this policy.

Salary adjustments shall be made in accordance with the City compensation plan as determined by the City Manager and approved by City Council. A promoted employee shall receive the greater of the following: 1.) the minimum rate for his/her new position, or 2.) a rate of pay which is five percent (5%) greater than his/her current rate of pay, provided that said increase does not exceed the maximum rate of pay established for the position.

A promotion in the classified service will be treated the same as a new appointment insofar as it is necessary to pass a probationary period. Promotions in the unclassified service are considered "at will" and has no defined probationary period.

Classified employees serving a promotional probationary period may be reduced to the classification and salary held prior to the promotion, upon failure of the promotional probationary period. If the formerly held position no longer exists, the employee may be placed in a comparable position. Unclassified employees may be reduced to the previously held position or a comparable position at any time for unsatisfactory performance, including attendance and disciplinary action.

Specific to classified employees only, in the event no comparable position exists, the employee may be placed on an appropriate eligibility list or may be terminated. The terminated employee will be placed on

a recall list and will have the first opportunity to fill any vacancies which occur in the next 6 months for which he/she is qualified.

The City is under no obligation to assign any employee, whether classified or unclassified, to the previously held position or a comparable position when the person is being removed for unsatisfactory performance, including attendance issues and disciplinary action. In those cases, the City has the right to terminate the employee.

Demotions:

Demotion is a reduction in rank or status, job title, job responsibilities, or salary – or all of the above.

Classified Employees:

The Department Director may, with the approval of the City Manager or designee, demote an employee to a lower step in the same grade or to a lower related classification. A classified employee who has successfully completed their probationary period in the position from which they are being demoted, may appeal the action in accordance with the procedures established by the Personnel Board. Appeals results from demotion shall be heard by the Personnel Board, per City Charter 10.02. Further discussion on reduction appeals can be found in Chapter nine (9) of the Personnel Board Rules and Regulations.

Unclassified Employees:

The Department Director may, with the approval of the Assistant City Manager, demote an employee to the previously held position or to another position in the City which the employee is qualified.

There are many factors that can cause a person to be demoted. Below are a few examples. This is not an all-inclusive list.

1. The employee fails to meet the requirement of the job.
2. Unsatisfactory performance.
3. Disciplinary action.
4. Employee request.
5. Department/Division reorganization
6. Inability to cope with change

Transfers:

There are two types of transfers in the City of Monroe:

1. Intra-Departmental Transfer: a transfer from one position to another within the same department the employee currently works.
2. Inter-Department Transfer: a transfer to a position that is in a different department than the employees current position held.

Transferred employees shall conform to the working policies and practices of the department and/or division to which they are transferred. Any position considered classified will have a one-year probationary period that any transferred employee will be subject to. Salary adjustments shall be made in accordance with the City compensation plan and/or applicable collective bargaining agreement.

Employees wishing to be considered for a classified position or promotion into a classified position are subject to applicable testing, psychological and physical assessment in accordance with the procedures established by the Personnel Board Rules and Regulations, City policy and/or applicable collective bargaining agreements.

Employees may request consideration to transfer to other jobs as they become available. All applicants will be given equal consideration. At the same time, the Department Director and/or City Manager may initiate transfers of employees between departments and/or facilities to meet work requirements.

Nothing in this section shall be construed to interfere with management rights to assign or reassign employees within a given class among the various departments as deemed in the best interest of the City.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-28 Sick Leave Policy

Policy:

- A. A regular full-time employee may request sick leave for absences resulting from illness or injury as described below, provided they follow the policy outlined in this Section. Sick leave may be requested for the following reasons:
1. Illness or injury of the employee or a member of his immediate family requiring the employee's personal care and attendance.
 2. Exposure of employee or a member of his immediate family to a contagious disease which would have the potential of jeopardizing the health of the employee or the health of others.
 3. Medical, dental, or optical examinations or treatment of an employee or a member of his immediate family.
 4. Pregnancy, childbirth, and/or related medical conditions; or
 5. Any other reason that would fulfill the requirements of the Family and Medical Leave Act.

The Family Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. For additional information and guidance on the FMLA, please refer to policy 1-13 FMLA Policy.

For purposes of this policy, "immediate family" is defined as only: mother, father, mother in-law, father in-law, brother, sister, child (including stepchild), spouse or significant other (including a domestic partner), grandparent, grandchild, legal guardian, or other person who stands in the place of a parent, or other person with the approval of the City Manager or designee.

- B. The City maintains the right to investigate any employee's absence. Employees may be required to furnish proof of illness as evidenced by a physician's statement, or other satisfactory written statements of the employee as required by the City Manager or designee.
- C. Sick leave is accrued at a rate of one and one-quarter workdays with pay for each completed month of service (10 hours per month), unless otherwise modified by a collective bargaining agreement.
- D. Accrued but unused sick leave shall not be paid upon separation from employment, except as specifically provided in this Section.

- E. Part-time, seasonal, student, temporary, or other non-permanent employees do not accrue sick leave.
- F. Any employee requesting sick leave must inform his supervisor of the fact at least 1 hour before the start of his work period. The employee must give the reason for his sick leave and location of convalescence, if different than the home address, and must indicate when they believe they will be able to return to work. Failure to do so may result in denial of sick leave for the period of absence. The employee will submit to such medical examination, nursing visit, or other inquiry which the City Manager deems necessary.

If it is believed that the employee is going to be off for an extended period of time, the supervisor should advise the employee that they may need a medical certification.

- G. Sick leave longer than 3 working days is permitted subject to availability of accrued sick leave time and a statement from your attending licensed and actively practicing physician or nurse practitioner which certifies the nature of the illness or injury, the date seen, work restrictions, and the expected return to work date. Such statement must be received by the Human Resources Department not later than 6 working days after the onset of the illness or injury. In-patient admission to a local hospital will qualify as medical notice, provided it contains the nature of the illness or injury, the date seen, work restrictions, and the expected return to work date. If the sick leave meets the eligibility criteria of FMLA or the employee requests the sick leave to be covered under the FMLA, the procedures outlined in policy 1-13 (FMLA Policy) shall be followed.
 - 1. If an employee sought medical attention for any authorized use of sick leave, as set forth in subsection (A) of this policy, he/she must submit to the Human Resources Department, a medical practitioner's statement indicating the date and nature of the visit and name of patient, if other than employee.
 - 2. Sick leave requests for the scheduled workday immediately before or after, or on a holiday or immediately before or after vacation may be thoroughly investigated and only approved with satisfactory documentation by the City Manager or designee.
- H. Vacation leave and personal leave (if applicable) may be used for sick leave purposes after sick leave is exhausted, at the employee's request and with the approval of the City Manager or designee.
- I. Payment:
 - 1. Sick leave shall be charged in minimum amounts of 2 hours, or the employee's accrual balance if said balance is less than 2 hours.
 - 2. Employees absent on sick leave shall be paid at the same basic hourly, daily, or biweekly rate as when they were working.
 - 3. If sick leave is denied and as a result the employee has been overpaid, such overpayment shall be deducted from the employee's next paycheck.

J. Abuse:

1. Altering a physician's certificate or falsification of a written signed statement shall be grounds for immediate discharge.
2. An employee fraudulently obtaining sick leave, or anyone found falsifying sick leave records, shall be subject to disciplinary action or discharge in accordance with policies outlined in this manual.
3. Any abuse or patterned use of sick leave shall be just and sufficient cause for disciplinary action. Employees are expected to be in their homes or hospitalized while on sick leave due to illness unless on a medical-related errand or at an appointment.

K. Sick Leave Buy Back Policy

- An employee who acquires 800 hours of sick time may on an annual basis sell back hours in excess of 800 hours, subject to the following conditions:
 - Only 120 hours may be sold back annually.
 - Hours will be paid at 50% of the employee's rate of pay on December 31st.
 - Buy back must be requested by December 31st annually.
 - Employees will be paid in the pay period containing December 31st; and
 - This program is voluntary.

L. Sick Leave Bank

1. Employees may experience a personal crisis or family emergency and need additional time off in excess of their available sick leave. To assist employees in these situations, eligible employees may donate sick leave from their unused balance to co-workers pursuant to the policy set forth below. This is strictly voluntary.
2. Employees who donate sick leave must be employed with the city for a minimum of one year.
3. Employees requesting to receive donated sick leave from their co-workers must meet one of the following:
 1. A medical condition of the employee or immediate family member (see below) that will require absence of the employee from duty that will result in a loss of income to the employee because of the employee's lack of available paid leave.
 - Immediate Family Member shall be defined as spouse (including a domestic partner), parent, and children (including stepchildren).
 - Please note that the definition of Immediately Family Member in order to receive donated sick time differs from the definition of Immediately Family Member to use your own accrued sick time.
 2. A personal crisis that affects the employee such as a natural disaster

impacting the employee's primary residence such as a fire or severe storm that requires the employee to be absent from work.

4. Employees donating sick leave must donate a minimum of 4 hours, no more than 40 hours, and no more than 50% of their current balance. Employees donating sick leave shall not be permitted to exhaust their balances in the event they may experience their own personal need for time off.
5. Employees who are on approved leave of absence cannot donate sick leave.
6. Employees receiving donated time cannot receive more than 480 hours within a 24-month rolling period.
7. Employees requesting donated sick leave shall be required to complete a request form as established by the City Manager. Such form shall include authorization to present the request to employees of the City for the sole purpose of seeking donations. Employees donating sick leave to a co-worker must also complete a donation form as established by the City Manager.
8. All requests for donation shall be approved by the City Manager or designee.
9. Employees may only receive donated sick leave after they have exhausted all other accrued leave.

M. Sick Leave Conversion at Retirement/Resignation

All employees, at the time of their retirement or resignation in good standing, with 10 or more years of full-time service with the City are eligible to receive payment of their available and unused sick leave balance up to a maximum of 800 hours per the conversion stated below:

- Up to 600 hours shall be paid at 25% of the Employee's rate of pay at retirement or resignation.
- Hours in excess of 600 up to 800 shall be paid at 33% of the Employee's rate of pay at retirement or resignation.

Employees are not required to receive payment for sick leave upon resignation, as they may elect to transfer their balance to another public employer per ORC Section 124.38.

Available but unused sick leave shall not be paid upon separation from employment except as specifically provided in this Section.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-29 Technology Use Policy

Policy:

Purpose: The purpose of this Technology Use Policy is to establish a policy for the approved use of technology and any work-related processes. It is the intent to establish and communicate reasonable standards designed to protect the City from unwarranted and unauthorized technology usage. This Policy will provide a structure in which technology can be most effectively used and prevent occurrences of abuse. Questions regarding this policy should be directed to IT or the City Manager's Office.

Applicability: This policy shall be applicable to all City employees, (Full Time, Part Time, Temporary, Seasonal) as well as temporary employees provided by outside temporary employment agencies and independent contractors who are provided access to the City's technology systems. This policy, however, shall not be applicable to the LEADS/NCIC interface, which is governed by the State Highway Patrol.

The technology systems include, but not limited to, personal computers, network servers, networking equipment, laptop computers, printers, modems, keyboards, microphones, monitors, any other associated device, and all related software. The systems would also include any application program(s), document, spreadsheet, calendar, data base information or Internet utilization, information sharing applications, messaging applications, or any other information or a system, which resides in part or in whole on any City electronic equipment. City technology system resources are intended to support City objectives. All such technology systems are the property of the City.

Employees are hereby advised that failure to comply with this policy may result in disciplinary action, including suspension and/or dismissal.

Work Requests. All work/service requests for any technology related matter should be sent to servicedesk@monroehio.org by the requester unless unable to do so.

Some work requests, if of a significant or complex matter, might require the approval of the requesting Department Head. The need for Department Head approval will be determined by IT.

Implementation and Use of Technology Systems: The technology systems include, but are not limited to, personal computers, network servers, networking equipment, laptop computers, printers, modems, keyboards, microphones, monitors, any other associated device, and all related software. The systems would also include any application program(s), document, spreadsheet, calendar, data base information, or Internet information sharing applications, messaging applications or any other information or systems which resides in part or in whole on any City electronic equipment.

Implementation of Hardware and Software: IT shall determine configuration of equipment. Installation or removal of any equipment or software must be approved by IT. Software installation would include, but not limited to, screen savers and games.

Only City licensed software and City acquired hardware shall be permitted. Duplication of software is prohibited. Equipment may not be attached to or detached from the network without the permission IT. Equipment cannot be moved without the approval of IT. An IT representative may reconfigure systems and delete any unauthorized software and data that may be discovered.

Database Applications: All desired database applications must be initially approved by IT prior to any software vendor contact or database design. This includes Access database, spreadsheets used as a database, or any other database development software.

Use: Computers are not to be used to play games during the employee's working hours except as part of formal training programs.

Users are responsible for ensuring that backups of critical data files are made to network server locations as designated.

Limited personal use of the City computer system by City employees is permissible provided that such use is appropriate, does not violate any City policy, and does not, in the opinion of the City or the employee's supervisor, interfere with the employee's job performance or others' job performance, or with City objectives. Written permission must be obtained from a department supervisor prior to such use.

Property: The City's technology system is the property of the City and, therefore, City management may monitor and review all usage of the system. System usage will be monitored for specific reasons, including evaluating the effectiveness and operation of the system, diagnosing system malfunctions and failures, investigation of criminal acts, investigation of inappropriate usage and technology use policy violations, and security breaches. In general, the City will refrain from monitoring individual employee system usage, unless the reasons for doing so are consistent with the City's need for supervision, control, and efficiency in the workplace.

Privacy: All City employees are hereby advised that there is no right or reasonable expectation of privacy in the use of the City's technology system.

Future Technology/Development/Use: The City will continue to develop and implement the use of technology for the efficiency of City operations. Therefore, employees are hereby advised that electronic and/or computer technology that is developed and implemented in the future, which may not fall within the ordinary definitions of current technology (including but not limited to e-mail, messaging, information sharing systems and internet usage), will be regarded by the City as City property and employees should not have right or reasonable expectation of privacy in the use of City technology.

Technology Use Apart from City Property: Employees shall not be permitted to copy programs from City owned systems for use at home. Employees shall not be permitted to take City owned systems or any electronic media containing sensitive information from a City building without the approval of their Department Head and IT.

Messaging, Information Sharing Systems: Messaging and information sharing systems (including but not limited to e-mail, text messaging, social media (i.e.: Facebook, Instagram, Twitter, blogs, and wikis)) is provided by the city for employees to conduct City business. Communication with these systems is encouraged when it results in the most efficient and/or effective means of communication. The sender of messages or information must retain the primary responsibility for seeing that the communication is received by those intended. Refer to the Media and Community Relations Policy for regulations.

Public Record: Electronic mail (both internal and Internet) and digital information sharing content may be a public record subject to disclosure in the same way that information of similar substance contained in or upon media are defined as public record pursuant to applicable law. Employees should, therefore, exercise care regarding the content of their message and information sharing transmissions.

City Property: All messages and digital information sharing content are a part of the City's technology system and therefore, are considered City property. City management may review all communications made by City employees in regard to use of the City's technology system. This information will be monitored for specific reasons, such as evaluating the effectiveness and operation of the pertaining systems, finding lost messages or information, investigation of suspected criminal acts, breach of security or other policies, and recovery from system failures. The city will refrain from accessing an employee's messages or digital information sharing content, unless reasons for doing so are consistent with the City's need for supervision, control, and efficiency in the workplace.

Privacy: All City employees are hereby advised that there is no right or reasonable expectation of privacy in the use of the City's messaging or information sharing systems.

Retention: Generally, records transmitted through E-mail systems will have the same retention periods as records in other formats that are related to the same program function or activity.

Employees may comply with the retention requirements of the public records law by doing one of the following:

1. Routine back up of electronic mail will occur as part of the system maintenance performed by IT. Any separate E-mail Retention policy will supersede these retention instructions.

Acceptable Use: The use of the networks must comply with the rules appropriate to that network. Transmission of any material in violation of any US or state regulation is prohibited.

It is not acceptable to interfere with or disrupt other users. Such interference or disruption includes but is not limited to; distribution of unsolicited advertising, propagation of computer worms or viruses and using the network to make unauthorized entry to other communications devices or resources.

- **Etiquette** --- You are expected to abide by the generally accepted rules of network etiquette. These include (but are not limited to) the following:
 1. Be polite. Do not get abusive in your messages to others.
 2. Use appropriate language. Do not swear; use vulgarities or any other inappropriate language.
 3. Do not reveal your personal address or phone numbers of colleagues.
 4. Do not use the network in such a way that you would disrupt the use of the network by other users. It is also inappropriate to use the network in a manner that interferes with your productivity or the productivity of others.
 5. Prohibited uses of electronic systems and information include, but are not limited to: illegal activities, conduct violative of the City's EEO, workplace harassment/discrimination, and workplace violence policies, political endorsements, commercial activities, chain letters, copies of documents in violation of copyright laws or trade secrets, any breach of confidential information that may be detrimental to the City, any legal actions against the City, and any use that may compromise the integrity of the City in any way.
 6. Once the message or digital information content has left the sender, the sender relinquishes a domain over it and the recipient(s) may do with it as they wish. Employees must also be aware that no message or digital information content is anonymous in nature and the transmission, or its content, may ultimately be traced back to the author or original sender.

PASSWORD POLICY

Overview: All employees and personnel that have access to organizational computer systems must adhere to the password policies defined below to protect the security of the network, data integrity, and computer systems.

Purpose: This policy is designed to protect the organizational resources on the network by requiring strong passwords along with protection of these passwords and establishing a minimum time between changes to passwords.

Scope: This policy applies to all personnel who have any form of computer account requiring a password on the organizational network including but not limited to a domain account and e-mail account.

1. Never write passwords down.
2. Never send a password through email.
3. Never include a password in a non-encrypted stored document.
4. Never tell anyone your password.
5. Never reveal your password over the telephone.
6. Never hint at the format of your password.
7. Never reveal or hint at your password on a form on the internet.
8. Never use the “Remember Password” feature of application programs such as Internet Explorer, your email program, or any other program.
9. Don’t use part of your login name in your password.
10. Be careful about letting someone see you type your password.

Password protected screen savers should be enabled and should protect the computer within 10 minutes of user inactivity. Computers should not be unattended with the user logged on and no password protected screen saver active. Users should be in the habit of not leaving their computers unlocked. They can press the CTRL-ALT-DEL keys and select “Lock Computer” or windows key-L to lock the system.

Enforcement: Since password security is critical to the security of the organization and everyone, employees that do not adhere to this policy may be subject to disciplinary action up to and including dismissal.

Internet: Internet access is available through the City’s network. The Internet offers vast, diverse, and unique resources to everyone. Employees are encouraged to use the Internet as much as necessary to perform their job and/or enhance effectiveness in the workplace.

Access: All employees serving in full time and part-time positions who are eighteen years of age or older shall be permitted access to the internet in the performance of their job duties subject to the limitations of the City’s Information Technology system to provide such access. Individual exceptions to this access may be requested by Department Head and such requests will be evaluated on a case-by-case basis. Employees younger than 18 years of age shall have access to the internet in the performance of their job duties at the discretion of their Department Head and only with the written approval of their parents or guardian. Access to the Internet may be revoked by the employee’s Department Head in the event an employee abuses his privilege to use the internet by violating this policy in any manner or by excessive use of the internet for non- work-related activities. A determination of “excessive use” shall be in the sole discretion of the Department Head.

Appropriateness of Information: With access to computers and people all over the world also comes the availability of material that may not be considered appropriate. On a global network it is impossible to control all materials and an industrious user may discover controversial information. The valuable information and interaction available on the worldwide network far outweigh the risk that users may procure material that is not consistent with the goals of the city. However, employee usage of the internet via the City's technology system must always be appropriate. Prohibited uses of the internet, via usage of the City's technology system, include illegal activities, conduct violative of the City's EEO, workplace harassment/discrimination policy, and workplace violence policies, viewing pornographic, obscene, sexually oriented, racially offensive, gambling, or any other websites which, from a community standards viewpoint, would be considered inappropriate or offensive. (Prohibitions on the use of the internet to view pornographic, obscene, sexually oriented, racially offensive, gambling, or other inappropriate websites shall not be applicable to legitimate law enforcement investigations conducted by the Department of Police.) Other prohibited uses also include inappropriate e-mail use, involvement in political endorsements, or any transaction that would compromise the integrity of the City in any way.

1. The city has restricted access to some Internet sites deemed to be inappropriate in the workplace.
2. Any exceptions to Web access restrictions must be communicated to IT with a clear explanation of the business need. An IT representative will review this request and respond or seek approval from the City Manager if necessary.

Privacy: City employees are hereby advised that there is no right or reasonable expectation of privacy in using the internet via the City's technology system. City Management may review use of the internet via the City's technology system. Internet use through the City's technology system will be monitored for specific reasons, such as evaluating the effectiveness of the internet service, investigation of suspected criminal activity, and breach of security or other policies. The city will refrain from reviewing an employee's usage of the internet, via the City's technology system, unless the reasons for doing so are consistent with the City's need for supervision, control, and efficiency in the workplace.

Laptop Security: Staff members that use laptops are responsible for the security of the laptop and for the information stored in the laptop. These users must take all precautions and necessary steps to protect against installation of any malicious or unlicensed software. Any software installation to the laptop must be processed by IT.

Any questions pertaining to laptop security should be addressed to IT.

Physical security

- Avoid leaving the laptop unattended in public places
- Any sensitive information displayed on the laptop screen should not be displayed in public places
- Physically secure the laptop when it must be left unattended for a long period in public places
- Attach an ID tag, such as a business card, to your laptop so that someone that finds this equipment can easily return it
- Laptops should be carried on as hand luggage when traveling
- Laptops should be stored in the trunk or hidden compartment when left in a vehicle
- Laptops should be handled with reasonable care so that they are not damaged

Access

- The laptop screen should be password protected if it must be left unattended in a public place
- Laptops containing sensitive information should not be given to unauthorized staff members or any person not employed by the city

Data Protection

- All sensitive data on the laptop should be password protected
- All data on the laptop should be saved to the network servers

Tracking / Recovery

- If the laptop is stolen or lost, it should be immediately reported to the Police Department and IT.

Personal Conduct: The City's reputation for integrity and professional ethics should never be taken for granted. If the City finds that when using the tools of technology your conduct on or off the job negatively affects your performance, that of other employees, or the image or reputation of the city, you will be subject to disciplinary actions, up to and including dismissal.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023



Acknowledgement of Understanding

City of Monroe

Technology Use Policy

I hereby acknowledge that I have received a copy of the Technology Use Policy for the City of Monroe. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy. I further acknowledge that I have no right or reasonable expectation of privacy when using any of the City's technology system, including City email.

Signature

Printed Name

Date

1-30 Training, Certifications, Travel and Tuition Reimbursement

Policy:

Training, Certifications & Travel:

The city has a culture that promotes, supports, and emphasizes the importance of training. Employees are encouraged to take advantage of available training opportunities to further enhance skills necessary to perform the position held and to upgrade skills in order to qualify for promotional opportunities.

In addition, each employee is responsible for maintaining individual knowledge, skills and abilities necessary to perform their job, including upgrading skills necessary to meet technology changes. The city will facilitate those efforts and provide training as needed and deemed appropriate. Training will occur on-the-job and/or via webinar or seminar.

Employees may be required to attend job-related training programs, courses, workshops, seminars, conferences, etc. If the City assigns an employee to attend such training or approves a specific request to attend such training, the expenses incurred shall be paid by the City. The city will not, however, pay for training when it has not been pre-approved, and/or was taken voluntarily and/or is not related to the employee's job duties. If a training is taken voluntarily and/or is not job related but was pre-approved by the City for the employee to attend, all costs will be incurred by the City.

An employee may request that the city provide additional training to upgrade performance levels in his/her current position or in preparation for anticipated vacancies. Such training may be considered by the city and must be pre-approved before such training is scheduled or administered.

Employees holding required certifications for their job are expected to maintain those certifications and keep their credentials in good standing. An employee who does not maintain a required certification will be subject to disciplinary action, up to and including termination. The City will approve and assume all costs, as appropriate, for training needed to renew a required certification.

In the event an employee receives approval and fails to attend a scheduled training, seminar, conference, class, etc. the employee shall repay any costs that were paid by the City. Such costs will be repaid through payroll deduction. The City Manager may waive this repayment requirement. Determination to waive or not waive the repayment will be handled case by case and will depend on the specific details of the situation that led to the employee not attending.

Time spent in attendance in lectures, meetings, training programs, and similar activities that are required by the City and/or the employee was approved to attend, shall be considered as time worked and will be considered compensable. When an employee is required to travel, and such travel occurs within the same workday, travel time is considered compensable, including required travel that occurs prior to and/or after the employee's normal shift time. There will be a normal deduction for usual mealtime. Exempt employees will be paid their regular salary for weeks in which there is travel associated with training. Non-exempt employees will be paid for travel time in accordance with Federal and Ohio wage and hour laws. Nothing in this paragraph prohibits the city from flexing an employee's work schedule during a week involving travel, such as shortening a different shift during the week to account for the extra travel time.

Employees who drive their personal vehicle for travel related to training, seminars, conferences, etc. may submit for mileage reimbursement. Employees will be paid at the current IRS Mileage Reimbursement Rate.

Tuition Reimbursement:

The City will reimburse up to a maximum of \$5,200 per year incurred by an employee for City Manager-approved continuing education through an accredited program that either offers growth in an area related to his current position or might lead to promotional opportunities. Courses include college credit courses, continuing education unit courses, seminars and certification tests. Employees must earn a passing grade of “B” or its equivalent or obtain certification to receive any reimbursement. Expenses must be validated by receipts, and a copy of the final grade card or certification must be presented to show hours or certification received. In the event the employee resigns, retires, or is terminated for any reason within three years (each year represents 365 calendar days) from receipt of this reimbursement, the employee shall be required to repay the City a prorated amount as follows: 1 year – 75%; 2 years – 50%; 3 years – 25%.

Expense Reimbursement/Allowances:

Employees of the City are to receive reimbursement for expenses incurred while traveling on official City business. Employees are eligible for expense reimbursement only when travel has been authorized by the City Manager or designee.

When considering any employee request for job-related travel, the City will consider the special needs of an employee with a medical condition that affects the employee’s ability to travel.

The following items are reimbursable, subject to the regulations contained herein and compliance with the procedures:

1. Mileage, Parking and Tolls:

- a. Employees shall be reimbursed for actual miles, while on official City business, at the Internal Revenue Service’s approved rate, when using their personal vehicle. Use of personal vehicles for City business will not be authorized when a city-owned vehicle is available for use. Such payment is considered to be total reimbursement for all vehicle-related expense (e.g., gas, oil, depreciation, etc.). The city encourages and may require employees traveling to the same destination to carpool.

Mileage reimbursement is payable to only 1 of 2 or more employees traveling on the same trip, in the same vehicle. Rental of a vehicle is not reimbursable without prior approval of the Department Head.

- b. Charges incurred for parking at the destination, and any highway tolls are reimbursable at the actual amount. Receipts for parking costs and highway tolls are required.
- c. No expense reimbursements are paid for travel between home and office.

2. Meals: Expenses incurred for meals while on official City business, will be reimbursed at a per diem rate based on gsa.gov. An employee is eligible for such reimbursement only when travel has been authorized by the Department Head or designee.
3. Overnight Trips: Expenses covering the actual cost of a hotel room will be reimbursed in full when an employee travels out of the City on official City business and will be reimbursed only with prior authorization of the Department Head or designee.
4. Use of Private Vehicles: The City Manager, upon recommendation of the Department Head, may approve the use of an employee's private vehicle for official City business. If an employee is routinely required to use his/her car in the performance of official duties for the city, he/she may receive either a monthly car allowance or be paid mileage for the use of his/her car on official City business, at the approved rate per mile actually driven on official City business. Other arrangements at lower levels of reimbursement may be necessary to meet particular situations. Agreements should be reached in advance and must be approved by the City Manager.
5. Use of Passenger Vehicles by Senior Officials: The City Manager may authorize certain employees to drive a city-owned or leased vehicle to and from their residence, and for uses which are primarily for government business.
6. Entertainment: Entertainment expenses shall not be reimbursed by the City except in those circumstances where entertainment expenses are required in the proper performance of a job assignment as approved in advance by the Department Head and/or City Manager. Entertainment expenses shall be closely scrutinized and shall never be considered reimbursable without the proper approval of the Department Head and/or City Manager.

The following items are not subject to reimbursement:

1. alcoholic beverages.
2. entertainment (e.g., room service, in-room snacks, in-room movies, etc.) other than that required in performance of job duties and responsibilities.

Expense reports shall be filed by employees detailing all costs with receipt attached.

Department heads are responsible for reviewing and approving personal expense reports of employees within their department to ensure the accuracy of the information provided and compliance with the provisions of this policy.

Recording information in error, providing misinformation, any violation of this policy, or negligence in the review of expense reports will delay reimbursement and may subject an employee/department head to disciplinary action.

The Finance Department will review all Personal Expense Statements and process only those reimbursements in compliance with this policy. An improper claim for reimbursement and/or a claim for reimbursement without a receipt will be returned to the appropriate department head. The Finance Department will not process or pay any portion of a request for reimbursement that is incomplete or contains an error.

Receipts: Receipts are required for all reimbursable authorized expenses.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-31 Use of Vehicles and Driver's License

Use of City-Owned Vehicles:

City-owned vehicles are to be used for official business only. No one (including animals), except City employees, should ride in public vehicles, unless for authorized City business. Employees required to retain vehicles overnight shall not use such vehicles for private purposes.

City vehicles will be furnished for or used as transportation between work and employee's place of residence only when a determination has been made by the City Manager, in writing, that such use is necessary in extraordinary conditions.

Before employees will be permitted to operate a city vehicle, they will be required to have a current valid driver's license and, where necessary, a CDL license and be insurable by the City's vehicle insurance carrier. Failure to retain this license for any reason must be reported to the employee's supervisor immediately. Employees who fail to retain a required license may be subject to discipline, including termination.

Employees operating City vehicles shall observe all traffic laws and Ordinances. Violation of the rules adversely affects public opinion of the Municipal Government. City employees who demonstrate disregard of traffic regulations may be disciplined up to and including termination.

Before employees will be permitted to operate a city vehicle, they will be required to submit to a Motor Vehicle Records check (MVR). Such MVR shall be re-evaluated every year. Two or more traffic incidents appearing on the MVR will be considered a questionable driving record, and such information will be reviewed and discussed with the respective employee and may lead to the employee being disqualified to drive a city vehicle. Employees are required to report all accidents and/or citations, including a DUI or OVI that occur during work hours or outside of work hours. This includes cases where an arrest was made but formal charges have not yet been filed against the employee. The un-insurability of an employee by the City's motor vehicle carrier will result in termination where driving is a job requirement.

In addition, employees who fail to retain a required license or fail to report an accident or citation, whether during work or outside of work hours will be subject to disciplinary action, up to and including termination. Commercial Driver's License holders are subject to additional yearly queries through the Department of Transportation Clearinghouse database.

Use of Passenger Vehicles by Officials:

Council may designate certain Officials who are on call 24 hours a day to drive a city-owned or leased car to and from their residence, and for uses which are primarily for government business. From time to time, Council may, by contract or other action, determine rules for such use by Officials and other incidental drivers. In the absence of Council action, the City Manager may determine additional rules for such use, if necessary.

Use of Private Vehicles:

The City, upon recommendation of the Department/Division Head, must approve the use of an employee's private vehicle for official City business. If an employee is required to use his car in the performance of official duties for the city, he will receive either a monthly car allowance or be paid mileage for the use of his car on official City business. Other arrangements at lower levels of reimbursement may be necessary to meet particular situations. Agreements should be reached in advance, and must be approved, in writing, by the city.

All employees who operate privately-owned vehicles for official City business must possess automobile insurance in amounts which satisfy Ohio financial responsibility laws.

Failure to possess personal automobile insurance will subject the employee to the loss of driving privileges until adequate insurance coverage is purchased. Loss of insurability due to poor driving performance will also result in suspension of driving privileges until the situation is reconciled and may be considered cause for termination if driving is an essential function of the employee's position. In either case, delays in securing necessary insurance may subject the employee to disciplinary procedures pursuant to this manual.

Driver Safety and Accident Prevention:

Vehicle accidents are not only costly to our city, but more importantly, they may result in injury to you or others. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. As such, the City of Monroe endorses all applicable state motor vehicle regulations relating to driver responsibility. The City expects each driver to drive in a safe and courteous manner pursuant to the following safety rules.

Driver Safety Rules:

Always wear seat belts when riding in a city vehicle, even if air bags are available

Do not allow unauthorized personnel (e.g., Hitchhikers) to ride in City vehicles.

Do not drive while distracted. Distracted driving includes but is not limited to: sending or viewing a text message, talking on a cell phone, tuning or adjusting the radio, using a navigation system, and eating while driving.

The use of cell phones while driving is prohibited. Drivers should complete calls while the vehicle is parked and/or use the phone in a "hands free" mode via a speaker.

Do not operate a city vehicle while under the influence of intoxicants and other drugs.

Do not operate a city vehicle when your ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.

Always maintain a safe following distance and increase following distance during adverse conditions.

Yield the right of way at all traffic control signals and signs requiring you to do so.

Be prepared to yield for safety's sake at any time.

Always give pedestrians and bicycles in the roadway always the right of way.

Avoid driving in other driver's blind spots; attempt to maintain eye contact with the other driver, either directly or through mirrors.

Honor posted speed limit and reduce speed consistent with the conditions of the road, weather, lighting, and volume of traffic.

Use turn signals to show where you are heading, when going into traffic and before every turn or lane change.

View the entire vehicle in your rear-view mirror when passing or changing lanes before pulling back into that lane.

Be alert of other vehicles, pedestrians, and bicyclists when approaching intersections. Never speed through an intersection on a caution light.

When the traffic light turns green, look both ways for oncoming traffic before proceeding.

Keep your wheels facing straight ahead when waiting to make left turns to avoid being pushed into the lane of oncoming traffic if rear-ended.

Avoid backing where possible, but, when necessary, keep the distance traveled to a minimum and be particularly careful.

Do not back around a corner or into an area of no visibility.

Accidents with City-Owned Vehicles:

The city may investigate any vehicular accident involving City-owned vehicles, apparatus, or public safety vehicles being operated by an employee of the city.

Anytime a City vehicle is involved in an accident, the unit shall be returned to the City for inspection, whether or not the driver believes there is any damage. Any exception to this requirement shall be with the specific written approval of the Department Head.

Every vehicular accident shall be reported immediately to the driver's Department Head or supervisor. Any person failing to immediately report an accident involving a City vehicle, or any damage to a vehicle, shall be subject to disciplinary action up to and including termination.

In the event of an accident, the Department Head or designee should be notified as soon as possible. The City Manager or designee should also receive notification of an accident. A written report shall be submitted to the City Manager within 24 hours.

The Department Head shall designate a City management representative to initiate the gathering of information, statements, and other documentation pertaining to the incident at the earliest possible time after occurrence.

When involved in a vehicular accident, the driver or supervisor shall notify a Monroe dispatcher and request any assistance deemed necessary. In the event of a serious emergency where time is a critical factor, a public safety employee shall remain at the scene and the unit should continue on the response.

When traffic is blocked due to an accident, personnel shall fully cooperate with the police officer in clearing the street to reduce the potential for further damage to the apparatus or equipment.

If an emergency vehicle, or apparatus, is determined to be out of service, the supervisor shall make arrangements for a reserve unit, where applicable.

A written statement shall be obtained and submitted by all employees in or around the vehicle or apparatus at the time of the accident.

It shall be the responsibility of the supervisor to gather all written statements, reports, and any other documentation concerning the accident and to submit a completed report to the Department Head within 24 hours of the incident. The Department Head shall submit all documentation to the City Manager.

Any person sustaining an injury as a result of the accident shall complete a personal injury report as required by City policy.

In consideration of the type of incident, the city officials may initiate a special investigation as to the causative factors concerning the incident and to request a written recommendation for corrective action to be initiated as a preventative measure.

An incident report shall be completed any time damage has occurred to a City vehicle.

Review & Questions

Questions regarding this procedure should be addressed to the Human Resources Department.

Procedure Issued on 01/01/2023



Acknowledgement of Receipt and Understanding *City of Monroe*

Use of Vehicles and Driver's License

I hereby acknowledge that I have received a copy of the Use of Vehicles and Driver's License Policy for the City of Monroe. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-32 Vacation Policy

Policy:

This policy applies to full-time employees not covered by a collective bargaining agreement (CBA). Employees who are covered by a CBA should review their applicable contract for the appropriate information on vacation.

Only full-time employees are eligible for vacation leave.

Employees shall be granted vacation according to the following schedule:

<5 years of service: 3.0770 (80 hours/26 pays)

5-9 years of service: 4.6154 (120 hours/26 pays)

10-14 years of service: 6.1539 (160 hours/26 pays)

15-19 years of service: 6.9231 (180 hours/26 pays)

20 or more years of service: 7.6924 (200 hours/26 pays)

Employees may carry a balance equal to their accrual rate for one year in addition to their current year accrual.

The City Manager may take prior service/experience into consideration for newly hired employees and place them accordingly on the above scale.

Scheduling and Approval:

Vacation scheduling is subject to the approval of the employee's supervisor and/or the Department Head and is also subject to the operational needs of the various departments/divisions of the city, with regard for seniority and the employee's preferences.

While due consideration for individual employee convenience may be given, the needs of the City in scheduling workloads shall be the controlling criterion.

Vacation leave is to be taken in minimum units of 2 hours and must be requested and approved through the City's leave request system prior to the time being taken.

Employees entitled to three (3) or more weeks of vacation per year shall not take more than 2 weeks of vacation at any one time except with permission from the City Manager.

Payment for Unused Vacation Leave:

Employees separating employment with the city due to resignation, retirement, death or layoff shall be paid for all accrued and unused vacation leave to his or her credit at the time of separation, provided the following has occurred:

- a. The employee has successfully passed any applicable probationary period.
- b. The employee is not dismissed for cause.
- c. The employee has given proper notice of separation to the employer.
- d. The employee has returned all City property.

Vacation Leave Buy Back:

Employees shall have the option to submit for vacation buy back 50% of their annual vacation accrual up to 80 hours per calendar year. Buy back will be paid at the employee's straight time rate and will be payable within thirty (30) days from approval of the request. The City Manager may suspend this benefit, at his sole discretion, should the City's cash flow needs dictate.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

1-33 Workers Compensation Policy including Injury Reporting, Required Testing and Investigation

Purpose:

The purpose of this policy is to provide a system for reporting and investigating injuries an employee may incur while engaged in work activities. In addition, this policy explains workers compensation drug and alcohol testing requirements.

Policy:

City employees are covered under Ohio's Workers' Compensation Act. The City makes regular payments to purchase this insurance for the employee's protection against injury or illness incurred in the course of and arising out of employment. Eligibility for said benefits are governed by the Act's rules and regulations.

All work-related injuries are to be properly and timely reported and investigated. This is necessary to ensure that:

- The cause of injury is determined.
- A plan can be developed and implemented to correct the cause of the injury.
- All processes are completed so that treatment is not delayed, and the injured employee does not sustain any costs related to the injury.

Pursuant to applicable Ohio law, if an employee is injured, dies, or contracted an occupational disease in the course of and arising out of employment, the employee will be subject to mandatory drug and alcohol testing to detect the presence of alcohol, or a controlled substance not prescribed by the employee's physician. A positive test result or an employee's refusal to submit to testing may affect the employee's eligibility for compensation and/or benefits under Ohio's Workers Compensation Law. In addition to possibly affecting eligibility for workers compensation benefits, the employees conduct will also result in disciplinary action, up to and including termination for violation of the City's drug and alcohol-free workplace policy.

An employee testing positive may dispute or prove untrue the presumption or belief that alcohol or a controlled substance, not prescribed by the employee's physician, is the proximate cause of the work-related injury. The burden of proof shall fall solely on the employee. Prescription medication taken in excess of the prescribed dosage may result in a failed drug test and will be considered a violation of this policy and the City's drug and alcohol-free workplace policy.

Injury Reporting Procedures:

1. When a work-related injury occurs, an employee must immediately notify their supervisor.
2. If the injury requires immediate medical attention, the employee should go to the nearest Emergency Room
3. If the injury is not an emergency, the employee should be directed to Premier Health, or they may choose to go to their doctor.
4. The employee must notify the facility where treatment is received that they are there for treatment for a work-related injury.

5. Within 24 hours of seeking medical treatment, the injured employee must complete the First Report of Injury (FROI) form and submit any medical documentation he/she received from the medical provider. This documentation should be given to the Human Resources Department.
6. It is the responsibility of the supervisor and/or Department Head to inform the Human Resources Department of the injury and immediately initiate an investigation of the incident.

Additional Procedures:

The injured employee must continually update their supervisor and Human Resources Department on their status, especially if the employee continues to be absent from work. Employees are responsible for providing their expected date of return, if known.

Employees who are injured in the line of duty and must leave work before completing their workday shall be paid at their regular rate of pay for the balance of time left in their scheduled workday.

An injured employee may elect to use accrued sick leave and vacation leave prior to receiving payments from workers compensation.

Failure to use safety equipment made available to the employee may result in disciplinary action, up to and including termination.

Salary continuation shall be subject to the discretion of the City Manager or designee. Such salary continuation shall not exceed 13 weeks. Agreement to pay salary continuation does not mean the City has certified the claim or has relinquished appeal rights. The injured worker is not required to accept salary continuation wages. Salary continuation shall be for the regular (full) salary/wages including any regular benefits and shall not include any overtime pay. If an injured worker ceases employment with the city, salary continuation is no longer payable by the city. To the extent that an employee is charged with sick leave for a period in which he/she has been approved to receive salary continuation, the sick leave will be reinstated.

Per the Family and Medical Leave Act Policy, workers compensation leave may run concurrent with FMLA.

Review & Questions:

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023



Acknowledgement of Receipt and Understanding

City of Monroe

Workers Compensation Policy

I hereby acknowledge that I have received a copy of the Workers Compensation Policy for the City of Monroe. I further acknowledge that I have read, understand and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-34 Workplace Bullying Policy

Objective

The purpose of this policy is to communicate to all employees that the City of Monroe will not *in any instance* tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

Definition

The City of Monroe defines workplace bullying is a persistent pattern of mistreatment from others in the workplace that causes either physical or emotional harm. It can include such tactics as verbal, nonverbal, psychological, and physical abuse, as well as humiliation. It is abusive conduct that may include:

- Threatening, humiliating, or intimidating behaviors.
- Work interference/sabotage that prevents work from getting done.
- Verbal abuse.

Such behavior violates the City of Monroe Code of Conduct, which clearly states that all employees will be treated with dignity and respect.

Examples

The City of Monroe considers the following types of behavior examples of bullying:

- **Verbal bullying.** Slandering, ridiculing, or maligning a person or his or her family; persistent name-calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying.** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- **Gesture bullying.** Nonverbal gestures that can convey threatening messages.
- **Exclusion.** Socially or physically excluding or disregarding a person in work-related activities.

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising one's voice at an individual in public or in private.
- Using obscene or intimidating gestures.
- Not allowing the person to speak or express himself or herself (i.e., ignoring or interrupting).
- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.

- Public reprimands.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Assigning menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse, or threats of abuse to an individual or an individual's property (defacing or marking up property).

Individuals who feel they have experienced bullying must report this to their supervisor or to Human Resources before the conduct becomes severe or pervasive. All employees are required to report any bullying conduct they experience or witness as soon as possible to allow the city to take appropriate action.

In no way are the examples included in this policy or mentioned in the definition meant to be a full, exhaustive list. Other behaviors not mentioned may be considered a violation of this policy.

Review & Questions:

It is noted that other City policies also specifically address the topics of harassment and discrimination, human dignity, and respect in the workplace.

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023



Acknowledgement of Receipt and Understanding

City of Monroe

Workplace Bullying Policy

I hereby acknowledge that I have received a copy of the Workplace Bullying Policy for the City of Monroe. I further acknowledge that I have read, understand and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

1-35 Workplace Violence and Workplace Weapons Policy

Policy:

The city is committed to maintain a safe workplace in all respects, including protection, from violence, threats, or deliberate intimidation. As used in this policy, the word “violence” includes any act or threat involving harm or injury to persons, damage to personal or City property, or deliberate intimidation of a person by causing the person reasonably to fear of personal injury or damage to property. In order to safeguard the safety of both employees and members of the public, the following rules and provisions are in place:

No employee may bring a firearm or other weapon into any City owned or leased buildings or City vehicles, except in performance of his/her official duties, such as an armed law-enforcement officer.

All employees are required to report to their supervisor or other management representatives any act of violence or threat to use violence, whether made by or directed toward a co-worker, supervisor, or member of the public. Failure to report such acts or threats of violence may result in disciplinary action.

Employees who engage in acts of violence or make threats of violence to officials, employees or agents of Monroe, or any member of the public, will be immediately terminated from employment, and discharge will be imposed as a penalty for the first offense.

Monroe may terminate services to and bar from City facilities and property any person, including customers and other members of the public, who engage in acts of violence or who make threats of violence to officials, employees, or agents of the City. Any person barred from City facilities who nevertheless comes on to City property is subject to removal from the property by law enforcement authorities and arrest for trespassing.

The City may, in its discretion, require employees, customers, and members of the public to pass through a metal detector or undergo a reasonable search as a condition of entering any City facility or any portion thereof.

In any case where an employee is under investigation for acts or threats of violence, or otherwise poses a risk of disruption of the workplace, pending the outcome of a disciplinary investigation or hearing, the city may place the employee on administrative leave pending the conclusion of the investigation or proceedings.

Both management and employees should remember the availability of the employee assistance program as a means of assisting troubled employees and their family members.

The city may require any employee to undergo a medical examination, including a psychiatric or psychological evaluation, to determine the employee’s fitness for duty and/or ability to perform the essential functions of his position.

Any employee who violates this policy is subject to immediate discharge.

Workplace Weapons Policy

The purpose of this policy is to provide a safe environment for employees and guests.

City of Monroe prohibits all employees who enter its buildings from carrying a handgun, firearm, or weapon of any kind onto the property regardless of whether the person is licensed to carry the weapon or not. This includes having a handgun, firearm or weapon or any kind in a city vehicle.

This policy applies to all employees, contract and temporary employees, and contractors on the property, regardless of whether or not they are licensed to carry a concealed weapon or are classified as a “qualifying adult” under R.C. 2923.111. The only exceptions to this policy will be police officers, security guards, or other persons who have been given written consent by City of Monroe to carry a weapon on the property.

Prohibited weapons include all firearms or other weapons. If you have a question about whether an item is covered by this policy, please contact the Human Resources Department. The City property covered by this policy includes, without limitation, all City-owned or leased buildings and vehicles.

The Ohio Concealed Carry Law:

The Ohio Concealed Carry Law specifically prohibits concealed weapons inside government buildings; thus, the following rule applies to all public buildings:

“Unless otherwise authorized by law, pursuant to the Ohio Revised Code, no person shall knowingly possess, have under the person’s control, convey, or attempt to convey a dangerous weapon or dangerous ordnance onto these premises.”

City employees, except authorized law enforcement officers, are not permitted to carry weapons or dangerous ordnance in City buildings or in City vehicles. However, employees with a valid concealed carry license or those classified as a “qualifying adult” under R.C. 2923.111 are permitted to lawfully transport and store their firearm and ammunition in their privately owned motor vehicle, even when the vehicle is parked on the employer’s property. The firearm and all ammunition must remain inside the employees privately owned motor vehicle while the employee is physically present inside the motor vehicle, or it is locked in the trunk, glove box, or other enclosed compartment or container in the employee’s privately owned motor vehicle when the employee exits the vehicle. Proper storage of a firearm in a personal vehicle, as defined in this paragraph, shall not constitute a violation of this policy.

Violations

Failure to abide by all terms and conditions of the policies described above may result in discipline up to and including termination. THIS POLICY SHALL NOT BE CONSTRUED TO CREATE ANY DUTY OR OBLIGATION ON THE PART OF THE CITY TO TAKE ANY ACTIONS BEYOND THOSE REQUIRED OF AN EMPLOYER BY EXISTING LAW. If an employee becomes aware of anyone violating this policy, please report it to your supervisor immediately.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023



Acknowledgement of Understanding

City of Monroe

Workplace Violence & Workplace Weapons Policy

I hereby acknowledge that I have received a copy of the Workplace Violence and Workplace Weapons Policy for the City of Monroe. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that I may be disciplined, up to and including termination of my employment, for failure to comply with this policy.

Signature

Printed Name

Date

City of Monroe, Ohio

1-36 Sick Leave Donation Policy

Employees may experience a personal crisis or family emergency and need additional time off in excess of their available accrued leave. To assist employees in these situations eligible employees may donate sick leave from their unused balance to co-workers pursuant to the policy set forth below. This is strictly voluntary.

Employees who donate sick leave must be employed with the City of Monroe for a minimum of one year.

Employees requesting to receive donated sick leave from their co-workers must meet the following:

1. A medical condition of the employee or immediate family member (see below) that will require absence of the employee from duty that will result in a loss of income to the employee because of the employee's lack of available paid leave.
 - Immediate Family Member shall be defined as a spouse (including a domestic partner), parents, and children (including stepchildren).
 - Please note that the definition of Immediate Family Member to receive donated sick time differs from the definition of Immediately Family Member to use your own accrued sick time.
2. A personal crisis that affects the employee such as a natural disaster impacting the employee's primary residence such as a fire or severe storm.

Employees donating sick leave must donate a minimum of four hours, no more than 40 hours, and no more than fifty percent (50%) of the current balance. Employees donating sick leave shall not be permitted to exhaust their balances in the event they may experience their own personal need for time off.

Employees who are on approved leave of absence cannot donate sick leave.

Employees receiving donated time cannot receive more than 480 hours within a 24-month rolling period.

Employees requesting donated sick leave shall be required to complete a request form as established by the City Manager. Such form shall include authorization to present the request to employees of the City of Monroe for the sole purpose of seeking donations. Employees donating sick leave to a co-worker must also complete a donation form as established by the City Manager.

All donation forms shall be submitted to the City Manager or designee. The City Manager or designee shall have sole discretion on approval or denial of sick leave donation requests.

Employees may only receive donated sick leave after they have exhausted all other accrued leave.

Policy Issued on 01/01/2023

Request for Sick Leave Donation

The Sick Leave Donation Policy recognizes that employees may experience a personal crisis or family emergency and need additional time off in excess of their available and used sick leave. To assist employees in these situations, eligible employees may donate sick leave from their unused balance to the co-workers pursuant to the guidelines set forth below. ***This is strictly voluntary.***

- Employees that donate sick leave must be employed with the City for a minimum of one year.
- Employees requesting to receive donated sick leave from their co-workers must meet one of the following:
 - A medical condition of the employee or immediate family member (see below) that will require absence of the employee from duty that will result in a loss of income to the employee because of the employee's lack of available paid leave. Immediate Family Member shall be defined as a spouse (including a domestic partner), parents, and children (including stepchildren), OR
 - A personal crisis that affects the employee such as a natural disaster impacting the employee's primary residence such as a fire or severe storm.
- Employees donating sick leave must donate a minimum of 4 hours, no more than 40 hours, and no more than 50% of the current balance. Employees donating sick leave shall not be permitted to exhaust their balances in the event they may experience their own personal need for time off.
- Employees who are on approved leave of absence cannot donate sick leave.
- Employees receiving donated time cannot receive more than 480 hours within a 24-month rolling period.
- Employees requesting donated sick leave shall be required to complete a request form as established by the City Manager. Such form shall include authorization to present the request to employees of the City for the sole purpose of seeking donations. Employees donating sick leave to a co-worker must also complete a donation form as established by the City Manager.
- All requests for donation shall be approved by the City Manager or designee.
- Employees may only receive donated sick leave after they have exhausted all other accrued leave.

Based on the medical information in the Human Resources Department, I am hereby requesting donated sick leave and do hereby authorize the Human Resources Department to present my request to employees of the City for the sole purpose of seeking donations. I understand that this will be a general request and no medical information shall be shared with anyone, however, I understand my name will be used as part of the request.

Date

Printed Name of Employee

Signature of Employee_____

This request for sick leave donation is hereby approved.

Date

City Manager

Request to Donate Sick Leave

The Sick Leave Donation Policy recognizes that employees may experience a personal crisis or family emergency and need additional time off in excess of their available and used sick leave. To assist employees in these situations, eligible employees may donate sick leave from their unused balance to the co-workers pursuant to the guidelines set forth below. ***This is strictly voluntary.***

- Employees that donate sick leave must be employed with the City for a minimum of one year.
- Employees requesting to receive donated sick leave from their co-workers must meet one of the following:
 - A medical condition of the employee or immediate family member (see below) that will require absence of the employee from duty that will result in a loss of income to the employee because of the employee's lack of available paid leave. Immediate Family Member shall be defined as a spouse (including a domestic partner), parents, and children (including stepchildren), OR
 - A personal crisis that affects the employee such as a natural disaster impacting the employee's primary residence such as a fire or severe storm.
- Employees donating sick leave must donate a minimum of 4 hours, no more than 40 hours, and no more than 50% of the current balance. Employees donating sick leave shall not be permitted to exhaust their balances in the event they may experience their own personal need for time off.
- Employees who are on approved leave of absence cannot donate sick leave.
- Employees receiving donated time cannot receive more than 480 hours within a 24-month rolling period.
- Employees requesting donated sick leave shall be required to complete a request form as established by the City Manager. Such form shall include authorization to present the request to employees of the City for the sole purpose of seeking donations. Employees donating sick leave to a co-worker must also complete a donation form as established by the City Manager.
- All requests for donation shall be approved by the City Manager or designee.
- Employees may only receive donated sick leave after they have exhausted all other accrued leave.

I hereby request to donate sick leave as requested by _____.
(Name of Employee Requesting Sick Leave Donation)

The maximum amount I am requesting to donate is _____ hours.

Date

Printed Name of Employee

Signature of Employee _____

City of Monroe, Ohio

1-37 Multifactor Authentication Notice & Acknowledgement

Policy:

As a part of a mandatory security requirement that is audited for insurance coverage, the City of Monroe has a mandatory process of pushing out multi-factor authentication (MFA or 2FA) for Office 365. The MFA/2FA that the City of Monroe is using requires either the use of the Microsoft Authenticator App that needs to be download on a cell phone, or a cell phone number being registered in the system to send you a text with a verification code that will be needed to complete log in requirements. This process will help ensure that we continue to have a reliable and secure computer network.

Without the use of this verification method, staff will not be able to use the email system or other Microsoft products.

IT staff will assist employees in completing this process.

Review & Questions

Questions regarding this policy should be addressed to the Human Resources Department.

Policy Issued on 01/01/2023

Multifactor Authentication usage began on 6/1/2022.



Acknowledgement of Understanding

City of Monroe

Multifactor Authentication Notice & Acknowledgement

I hereby acknowledge that I have received a copy of the Multifactor Authentication Notice for the City of Monroe. I further acknowledge that I have read, understand, and agree to abide by the terms in this policy. I understand that this multifactor authentication is mandatory, and I am required to comply with this requirement.

Signature

Printed Name

Date

WELCOME TO THE CITY OF MONROE

Congratulations on joining our team!

It is the City of Monroe's goal to provide you with basic information and guidance about your job and the city when you first join our organization. We also aim to keep you fully informed about the City's policies, procedures, practices, and benefits, as well as what you can expect for the City as your employer and the obligations you assume as an employee. These practices, abbreviated in this handbook, are designed to provide consistent and fair treatment of employees. Employees are expected to review this handbook and the City policies and procedures, become familiar with them and thoroughly knowledgeable of their contents. If you have any questions on any matter pertaining to your employment, please contact either your supervisor or the Human Resources Department.

City policies can be found in their entirety in the Human Resources Department or on the City of Monroe's Employee Shared Data folder and/or Employee website. Additionally, City ordinances that affect many City policies may be found online, in the Clerk of Council's Office, or in the City Manager's Office.



This handbook contains only general information and guidelines and is not intended to be comprehensive or to address all of the possible applications of, or exceptions to, the general policies and procedures of the City.

All references in this handbook, wherever the male gender is used, shall be construed to include male and female Employees.

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About the City of Monroe

The City of Monroe was founded in 1817 and we are very proud with what it has grown to today. We are a thriving community with a population of approximately 15,000 located between Dayton and Cincinnati along I-75. Monroe has a land area of approximately 17 square miles and continues to experience well-rounded growth in retail, residential, and industrial enterprises.

In 1874, the electors of the Municipality of Monroe adopted a Home Rule Charter. The current form of government is known as the “Council-Manager Plan.” This form of government combines the strong political leadership of elected officials with the expertise of an appointed professional manager known as the City Manager.

Council is responsible for policy decisions and for providing an effective administration. The City Manager is a professional administrator appointed and supervised by council. The Manager is given the exclusive authority, considered the appointing authority, to administer the business of the City, including all hiring and firing decisions.

The Council selects from its membership a Mayor and Vice Mayor. The mayor is a Council member and has the right to vote on all issues before the Council but has no power of veto. The Council and the Mayor are elected in at-large races. The Council is comprised of seven (7) council persons, each holding a four (4) year term.

The primary obligation of the City Council, other elected and appointed City officials and all City employees is to provide the citizens of Monroe with quality public service. This is a continuing obligation to which all other obligations are secondary.

The City Manager shall be the chief administrative, executive, and law enforcement officer of the City. He shall be responsible to the Council for the administration of all City affairs placed in his charge by or under the City Charter.

Except for the purpose of inquiries and investigations (under Section 4.04 of the Monroe City Charter), the City Council or its members shall deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately; however, the City Council may request and require City officers and employees to provide information pertaining to the conduct of City affairs and to attend the meetings of the Council or its committees to present testimony or other evidence. Employees must recognize that Council’s role, except as further defined in the Charter, is legislative in nature and not administrative. Employees are required to follow the organizational chart or complaint process further described herein with any concerns or questions regarding administration.

City of Monroe Guiding Principles:

Pride of Place: Monroe has a history of determination, perseverance, and foresight. As a part of our team, you will help carry on that tradition of working together through the good times and bad.

Responsive and Caring Service Delivery: All of our Departments take a resident/customer first approach to the work they do in a friendly and welcoming manner that reflects our community.

Managed Growth and Development: Growth has been a part of this community for decades. Our employees come up with innovative and effective ways of promoting and managing that growth.

Fiscal Responsibility and Stability: Budget impact and responsibility with public funds is the forefront of all our decision making. From frontline staff to City Council, we are accountable to our taxpayers to be wise with our resources.

Investment in Employees: Our employees are our foundation, and we invest in them through training, professional development, and a supportive work environment.

YOUR WORKPLACE & YOUR EMPLOYMENT

Employment in the City of Monroe

The city appoints, employs, evaluates, disciplines, lays off, and removes employees within the respective offices and departments. The City also generally establishes the compensation and conditions of employment for employees, subject to certain exceptions established or delegated to other authorities by law or City Charter.

Employment by the City is employment in a public agency, subject to the applicable laws of the State of Ohio, the City Charter, policies, rules, and procedures established by the City, and the requirement that employees recognize and agree to abide by said laws, Charter, and policies, rules, and procedures as conditions of employment.

Employees are required to perform assigned duties in a responsible manner during the working hours designated by the city.

Equal Employment Opportunity

The City of Monroe is an Equal Employment Opportunity (EEO) employer. EEO is defined as fair treatment in employment, promotion, training, and other personnel actions without regard to race, color, religion, sex (including pregnancy), gender identity or expression, sexual orientation, age, national origin, disability status, ancestry, military or veteran status, genetic information, or any other condition or status protected by laws.

All employment practices, including, but not limited to hiring, promotions, transfers, separations, layoffs, compensation, and training are administered without regard to race, color, religion, sex (including pregnancy), gender identity or expression, sexual orientation, age, national origin, disability status, ancestry, military or veteran status, genetic information, or any other condition or status protected by laws.

Americans With Disabilities Act

The City of Monroe complies with the Americans Disabilities Act (ADA) that prohibits discrimination against individuals with disabilities in all areas of public life, including employment. Title I of the Americans with Disabilities Act is designed to help people with disabilities access the same employment opportunities and benefits available to people without disabilities. As part of the ADA, employers must provide reasonable accommodations to qualified applicants or employees. A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable an applicant or employee with a disability to participate in the application process or to perform the essential job functions, barring undue hardship on the employer.

Employees are encouraged to bring appropriate accommodation requests to the attention of the Human Resources Manager. If an employee feels he/she has been discriminated against on the job, the employee shall file the complaint with the Human Resources Manager or Assistant City Manager. The employee also has the right to file discrimination complaints with the Ohio Civil Rights Commission and the Federal Equal Employment Opportunity Commission (EEOC).

The city encourages reporting of all perceived incidents of discrimination. It is the City's policy to investigate such reports promptly and thoroughly. The city prohibits retaliation of any kind against any individual who files a charge of discrimination or participates in an investigation.

Requirement for Employment

Residency Requirements: Generally, residency is not a prerequisite for obtaining or continuing employment with the City of Monroe. However, in many cases, it is in the City's best interest for employees to live within a reasonable distance so that they may respond to emergency or call-back situations. Residency requirements, if applicable, can be found in the appropriate collective bargaining agreement(s).

Employment Eligibility Verification Form I-9: All new employees are required to complete an Employment Eligibility Verification Form I-9 no later than their first day of employment. In addition, employees must also present the required documents to prove identity and work authorization eligibility. Failure of any new employee to complete the Form I-9 and/or submit verifying documentation within the required time limits, are subject to disciplinary action, up to and including termination.

Discrimination and Harassment Policy

The City of Monroe believes in human dignity and the need for mutual respect among employees and between employees and citizens. It is the policy of the City that an environment of mutual respect should be affirmed and encouraged. The city strives to maintain a workplace which is consistently non-hostile, and which fosters an affirming environment grounded in the belief of human dignity and mutual respect for each employee and all citizens. In a culture of mutual respect, civility is ever present. People listen to each other considerately and are mannerly. All employees are expected to treat co-workers, customers, and members of the public with equality, dignity, and respect, and to behave in a professional, cooperative, and collegial manner. Mistreatment and bullying, even if not illegal or discriminatory in nature, is also prohibited by this policy.

Harassment of any kind is not only a violation of our policy, but it may also violate Title VII of the Civil Rights Act and other federal and state laws. If you are subject to harassment, intimidation, discrimination, or any form of workplace bullying, you should contact a member of management for immediate help. All complaints will be promptly investigated, and appropriate action will be taken against anyone found to have violated this policy. An employee who reports harassment or discrimination or who assists in any investigation will not be subject to retaliation.

of any sort, as retaliation is a violation of City policy. Anyone violating this policy will be subject to disciplinary action up to and including termination.

Job Classifications & Employee Status

Fair Labor Standards Act (FLSA) Classifications

Employees whose jobs are governed by the FLSA are either “exempt” or “nonexempt.”

Exempt: An exempt job, as stipulated in the FLSA, is exempt from the provisions of that law which requires the payment of premium pay for hours worked in excess of 40 per week. Generally, the term “exempt” refers to set positions exempt from overtime pay. These positions are paid on a salaried basis.

Non-Exempt: Under the FLSA, employees in a non-exempt job must be paid an overtime premium rate for hours worked in excess of 40 per week. Because of their varying work schedule, law enforcement and firefighters have different hourly limitations; however, their jobs are still considered non-exempt. Generally, the term “non-exempt” refers to positions paid on an hourly basis.

Job Classification

Classified: Jobs in the Classified service of the City are those which are covered by the rules of the Monroe Personnel Board. These positions shall be subject to examination to determine the fitness of applicants. Appointments to all position in the classified service shall be in accordance with the Personnel Board Rules and Regulations.

Unclassified: Jobs in the “unclassified” service are those excluded from the rules of the Personnel Board. An examination is not required for an applicant to receive appointment to that vacant position. Many of these positions are documented in the City Charter and/or City ordinance. Unclassified employees are employees-at-will who serve at the pleasure of the employer, and they may be discharged for any lawful reason, or no reason at all, at any time.

Employee Status Definitions

All jobs in the City of Monroe will be classified per the rules of the FLSA and will be listed as classified or unclassified. In addition, all employees shall be categorized as one of the following:

1. *Full-time employee* means an employee who works 32 hours per week on a regularly scheduled basis or the standard full-time workweek as designated by the Appointing Authority.
2. *Part-time employee* means an employee who works less than 32 hours per week or less than full-time as designated by the Appointing Authority, but on a regularly scheduled basis.

3. *Temporary employee* means an employee who works in a position that has a specified duration of time.
4. *Probationary employee* means a classified employee serving the first 12 months of his/her appointment, promotion, re-employment, or reinstatement to any non-temporary position. An employee's probationary period may be extended for a reasonable amount of time if it is determined that an extended period of observation and evaluation would be in the best interest of the city. In addition, an employee missing work for more than 15 days, whether in one lump sum or accumulated over time, may have their probationary period extended by the number of days missed. During the probationary period, classified employees are considered at-will employees, meaning that either the city or the employee may terminate the employment relationship at any time, for any reason, with or without cause. Upon completion of the probationary period, a classified employee can only be terminated for cause.
5. *Seasonal employee* means an employee who works on the academic program year, or who works on a recurring, but temporary basis annually.
6. *Student employee* means a person employed to work in a non-professional position requiring little or no experience. The person must be a student at an educational institution; however, their assigned position need not be directly related to the content or level of the person's education.
7. *Provisional employee* means an employee who has temporarily filled a classified position because the Personnel Board cannot certify a list of persons eligible for appointment from a competitive examination.
8. *Interim employee* means an employee hired to fill a vacancy in a classified position created by the long-term absence of a regular employee for the period of the absence or until an examination can be held. Interim appointees will be notified that their appointment shall cease upon the return of the regular employee for whom the interim employee is working, or the position is filled through the examination process.
9. *Executive level* means an employee holding the position of Assistant City Manager, Finance Director, Public Works Director, Fire Chief, Police Chief and Development Director.

The job description is the foundation document for the City's Job Classification system. The job description indicates whether the job is exempt or not, whether the job is classified or not; the position title; a description of duties, responsibilities, requirement, qualifications, and the essential functions of the position. Position descriptions are critical to the mission of the city because they form the basis for performance appraisals of each employee. The job description

defines what an employee is responsible for, and the performance appraisal describes how well the employee fulfills those responsibilities.

A copy of all job descriptions is available from the Human Resources Department.

Probationary Period

Each employee newly hired or promoted in the classified service shall serve a probationary period in accordance with the Personnel Board Rules and Regulations. Probationary employee means a classified employee serving the first 12 months of his/her appointment, promotion, re-employment, or reinstatement to any non-temporary position. An employee's probationary period may be extended for a reasonable amount of time if it is determined that an extended period of observation and evaluation would be in the best interest of the city. In addition, an employee missing work for more than 15 days, whether in one lump sum or accumulated over time, may have their probationary period extended by the number of days missed. During the probationary period, classified employees are considered at-will employees, meaning that either the city or the employee may terminate the employment relationship at any time, for any reason, with or without cause. Upon completion of the probationary period, a classified employee can only be terminated for cause.

Unclassified employees are considered "at-will" and therefore do not serve a defined probationary period.

Seniority

Seniority is generally defined as continuous full-time service with the City. Seniority may have a different meaning for certain specified purposes. An authorized leave of absence does not constitute a break in service, and seniority time continues to accumulate during the term of the leave, provided that the employee complies with the rules and regulations governing his leave of absence, and that the employee is reinstated from the leave.

The two types of seniority used in this manual are as follows:

1. City Seniority: The total time elapsed from an employee's initial appointment date with the city, such employment date being unbroken by any resignation or termination of employment.
2. Job Seniority: The total time that an employee has worked in a specific job classification.

Seniority for the purposes of determining retirement benefits is defined by the provisions of the retirement system in which the employee participates.

Performance Evaluation

The performance evaluation system is intended to be beneficial to both the employee and the city. The electronic and/or written documentation and the discussion that takes place with an evaluation should:

- Provide effective, honest communication between a supervisor and employee.
- Recognize accomplishments and effective performance.
- Point the way to employee training and development.
- Define examples of insufficient performance, where expectations are not being met.
- Define performance improvements needed and specific expectations to be met.
- Build a sense of commitment and ownership from both the employee and supervisor/manager.
- Increase the effectiveness of the overall team of City employees.

Procedure:

The first evaluation for a classified employee shall be conducted approximately halfway through the probationary period. Generally, the probationary period is always 12 months. An employee's probationary period may be extended for a reasonable amount of time if it is determined that an extended period of observation and evaluation would be in the best interest of the City. The first evaluation for unclassified employees shall be conducted approximately six (6) months after the date of hire. Thereafter, for all employees, annual evaluations will be conducted on or near the employee's anniversary date of hire. An evaluation may also be conducted at other intervals as deemed appropriate by the manager.

Every employee will be evaluated at least annually and before granting of a merit increase or contractual step increase. Some departments will conduct monthly evaluations for new employees. For the positions being evaluated monthly, the requirement for a formal six (6) month evaluation may be waived.

On-Going Expectations:

All employees, whether classified or at-will are expected to satisfactorily perform their job duties and have regular, predictable attendance. Employees are expected to always conduct themselves as professionals and to treat everyone around them with respect, decency and dignity. Failure to meet any of these criteria at any point during employment, will result in disciplinary action, up to and including termination.

Training, Certifications, Travel & Tuition Reimbursement

The city has a culture that promotes, supports and emphasizes the importance of training. Employees are encouraged to take advantage of available training opportunities to further enhance skills necessary to perform the position held and to upgrade skills in order to qualify for promotional opportunities.

In addition, each employee is responsible for maintaining individual knowledge, skills, and abilities necessary to perform their job, including upgrading skills necessary to meet technology changes. The city will facilitate those efforts and provide training as needed and deemed appropriate. Training will occur on-the-job and/or via webinar or seminar.

For full details and guidelines, please see policy 1-30.

Temporary Assignment

A temporary assignment is defined as the assignment of an individual employee to a classification different from his/her own, which has substantially different duties than the employee would normally perform. A temporary assignment shall be implemented by the City to meet the operational needs of the various departments due to illness, emergencies, or special circumstances. It shall not be used for disciplinary purposes.

An employee temporarily assigned to a position with a lower rate of pay shall not be reduced in pay. An employee temporarily assigned to a position with a higher rate of pay should be advanced to whichever is the greater of the following: (1) the minimum rate for the position to which he/she has been temporarily assigned; or (2) a rate of pay which is at least five percent (5%) greater than his/her current rate of pay. No temporary increase will exceed the maximum rate of pay established for the position assumed.

In order to receive a temporary increase, an employee must be temporarily assigned by the City Manager the full duties and responsibilities of the higher-level position for two (2) weeks or longer. Temporary assignment of partial duties and responsibilities of the higher-level position will not qualify an employee for a temporary increase. Also, an employee who is temporarily assigned partial duties and responsibilities of a lower-level position will not be eligible for additional compensation.

Compensation

City Council will adopt a compensation plan that will govern the compensation of all employees not covered by a collective bargaining agreement. Bargaining unit employees shall be compensated according to the provisions in the applicable collective bargaining agreement.

Non-bargaining unit employees will advance through their pay grade by way of a combination of period general base wage increases and/or merit increases as determined by the City Manager. Merit increases may be awarded to employees based upon performance as identified through an

annual performance evaluation system and within the budgetary allotment approved by City Council.

Non-bargaining unit employees who are at rates of pay that are at or exceed the maximum rate for their pay grade shall receive no base or merit increase until their rates of pay no longer exceed the maximum rate. However, an employee who is at a rate of pay that is at or exceeds the maximum rate for his/her pay grade may receive an increase in a lump sum amount that is not intended to increase his/her base rate of pay as determined by the City Manager. Lump sum payments may be a percentage (%), or a flat dollar amount.

Employees who are required to maintain certain qualifications over and above the minimum requirements for the position (e.g., bilingual, specialized degree or certification, etc.) may be provided an additional stipend either as a flat hourly rate, a percentage, or a lump sum as determined appropriate by the City Manager. Employees, who may be assigned additional job duties for a limited time by the City Manager, may be provided an additional stipend either as a flat hourly rate, a percentage, a lump sum, non-FLSA compensatory time or other means as determined appropriate by the City Manager.

Hours of Work

Offices of the City of Monroe are generally open from 8:00 a.m. to 5:00 p.m. Monday through Friday, except for specified holidays. The various departments may have different operating hours due to the nature of their work. Your supervisor and/or Department Head will notify you of your appropriate starting time and quitting time.

The Fair Labor Standards Act mandates that non-exempt employee be compensated at a rate of one and one-half times their regular rate of pay for all time worked in excess of 40 hours in a work week. These rules are different for fire & police. Employees are not permitted to work before or after their work shift or during their unpaid lunch period or take work home without your supervisor's knowledge and permission. All overtime must be authorized by the Department Head or designee in advance of the overtime being worked.

Non-exempt employees are not required, or expected, to read, create and/or respond to work email without express consent of the Department Director, in which case time spent doing so will be recorded as time worked.

Exempt employees are not eligible for overtime. The Department Director and/or City Manager may permit an exempt employee to vary his/her work schedule.

Flex Time

The City may utilize "time off" or flexible hours in order to avoid having employees work in excess of their regular number of hours in a workweek. Flex-time scheduling must be reasonable and must be approved by the Department Head or designee. This policy is not designed to prohibit overtime; rather, its purpose is to help the departments avoid unnecessary

overtime, to the extent it can do so and still provide requisite levels of service. The flex-time arrangement must be for a specified period of time and must not unduly disrupt the City's work scheduling or service to the public.

Compensatory Time

The City may allow an employee to accumulate compensatory time in lieu of overtime pay. Flextime is encouraged over Compensatory Time. An employee may accrue a maximum of 40 hours of compensatory time during a calendar year. Compensatory time may be carried over from one year to another. Accumulated compensatory time may be cashed out once per year. This paragraph does not supersede language in any collective bargaining agreement that includes compensatory time.

Pay Period

Employees shall be paid on a bi-weekly (every other week) basis, as determined by the City Manager. The pay period runs from Sunday, 12:01 a.m. through the second Saturday, 12:00 midnight. This pay period may be adjusted as determined by the City Manager.

If a holiday occurs on a payday established by the City, paychecks will be issued on the preceding day, except under extenuating circumstances in which case paychecks will be issued as soon as they are available.

The Assistant City Manager will receive any questions regarding an employee's pay and is responsible for making the necessary explanations or inquiries to resolve the matter. Pay advances of any kind are not permitted. Persons employed, or persons terminating their employment, in the middle of a pay period shall be paid only for time worked.

Payroll Deductions

Certain deductions are made from an employee's paycheck as required by law, in accordance with employee benefit plans, or as requested by the employee and authorized by law. These deductions are itemized on the employee's pay statement which accompanies the biweekly paycheck. Deductions include:

1. O.P.E.R.S./O.P.F.D.P.F.: State law requires that employees contribute to the Ohio Public Employees Retirement System (OPERS) or the Ohio Police and Fire Disability Pension Fund (OPFDPF). (Membership in the system is compulsory upon being employed except those persons specifically exempted under the provisions of R.C. 145.03.)
2. Income Taxes: Federal and state laws, some city ordinances, and some school districts, require that taxes be withheld from each salary payment. The amount of tax to be withheld is determined from tables furnished to the Finance Department by the Ohio Department of Taxation and various other entities and varies according to the amount of salary and number of dependency exemptions.

Employees are required to complete withholding tax certificates upon initial employment and to inform the Employer of any dependency change whenever such change occurs.

3. Medicare Health Insurance: The federal government requires a certain percentage of the salary of employees hired on or after April 1, 1986, be withheld each pay period to pay for Medicare health insurance coverage. The city is also required to contribute a like amount.
4. Medical Insurance Premiums: The City may require a payroll deduction for the employee's share of medical insurance premiums for those eligible employees electing medical insurance coverage.
5. Miscellaneous: Examples include garnishments, credit unions, deferred compensation, child support, employee insurance contributions including voluntary benefit programs, etc.

The city must comply with all applicable laws governing the garnishment of wages. Court ordered garnishments will be accepted and handled in accordance with the law. If you are subject to garnishment procedures, the City may be required to withhold money from your check to pay debts, taxes and other legal obligations. We will act as dictated by the court.

The city may refuse to make deductions, not required by law, which are below certain prescribed minimum amounts, which occur at irregular intervals, or for another similar cause. Other than those deductions required by law, the city may decline to make a deduction that the employee's check is insufficient to cover. All requests for payroll deductions must be presented in writing to the City Manager's Office for authorization.

Any employee on a leave without pay will be required to pay the employee portion for any insurance coverage and other voluntary deductions. Employees must make monthly payments to cover their portion of the cost. Failure to make the monthly payments will result in cancelation of benefits.

Uniform Allowance & Appearance Standards

As required within the scope of assigned duties, the City may provide any uniform required as a part of job performance, whether because of the need to establish public identity, or the elements of the position invoke unusual clothing depreciation. The determination of need shall be made by the Department/Division Head and subject to approval by the City Manager. No employee shall wear or use any uniform except while on duty or traveling to or from the job. All uniforms remain the property of the City.

In addition, uniformed employees are required to follow the guidelines in the Administration Personal Appearance Policy in regard to body jewelry, piercings, tattoos, and general grooming and hygiene standards.

Non-uniformed employees are required to follow the full guidelines, including proper attire, included in the Administration Personal Appearance Policy.

Some departments, such as the police department, for example, have additional standards that may be stricter than those listed in the Personal Appearance Policy. Uniform and appearance standards are determined by the Department Head.

Accommodation of religious beliefs: The City recognizes the importance of individually held religious beliefs to persons within its workforce. The City will reasonably accommodate an employee's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult in light of safety issues for staff members. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the Human Resources Department.

EMPLOYEE BENEFITS

The city offers a comprehensive benefit package to all employees. Full-time employees are eligible for additional benefits not extended to part-time employees. Benefits may vary from unclassified to classified employees and may vary further by labor union. Full benefit summary sheets can be found on the Onboard website, in the Human Resources Department and are distributed during orientation.

The terms and conditions of these various plans including eligibility, employee premium contribution levels, open enrollments, waiting periods, co-payments, participation, coverage, benefit levels and limitations, exclusions, and other requirements and provisions are set forth in, and governed by, the formal plan documents and insurance policies of the respective plans. Employees may not rely on this manual or any other representations regarding their terms and conditions. Please refer to the summary plan descriptions and/or consult the Human Resources Department for further information.

Health Insurance Following Separation (COBRA)

An employee who is covered under the City's group health insurance or certain related group insurance, and who loses coverage due to a reduction in hours or a termination of employment (for other than gross misconduct), is entitled to purchase continuing coverage at his/her own expense. The Human Resources Department shall see that the employee is informed of their right to continue coverage under the health insurance group after cessation from payroll through the assumption of premium costs by the employee. The employee's spouse and/or dependents may also be eligible. Questions and/or requests for more information should be referred to the Human Resources Department.

Holidays

The following days shall be holidays for which full-time employees shall receive their regular compensation:

New Year's Day	Veteran's Day
Martin Luther King, Jr. Day	Thanksgiving
President's Day	Friday after Thanksgiving
Memorial Day	Labor Day
Independence Day	Christmas Eve
Christmas Day	

*Employees covered by a collective bargaining agreement can find the applicable holiday provisions in the appropriate union contract.

If the holiday falls on a Sunday, it will be observed on the following Monday; if it falls on a Saturday, it will be observed on the preceding Friday.

If a full-time employee is granted the day off on which the holiday is observed, he/she shall be paid holiday pay at his/her regular rate for the number of hours he/she is normally scheduled to work, and no vacation leave or sick leave shall be deducted from the employee's accrued balance.

If a holiday occurs while an employee is on vacation, such holiday day will not be charged against vacation leave.

An employee scheduled to return from leave without pay on the day after a holiday will not be paid for the holiday. An employee whose leave without pay is approved through the end of the last business day preceding a holiday is also presumed to be on leave during the holiday and will not receive compensation for the holiday unless the City Manager has specifically authorized pay.

Non-exempt employees may not request to work during holiday hours. If the Department Head determines that the employee needs to work because of workload, the employee may be scheduled to work that day. Employees scheduled to work or called into work on a holiday shall be given holiday compensatory time off equal to the number of hours worked on that holiday, at the convenience of the City. Exempt employees may request to work holidays but are not entitled to compensatory time off. Department Heads may request City Manager approval to vary an exempt employee's work schedule for the week the holiday occurs.

To qualify for Holiday Pay, the employee must physically work on the day before and day after the holiday or have previously received approval for the absence through the City's leave request system at minimum forty-eight (48) hours prior to the occurrence of the absence.

Holiday Pay will not be granted when an employee uses accrued leave to extend their notice of

separation and the holiday falls within. Employees that have provided a notice of separation must physically work the day before and day after the holiday to receive holiday pay.

Employees who are absent due to illness on the day before, on, or after a holiday may be required to furnish proof of illness by a physician's statement or other satisfactory written and signed statement or shall forfeit the holiday pay. For the purposes of this policy, the day before refers to the last regularly scheduled workday, and the day after refers to the next regularly scheduled workday after the day on which the holiday is observed.

The city will attempt to accommodate the special needs of an employee wishing to participate in the observance of his/her religious holiday.

For holidays occurring on or after Veterans Day to New Year's Eve, holiday compensatory time earned for such days may be carried over beyond the end of the calendar year, but not later than the following March 31 for full time employees holding the position of Clerk/Dispatcher I or II, and Dispatcher II. At the end of such carryover period, any remaining carried over time, not to exceed 40 hours, may be converted to cash, provided the Employee has made his best efforts to schedule such time off.

With the approval of the Department Head, employees are permitted to substitute up to two (2) approved holidays for floating holidays. Requests for exchange of holiday leave must be submitted and approved through the City's leave request system prior to working the standard holiday and using the floating holiday.

The Department Head must ensure proper staffing on those days the city offices are open. Requests for exchange of holiday leave must be submitted and approved through the City's leave request system prior to working the standard holiday and using the floating holiday.

Sick Leave, Vacation Leave and Personal Leave

The City has a separate policy on sick leave, vacation leave and personal leave. Employees will be given a copy of these policies upon hire. Any questions regarding these policies should be directed to the Human Resources Department. The amount of PTO earned, usage requirements, carry over limits, cash out limits, etc. may vary from unclassified to classified employees and may vary further by labor union.

Funeral Leave Policy

Any regular full-time employee may request and be granted usage of funeral leave, upon approval of the Department Head or designee, for a maximum of five (5) days in the event of a death of an immediate family member. For purposes of this policy, the "immediate family" is defined as "mother, father, mother-in-law, father-in-law, child (including step-child), spouse (including a domestic partner), grandparents, siblings, grandchildren, stepparents, stepchildren, step siblings, or legal guardian or other person who stands in place of the employee's parent.

Any regular full-time employee may be granted usage of funeral leave, upon approval of the Department Head or designee, for a maximum of three (3) days in the event of a death of the following family members: brother-in-law, sister-in-law, daughter-in-law, son-in-law, spouses' grandparents, aunt or uncle.

One (1) day of funeral leave may be granted by the Department Head or designee for the death of any legal relative or member of the employee's household other than those listed above.

Additional days off may be granted by the Department Head or designee to the days provided above. Additional days approved shall be deducted from the employee's sick leave balance. If the employee does not have a sufficient sick leave balance to cover the additional days off, use of vacation or personal time may be approved by the Department Head or designee.

When an employee is on pre-approved scheduled leave and has a death in the family that falls within the scope of this policy, the employee may be permitted to change the pre-approved leave to funeral leave. If approved, the paid time off (PTO) previously scheduled will be credited back to the employees PTO bank.

Employees may be required to present proof of death, such as an obituary.

Witness or Jury Duty

If an employee is called for court jury duty or subpoenaed to testify in a court of law, during any portion of the employee's regular scheduled working day, all compensation for such duty must be reimbursed to the city.

The Employee will be expected to report for work following jury duty, if 3 or more hours remain during his/her scheduled workday.

- A. If an employee is called for court jury duty or subpoenaed to testify in a court of law, outside of his regularly scheduled working hours, all monies received as compensation for such court service shall be retained by the employee.
- B. Employees shall not be entitled to paid court leave when appearing in court for criminal or civil cases, such as traffic court, divorce proceedings, custody hearings, etc., when the case is being heard in connection with the employee's personal matters. Such absences shall be considered leave without pay, personal leave, or vacation leave, at the employee's option, as scheduled in advance with approval of the City Manager.
- C. Employees appearing in court in connection with their official capacity with the City shall receive their appropriate rate of pay.

Military Leave

Permanent Public Employees of the City of Monroe who are performing Military Duty shall receive pay in accordance with Ohio Revised Code Section 5923.05. In addition, the City will grant employees called into military service an unpaid leave of absence and reemployment rights as provided by the laws of the United States and the State of Ohio (R.C. 5903 and 5923.05), including but not limited to the Uniformed Services Employment and Reemployment Rights Act of 1994 and, as amended. Employees may use accrued paid time off during a military leave of absence but are not required to do so. The City will require the employee to provide satisfactory evidence of his/her actual performance of military service.

Leave Without Pay

After all available leave has been exhausted, and upon written application to the City Manager, leaves of absence or renewals thereof without pay may be granted by the City, at its discretion. The written request must include the reason for the leave, and the expected start and end dates. If the leave is health-related, the employee must include a statement from a physician attesting to the need for leave. Requests for such leave does not guarantee that it will be approved.

Approved leave without pay means that time previously worked for the city (prior to leave without pay beginning) is not lost in computation of length of service and the benefits dependent thereon. Time spent on leave without pay will not be credited toward the calculation of any applicable paid time off. In addition, an employee on approved leave without pay will not be eligible for any holiday pay falling within the unpaid leave period.

Employees are required to pay all applicable insurance premiums while on leave without pay. Failure to pay the applicable premiums may result in termination of coverage.

The appropriate bargaining unit may establish other rules relative to Leave Without Pay. Please refer to your labor contract for additional details.

Family and Medical Leave Act

It is the City's policy to grant up to twelve (12) weeks of family and medical leave on a rolling twelve (12) month period to eligible employees in accordance with the Family and Medical Leave Act of 1993. FMLA leaves run concurrently with qualified absences such as sick leave, vacation, personal time, workers compensation, etc. Medical needs and military leave must be sufficiently verified. See City 1-13 Family and Medical Leave Act (FMLA) Policy.

Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMA leave when the need is foreseeable and such notice is practicable. If leave is not foreseeable, the employee must provide notice as soon as practicable.

Inclement Weather/Emergency Department Closings

This section sets forth the City's policy for payment or non-payment of employees for time not worked due to weather emergencies or severe weather conditions.

This section excludes safety force personnel.

- A. In the event a weather emergency is declared, and the City Manager closes City departments/divisions, employees will be compensated for the number of hours for which they were scheduled to work during the emergency period.
- B. The city recognizes that on certain days it may be difficult or impossible for a scheduled employee to come into work, due to excessive snow, ice, or other inclement weather. The city encourages its employees to come into work on such occasions, only if in the employees' judgment they are able to do so in a safe manner. If, in the opinion of the City Manager, such inclement weather conditions exist, the following policy specifies the guidelines for payment of wages on such days.
- C. Scheduled employees who are able to come into work on such inclement days shall be paid at their regular wage for actual time worked. Those employees who are not able to come into work due to inclement weather shall be required to use any available vacation, accrued compensatory time off, or personal leave to cover their absence. Inclement weather is not a valid reason for the use of sick leave.
- D. Employees who actually report to work and then are sent home prior to the end of their regular shift due to inclement weather will receive payment for the remaining portion of their shift.
- E. Employees not scheduled to work because of scheduled vacation, prior approved sick leave, personal leave, or leave of absence will be charged for the leave during the period of any declared emergency or order to close. Those employees will be eligible for payment of unused and available sick leave, vacation leave, or personal leave which had already been requested.
- F. Part-time employees will be paid their regular hours for any shift they miss due to the closing of City offices/buildings.

Unauthorized Leaves

Any City employee who is absent from duty without authorized leave and notice to the City Manager or designee, shall be subject to disciplinary action up to and including termination and/or may be considered to have constructively resigned where the situation warrants.

Workers' Compensation

All employees are covered by the State of Ohio's Workers' Compensation Law. If you sustain a job-related illness or injury while employed by the City, you may be eligible to receive benefits through the City's Workers' Compensation program which is run at the state level by the Bureau of Workers Compensation. Please refer to the City policy 1-33 on Workers Compensation for full details.

Unemployment Compensation

City employees may be covered under the Ohio's Unemployment Compensation Act and may apply for this benefit in accordance with the Act's rules and regulations. The cost of unemployment compensation is paid by the city.

Employees of the City of Monroe may be eligible for unemployment compensation benefits, which are administered by the Ohio Department of Jobs & Family Services. Eligibility requirements are determined by the State of Ohio. For more information, contact the Ohio Department of Jobs & Family Services.

Retirement Plans & Deferred Compensation Plans

All employees of the City, except for those specifically exempted by statute, are required to participate in the Ohio Public Employees Retirement System (OPERS) or the Ohio Police and Fire Disability and Pension Fund (OP&F). If employees have any questions regarding their retirement plans, they should contact the applicable pension office. Contribution rates are determined by the applicable pension board.

The city has adopted a deferred compensation plan for full-time employees. Information regarding the plan is available from the Human Resources Department.

Executive level employees will receive a yearly contribution, as defined by City Council, into a qualified deferred compensation plan of the employee's choice.

Employee Assistance Program

The Employee Assistance Program (EAP) is a resource for employees and those living in the employee's household. It is paid for by the City and is a confidential program that provides assistance for employees dealing with problems such as stress, family, finances, addiction or other health issues. Counseling and referrals are available. The employee or their family member may contact the EAP provider themselves, or a member of management may refer the employee to the program. The program is available 24 hours-a-day, 7 days-a-week. Details of counseling sessions are held strictly confidential by the provider and NO employee-specific information is provided to the city, or any of its representatives, by the EAP. The information for the current EAP provider can be found on the Onboard Website or from the Human Resources Department.

EMPLOYEE CONDUCT

Ethics of Public Employment

Ethical behavior is an integral part of operations in the City of Monroe. All City employees must maintain the highest possible ethical and moral standards and to perform within the laws of the State of Ohio, and other rules and regulations as may be set forth by the City. Conduct that interferes with normal office operations, brings discredit to the city, is illegal, or is offensive to the public or fellow employees, will not be tolerated.

Note that the compensation of employees is paid mostly through taxes. Therefore, each City employee assumes the responsibility of serving the public in an honest, effective, and positive manner.

Any employee who has had force or an unlawful threat used against him to attempt to prohibit the lawful discharge of his duties, shall report such action immediately to the City Manager.

An employee shall not use his position for personal gain nor engage in any transaction, business, or any other interest which is in conflict with the proper discharge of his official duties.

The City shall provide new employees with a copy of R.C. Chapter 102 and R.C. 2921.42 within 15 days of hire and shall require the employees to acknowledge receipt in writing. This will be done through the onboarding process.

No employee shall disclose confidential or proprietary information concerning the property, government, or affairs of the City without proper legal authorization. Such unauthorized disclosure may subject the employee to disciplinary action.

No employee shall accept any gift of value in the form of service, loan, item or promise from any person, firm or organization which maintains an interest in any business dealings with the City, or that may tend to influence a municipal employee in the proper discharge of official City duties. An employee who is offered something of substantial value shall report the offer to his supervisor as soon as possible after the incident.

An employee shall not engage in any matter which represents a conflict of interest with the City or undermines the integrity of Monroe Government.

No employee is expected to endure personal attacks or unlawful behavior from the public. If such personal attacks or unlawful behavior is directed toward the employee, promptly notify a supervisor and/or a member of management.

Employees who have any doubt regarding possible violations of the ethical standards set forth herein are advised to consult with their supervisor or the Department/ Division Head prior to engaging in any potentially affected activity.

Employees are expected to take the time to review and familiarize themselves with their rights and responsibilities as a public employee. Additionally, the complete Ohio Ethics Law Overview and Ohio Ethics Law and Related Statutes can be found on the Onboard website or the Human Resources Department.

Reporting Fraud

A fraud-reporting system has been established by the Auditor of the State of Ohio pursuant to Ohio Revised Code 117.103(B)(1) as well as 124.341. Employees can report fraud by three means:

Online at: www.ohioauditor.gov

Send a written complaint to: Ohio Auditor of State's Office
Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, OH 43215

Or call the Fraud Hotline toll-free at: 1-866-FRAUD OH (1-866-372-8364)

No disciplinary or retaliatory action shall be taken against employees for reporting fraud to the Auditor of State. However, employees shall make reasonable effort to determine the accuracy of any information reported. The employee is subject to disciplinary action up to and including termination for purposely, knowingly, or recklessly reporting false information.

Attendance

Your divisions and department's success depends on you. The city requires that you be in regular attendance and on time with respect to your starting schedule. This also includes any scheduled overtime. Attendance is more than just being on the premises. It means being at one's place of work, in proper uniform/attire ready to begin working at the start of your shift. Due to variations in the type of work performed across the city, work schedules vary significantly. Your supervisor will inform you of your starting and quitting time as well as rest breaks and lunch schedules.

Unavoidable absences due to illness or other legitimate reasons are normally considered excused absences. It is your responsibility to familiarize yourself with the City attendance policy as well as your departments guidelines for calling off work.

Poor attendance inconveniences other employees, incurs unnecessary overtime costs, and brings into question your interest in your job. Poor attendance and tardiness may result in discipline, lowered performance ratings, or delays in receiving a merit or step increase.

Solicitation and Distribution

This policy on Solicitation and Distribution is designed to protect the interests of the citizens of Monroe by ensuring that only official City business is transacted in the several work areas during employee work time.

Non-employee Solicitation and Distribution: There shall be no solicitation and/or distribution by non-employees at any time on any City premises or in any work area. This section does not apply to approved vendors as defined below.

Employee No Solicitation/Distribution Rule: There shall be no solicitation or distribution by employees of any other employee or non-employee during their work time. Employees may solicit other employees during their non-work time in work areas, and during their non-work time in non-work areas. There shall be no distribution during their work time or non-work time in work areas. Employees may distribute goods and written materials during non-work time and in non-work areas.

For the purposes of this policy the following definitions shall apply:

Distribution - means an act of distributing goods, materials, and/or written materials.

Employee - means any person in the employ of the city in any status.

Non-Work Area - means any area on or off an Employer's premises not designated as a work area.

Non- Work Time - means any time during an employee's workday where the employee is totally relieved of work duties, such as break time and lunch time. Whether an employee is in paid or unpaid status during these times is immaterial to the designation of non-work time.

Solicitation - means an act of requesting an individual to purchase goods, materials, or services, or a plea for financial contribution.

Vendor - means any individual or group engaged in or desiring to engage in the supply of goods, materials, or services to the city, which goods, materials, or services are utilized in the conduct of public business.

Work Area - means any office, building, City vehicle, or physical location where official City business is transacted and/or operations of the city are being conducted. This includes any public or private area where employees are engaged in work activities.

Work Time - means all the time when an employee's duties require that he be engaged in work tasks, but does not include the employee's own time, such as meal periods, scheduled breaks, and time before or after a work shift.

Use of Vehicles

Many employees will operate a City-Owned vehicle to perform their job duties. City-owned vehicles are to be used for official business only. Employees operating City vehicles shall observe all traffic laws and ordinances. An employee involved in an accident of any type, even if no other person(s) or vehicle(s) were involved, must immediately report the accident to their supervisor and/or Department Head. In addition, employees are required to report all vehicle damage, regardless of how minor it may seem.

Before employees will be permitted to operate a city vehicle, they will be required to have a current valid driver's license and, where necessary, a CDL license. Failure to retain this license for any reason must be reported to the employee's supervisor immediately. Employees who fail to retain a required license may be subject to discipline, including termination.

For more information, please see City Policy 1-31 Use of Vehicles. All employees are subject to the guidelines in this policy.

Use of City Property

City property is provided for legitimate business purposes only and its use for personal business or private use is strictly prohibited. City property includes, but is not limited to buildings, land, automobiles, trucks, cruisers, equipment, machines, tools, furniture, computers, fax machines, copiers, tablets, cell phones, devices, uniforms, and supplies. When tools, supplies, equipment (vehicles), telephones, etc. needed to perform job duties are provided by the city, it is the responsibility of supervisors to confirm they are properly used and maintained.

Misuse, neglect, theft, and/or abuse of tools, supplies, vehicles, equipment, telephones, etc. is prohibited. Accidents involving misuse or abuse of any City property will result in disciplinary action. Loss of tools or damage to vehicles, equipment or any other City property may require payment by the employee for those items lost or damaged, at the discretion of the City.

All tools, supplies, vehicles, equipment, telephones, etc. utilized by the employee in the performance of his job are subject to prior approval of the City. The Department Head or designee shall promptly report damaged or stolen equipment or vehicles to the City's insurance company, in order to make a claim under any applicable insurance policies.

Bulletin Boards

The city maintains all facility bulletin boards and applicable websites as a means of communicating information to employees. All material on City bulletin boards shall be posted and removed by the facility-designated representative of the department/division in which the bulletin board is located. Unless approved by the City Manager, no notices shall be posted on any municipal office door, or such notice(s) shall be discarded.

All agency, federal, and state required notices and other legally required notices shall be posted in an area visible to all employees. Information of a general public interest may be posted after prior approval by the City Manager if the information does not contain the following:

1. Personal attacks upon any employee or public officer.
2. Scandalous, scurrilous, or derogatory attacks on the City Council, administrators, supervisors, or other personnel.
3. Comments regarding candidates for public office.
4. Inappropriate or offensive content.

Any material posted in violation of this policy shall be removed from the facility bulletin board. Violators of this policy shall be subject to disciplinary action.

Gambling

The city does not permit gambling in any form by its employees during work time. For the purpose of this policy, work time includes regular working hours, lunch periods, clean-up time, and other breaks. Violation of this policy will be cause for disciplinary action.

Drug & Alcohol-Free Workplace Policy

The City of Monroe is committed to providing a safe and productive work environment and to the elimination of drug and/or alcohol use and abuse in the workplace. This policy applies to all employees and applicants for employment of the City. Employees are subject to drug and/or alcohol testing in compliance with the Alcohol and Drug Testing Policy and/or CDL Alcohol and Drug Testing Policy. For more information, please contact the Human Resources Department.

Employee Conviction in Court of Law

Violating any federal, state, or local law may be grounds for discipline, including suspension or dismissal. This applies whether the violation occurred outside of work hours or during work hours. Employees are required to report this information to the Human Resources Department.

Identification Cards

Employees may be furnished City identification cards. Employees are only permitted to use the identification card in conjunction with performing their job duties. Lost ID cards must be reported to Human Resources immediately. Department/Division Heads or the Human Resources Manager shall be responsible for collecting and destroying any issued identification cards of employees upon their separation from City employment.

Outside Employment

Under no circumstances shall an employee have other employment which conflicts with the policies, objectives, and operations of the several offices of the City. In addition, an employee shall not become obligated through employment to a second employer whose interests might be in conflict with those of the City. Employees shall supply information on additional employment to their Department Director in order for the Director to document any possible conflicting employment obligations. All outside employment must be approved by the Department Director and City Manager. See 1-22 Outside Employment Policy for further information and the appropriate form to submit.

Personnel Files – Maintenance & Inspection

The Human Resources Department maintains personnel files for all employees. It is important that you keep the Human Resources Department informed of any changes to your name, address, emergency contacts, marital status, dependents, etc.

Personnel files access is governed by R.C. 149.43 and R.C. Chapter 1347. The HR Department is required by law to make the contents of an employee's personnel file accessible to the public upon request. However, medical information and workers compensation information are confidential and are kept separately from the primary personnel file.

If you have questions about the contents of your personnel file, contact the Human Resources Department. See also, City Policy, 1-25 Personnel Files: Maintenance and Inspection.

Political Activity

City employees shall not take an active part in political campaigns which involve candidates for any City offices, other than to cast a vote in an election or to express privately their views and opinions as a citizen. Political activities in regard to State and National offices, are not prohibited, but such activities must be confined to non-working hours and shall not take place on City property or while using City property.

Employees of the City are to serve all City residents equally. The political opinions or affiliations of any resident shall in no way affect the amount or quality of service received from the City. All employees are encouraged to exercise their constitutional rights to vote. Certain specific political activities are legally permitted or are prohibited. For details, please reference the full City policy 1-26 Political Activity.

Under Ohio Revised Code, Section 3599.06 employees are given a "reasonable amount of time" to vote on election day. This time off from work is paid by the employer.

Safety

The City of Monroe is dedicated to ensuring a safe work environment. Employees are expected to abide by all safety rules, report unsafe conditions or practices, and use or wear safety equipment and clothing as required.

City Responsibility: The safe and healthful performance of all work assignments is the responsibility of both supervisory and non-supervisory personnel. It is the responsibility of each employee to ensure that all safety equipment is used, and all safety procedures/practices are observed.

Supervisor Responsibility: All employees, particularly supervisors, are charged with the responsibility of promptly reporting the existence of any hazardous condition or practice in the workplace. Supervisors who do not require or control the use of prescribed safety equipment are subject to disciplinary action, including termination.

Employee Responsibility: While the City provides its employees with necessary safety equipment and training, the city expects its employees to use the equipment and training appropriately. Employees who believe that their equipment is unsafe or that another employee is acting in an unsafe manner should inform their supervisor of the potential problem immediately.

All employees who operate equipment improperly or are found to be negligent may be disciplined.

Any employee who intentionally operates equipment improperly shall be subject to disciplinary action up to and including immediate termination. All employees who drive City vehicles will maintain the appropriate speed limits. Violators are subject to disciplinary action, including termination.

Each employee will abide by established safety procedures, and fully cooperate in the investigation of all on the job accidents and assist in making the work environment safe for himself and co-workers.

Accident Reporting: All accidents (e.g., employee injury, third party, property damage, etc.) must be reported to the supervisor, Department Head, or designee immediately by telephone or in person.

At no time is the reporting of an accident to be delayed, withheld, or mailed. Such accidents shall be reported to the supervisor or Department Head no later than 24 hours after the accident.

The City may adopt health and safety policies and procedures that are beyond the scope of this handbook.

Records Retention

Certain records must be maintained for a period of time designated by law or regulation. Employees should consult their supervisor and/or the appropriate department/division heads for guidance on the maintenance of business records. Destroying official records/documents without authorization will be grounds for disciplinary action, up to and including termination.

Records Falsification

Falsifying any public records (e.g., application forms, time sheets, travel vouchers, purchase orders, client record information, etc.) will be grounds for immediate termination.

Personal Property

Employees may bring personal property into their offices so long as said property does not interfere with City operations. Employees bringing personal property into their office/department must assume the risk of its theft or destruction. Employees will be asked to remove any personal property that is deemed to be offensive or inappropriate.

Personal Visitors

Visits to an employee during working hours that are of a personal nature are discouraged. However, we realize that uninvited personal visitors may occasionally drop in unexpectedly, or a personal visitor may be necessary due to unusual circumstances. Employees are to use good judgment in spending time with non-business-related visitors. Excessive use of work time to visit with personal friends, relatives, etc., may be grounds for disciplinary action.

Building Utilization

Buildings are used for official City business. They shall not be used for any other purpose without the prior approval of the City. There is an inventory control of all equipment in buildings by location. If any equipment, large or small, is moved from one location to another in the building for more than a few hours of temporary usage, there must be prior approval of the Department/Division Head or his designee.

When leaving your office at the end of the day, please turn out all office lights, approved fans, approved heaters, and other approved electrical appliances. Heaters must be unplugged at the end of the day.

Smoking/Tobacco Policy

The City is committed to providing a healthy environment for its employees. Smoking shall be prohibited in every City-owned building and vehicle and within 30 feet from any entrance to a City-owned building. Employees violating this policy shall be subject to disciplinary action.

For purposes of this policy, “smoking” is defined as the carrying or holding of a lighted cigarette, e-cigarette, cigar, pipe, or any other smoking equipment or material, or the inhalation or exhalation of smoke or other vapors from any smoking equipment or material. “Tobacco use” includes the use of any cigar, cigarette, pipe, weed, plant, or other smoking equipment in any form, or any smokeless tobacco product, including chewing tobacco. Smokeless tobacco products are not to be used in any City-owned building or vehicle.

Tape Recordings

Employees of the City of Monroe are prohibited from tape recording an administrator, a supervisor, another department/division representative, or a fellow employee, except as approved, in writing, by the City Manager, and except where provided for by law, ordinance, City policy and/or procedure, or by specific departmental policy and/or procedure. Before any form of tape recording may begin, the individual desiring to tape record a conversation must request consent to record the conversation from the person(s) being recorded. Such consent must be granted in written form and signed by the individual(s) granting consent prior to the recording of the conversation.

Any violation of the restrictions set forth in this Section above may result in disciplinary action, up to and including termination.

No Expectation of Privacy

All property belonging to the City, including its buildings, is subject to inspection at any time without notice. Accordingly, employees have no expectation of privacy in any City property including computers & emails, offices, desks, or other work or storage areas. Personal property on or in City property, secured or unsecured, is subject to inspection at any time by authorized personnel, which may include law enforcement officers. Except in emergency circumstances, the affected employee shall be offered the opportunity to be present during any such search. Personal vehicles of employees will not be subject to warrantless searches by the city. Employees having personal property they do not wish to be subject to inspection should not bring it onto City property.

Technology Use Policy

All employees will be required to review and sign-off on the City’s Technology Use Policy.

Off-Duty Conduct

An employee’s misconduct off the premises can have a detrimental effect on the City’s reputation or business, or the off-duty conduct might lead to a refusal, reluctance, or inability of other employees to work with the employee involved.

Therefore, the city wishes to notify all employees that the City will evaluate a number of criteria in determining whether to discharge or discipline an employee for off-duty conduct that is inappropriate. These include but are not limited to: (1) injury to the City’s business (including

actual or potential loss and/or injury to the City’s reputation), (2) Inability to report for work, (3) unsuitability for continued employment, and (4) objectionability or danger to other employees.

Concealed Weapons

The Ohio Concealed Carry Law specifically prohibits concealed weapons inside government buildings; thus, the following rule applies to all public buildings:

“Unless otherwise authorized by law, pursuant to the Ohio Revised Code, no person shall knowingly possess, have under the person’s control, convey, or attempt to convey a dangerous weapon or dangerous ordnance onto these premises.”

City employees, except authorized law enforcement officers, are not permitted to carry weapons or dangerous ordnance in City buildings or in City vehicles. However, employees with a valid concealed carry license or those classified as a “qualifying adult” under R.C. 2923.111 are permitted to lawfully transport and store their firearm and ammunition in their privately owned motor vehicle, even when the vehicle is parked on the employer’s property. The firearm and all ammunition must remain inside the employees privately owned motor vehicle while the employee is physically present inside the motor vehicle, or it is locked in the trunk, glove box, or other enclosed compartment or container in the employee’s privately owned motor vehicle when the employee exits the vehicle. Proper storage of a firearm in a personal vehicle, as defined in this paragraph, shall not constitute a violation of policy 1-35, Workplace Violence and Workplace Weapons Policy.

Use of Telephone and Computers and Personal Mail

Personal use of telephones, including cell phones, as well as computers, including email and internet is discouraged except in the event of an emergency. Excessive use of telephones, computers, internet, and email (whether personal email or City email) for personal reasons may result in disciplinary action, up to and including termination.

Employees shall not use the address of the Municipal Building or other City-owned facility for receipt of personal mail. Use of the City’s address, stationary or other documents with the name, address, or other identifying information for personal is prohibited and shall result in disciplinary action, up to and including termination.

Employees are prohibited from using a cell phone, whether a personal cell phone or a city issued cell phone, while driving a city-owned vehicle, unless using an approved hands-free device. Use of a City-issued cell phone for personal business is prohibited.

Use of personal cell phones is strictly prohibited during certain Public Works and Public Safety Department activities, including Fire/EMS runs, Police runs, emergency vehicle operations, inspection, tours, and training classes.

Media, including social media and Community Relations

All employees are subject to the rules and regulations in the City's Media and Community Relations Policy. For full details, please refer to the City policy titled 1-18 Media and Community Relations.

Disciplinary Action

From time to time, an employee may behave in a manner inconsistent with City policies, procedures, regulations, or expectations. In these circumstances, disciplinary action may be appropriate. The City of Monroe generally uses a progressive disciplinary plan. However, corrective action is determined on a case-by-case basis after considering the facts of the incident, the disciplinary history of the employee and the seriousness of the infraction. It is very important that employees are familiar with this Employee Handbook and the applicable City policies. If you have any questions on those policies, contact Human Resources. For more specific information on the City's disciplinary procedures, please refer to the policy titled 1-7 Corrective and Disciplinary Actions Policy.

Non-Disciplinary Separation

The City has a full policy governing non-disciplinary separation such as layoff/reduction in force, voluntary resignation, retirement, disability/medical separation, etc. Please refer to the policy titled 1-21 Non-Disciplinary Separation for full information.

Exit Interview

Upon resignation, or otherwise voluntarily terminated employment, an employee is requested to complete an exit interview questionnaire, and to personally discuss the questionnaire with the Human Resources Manager or designee.

The exit interview is an opportunity for the employee to offer constructive criticism and insights to the HR Manager regarding the operation of the various offices, departments, and divisions.

Handbook Effective Date: 01/01/2023

Acknowledgement of Receipt and Understanding of the City of Monroe Employee Handbook

Please read the following statements and sign below.

All employees will be provided a copy of this handbook whether in writing or electronically. It is required that all employees take time to go over this document and make sure they are aware of its contents and how it applies.

Employees should keep this handbook at work where they can refer to it as the need may arise. From time to time this handbook may be updated. When updates occur, all employees will receive the updated document.

I hereby acknowledge receipt of the City of Monroe Employee Handbook, which describes important information about employment with the City of Monroe. I understand that I should consult the Department Head or Human Resources Department if I have questions.

I understand that neither this handbook nor any other City policy, practice or procedure is intended to provide any contractual obligations related to continued employment, compensation, or employment contract. I understand that the policies and benefits described in this manual are subject to change at the sole discretion of City at any time. I further understand that the city may revise, modify, or eliminate any of the matters set forth in this handbook, with or without notice.

I understand that, should the content of the handbook be changed in any way, the City may require an additional signature from me to indicate that I am aware of and understand any new policies.

I understand that the handbook cannot supersede a collective bargaining agreement entered into between the city and a recognized bargaining unit. I also understand that the provisions agreed to in a collective bargaining agreement only apply to members of the bargaining unit.

I further acknowledge that I have read, understand, and agree to abide by the terms in this handbook.

Employee Signature

Employee Name (print)

Date

ORDINANCE NO. 2022-31

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 1203.05 OF THE PLANNING AND ZONING CODE TO REQUIRE A DEVELOPMENT AGREEMENT FOR MAJOR SUBDIVISIONS, THE RECORDING OF THE DEVELOPMENT AGREEMENT WITH THE FINAL PLAT, PREVAILING WAGE BE CALCULATED IN THE ENGINEER'S ESTIMATE TO DETERMINE BOND AMOUNTS, AND CLARIFY WHEN SPECIFIC BONDS ARE ELIGIBLE FOR RELEASE.

WHEREAS, Planning Commission, following a public hearing on September 20, 2022, recommended that Council amend and supplement Section 1203.05 as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: Section 1203.05 of the Planning and Zoning Code is hereby amended and supplemented to read as follows:

“1203.05. Major Subdivisions.

- (A) PURPOSE. The purpose of the major subdivision review process is to ensure compliance with this code while promoting the appropriate development of the City as provided for in the purpose of this code.
- (B) MAJOR SUBDIVISION DETERMINATION AND APPLICABILITY. A major subdivision shall include any subdivision that includes the construction of a public roadway, that does not meet the requirements of a minor subdivision (See Section 1203.04: Minor Subdivisions.), or that includes the improvement of one or more parcels of land for residential, commercial, or industrial structures, or groups of structures which ultimately are to be jointly owned under a recorded condominium property declaration under the provisions of ORC Chapter 5311.
- (C) INITIATION. Pursuant to Section 1203.02(A): Authority to File Applications, any person having authority to file applications may initiate an application for a major subdivision.
- (D) PROCEDURE. The review procedure for a major subdivision shall be as follows:
 - (1) *Step 1—Pre-application Conference.*
 - a) The applicant shall meet with the Code Enforcement Officer for a pre-application conference before submitting an application for a major subdivision.
 - b) The applicant shall supply preliminary information to the Code Enforcement Officer in a form established by the Development Department.
 - c) The purpose of the pre-application conference shall be to discuss the proposed subdivision, review submittal requirements, and discuss compliance with the provisions of this code prior to the submission of an application.
 - d) Subsequent to the pre-application conference with the Code Enforcement Officer, the applicant may consult with, at a minimum, the City Engineer, fire department

and the County Soil and Water Conservation District. The applicant shall also consult with the agencies having jurisdiction for sanitary sewer or water, where applicable.

(2) *Step 2—Application and Official Filing of the Preliminary Plat.*

- a) The applicant shall submit an application in accordance with Section 1203.02: Common Review Requirements and with the provisions of this chapter.
- b) A development agreement and the preliminary plat shall be submitted as part of the initial application.
- c) Upon determination by the Code Enforcement Officer that the application is complete, the preliminary plat shall be accepted as being officially filed.
- d) The application and the official filing of the preliminary plat shall be in accordance with the applicable submittal deadlines of the Planning Commission.
- e) If the applicant fails to submit a complete application and preliminary plat within 180 days of the pre-application conference (Step 1), the applicant shall be required to begin the review procedure again from the pre-application conference.

(3) *Step 3—Staff Review and Staff Report on the Preliminary Plat.*

- a) Upon determination that the application for a major subdivision is complete, the Code Enforcement Officer shall transmit copies of the application for review by applicable agencies including, but not limited to, the City Engineer, fire department, agencies having jurisdiction for water and/or sanitary sewer, or other agencies the Code Enforcement Officer deems appropriate.
- b) Such agencies shall supply comments and recommendations to the Code Enforcement Officer prior to the regularly scheduled Planning Commission meeting where the development agreement and the preliminary plat will be reviewed.
- c) Prior to the Planning Commission meeting where development agreement and the preliminary plat is scheduled for review, the Code Enforcement Officer shall review the development agreement and the preliminary plat and prepare a staff report.

(4) *Step 4—Review and Decision on the Preliminary Plat by the Planning Commission.*

- a) The Planning Commission shall not consider a major subdivision unless a development agreement and the preliminary plat is officially filed (Step 2).
- b) The Planning Commission shall hold a public meeting to review and decide on the development agreement and the preliminary plat. The Planning Commission shall approve, approve with conditions, or deny the development agreement and the preliminary plat. The Planning Commission may also continue the meeting if questions regarding the development agreement and the preliminary plat are not satisfactorily addressed by the applicant.
- c) If the Planning Commission denies development agreement and/or the preliminary plat, the applicant shall not move forward in the review process until a development

agreement and a preliminary plat are approved by the Planning Commission, or an appeal is granted by City Council.

- d) Appeal of a Decision by Planning Commission to Court of Common Pleas.
 - i) If the Planning Commission denies the application for a development agreement and/or a preliminary plat, the applicant may appeal the decision to the applicable court of common pleas within 30 days of the Planning Commission's decision.
 - ii) An appeal pursuant to this section shall be initiated by filing a written appeal of the administrative decision with the Code Enforcement Officer.
 - iii) The applicant shall submit an application in accordance Section 1203.02: Common Review Requirements.
 - iv) Upon receiving the written appeal of the Planning Commission's decision on a development agreement and/or a preliminary plat, the Development Department shall transmit the written appeal with all papers, documents, and other materials related to the appealed decision or determination to the Clerk of Council. This material shall constitute the record of the appeal.
 - v) The City Council shall hold a public hearing within 45 days of the filing of the appeal provided adequate notification is provided pursuant to Section 1203.02(H): Public Notification for Public Hearings.
 - vi) Any person affected by the appeal may appear at the public hearing and testify in person, or by attorney or agent.
 - vii) The City Council shall render a decision on the appeal without unreasonable delay. The Department of Development shall notify the appellant in writing of the decision of the City Council.
 - viii) A decision or determination shall not be reversed or modified unless there is competent, material, and substantial evidence in the record that the decision or determination fails to comply with either the procedural or substantive requirements of this code.
- (5) *Step 5—Submission of the Construction Drawings.*
- i) The applicant's engineer shall prepare construction drawings, which shall conform to the approved development agreement and the preliminary plat and include all work to be performed. In cases where the applicant proposes to develop the subdivision in phases, construction drawings shall be submitted for each individual phase.
 - ii) The applicant shall supply the construction drawings to the Code Enforcement Officer in a form and number established by the Development Department.
 - iii) If the applicant finds, in the process of preparing construction drawings, that the approved development agreement and/or preliminary plat is not workable and changes in layout are required, the applicant shall inform the Code Enforcement Officer and City Engineer. The Code Enforcement Officer may require that a

revised development agreement and/or preliminary plan be submitted for re-approval following Steps 2 through 4 above.

- iv) The City Engineer shall accept performance bonds pursuant to Section 1203.05(1): Bonding Requirements.

(6) *Step 6—Staff Review and Decision on the Construction Drawings.*

- a) The Code Enforcement Officer shall distribute copies of the construction drawings to the City Engineer and, where applicable, the applicant shall submit the construction drawings to the agencies having jurisdiction for sanitary sewer or water, the Ohio Environmental Protection Agency, and any other applicable agencies.
- b) The review agencies shall provide comments and recommendations on the construction drawings to the Code Enforcement Officer.
- c) A copy of the construction drawings shall be marked and returned to the applicant's engineer for corrections, if necessary.
- d) If found to be satisfactory by the City Engineer, the original tracing shall be submitted for approval signature by the Code Enforcement Officer, City Engineer, and the agencies having jurisdiction over sanitary sewer or water (where applicable).
- e) Improvements shall not be constructed until such time as the City has accepted the performance bond, and the City and other applicable agencies have approved the construction drawings. The applicant is required to participate in a pre-construction meeting and file all bond documents with the City Engineer prior to commencing construction of improvements.

(7) *Step 7—Filing of the Final Plat.*

- i) The applicant shall submit the final plat and accompanying development agreement in accordance with Section 1203.02: Common Review Requirements and with the provisions of this chapter.
- ii) Upon determination by the Code Enforcement Officer that the final plat and accompanying development agreement have been properly submitted, the final plat and accompanying development agreement shall be accepted as being filed.
- iii) The application and the official filing of development agreement and the final plat shall be in accordance with the applicable submittal deadlines of the Planning Commission.
- iv) The development agreement and final plat submission shall include the submission of construction drawings for the corresponding phase of development.

(8) *Step 8—Staff Review and Staff Report on the Final Plat.*

- a) Upon determination that the application for a final plat and accompanying development agreement is complete, the Code Enforcement Officer shall transmit copies of the application for review by the City Engineer and other applicable agencies the Code Enforcement Officer deems appropriate.

- b) The City Engineer and agencies shall supply comments and recommendations to the Code Enforcement Officer prior to the regularly scheduled Planning Commission meeting where development agreement and final plat will be reviewed.
- c) Prior to the Planning Commission meeting where development and the final plat are scheduled for review, the Code Enforcement Officer shall review the development agreement and final plat and prepare a staff report.

(9) *Step 9—Review and Recommendation on the Final Plat by the Planning Commission.*

- a) The Planning Commission shall hold a public meeting to review and make a recommendation on the development agreement and final plat. The Planning Commission shall take one of the following actions:
 - i) The Planning Commission shall give a favorable recommendation on the development agreement and final plat authorizing its secretary, or any other officer of the Planning Commission, to indicate such approval and the date on the tracing of the final plat.
 - ii) If the construction drawings have not been approved by the City Engineer (Step 6) by the time of the Planning Commission's scheduled meeting, the development agreement and final plat may be placed on the agenda for the next Planning Commission meeting for action.
 - iii) Should the Planning Commission deny the development agreement and/or the final plat, written notice of such action, including reference to the regulation or regulations not complied with by the plat, shall be given to the applicant and the applicant's engineer and/or surveyor. The action shall also be entered on the official records of the Planning Commission.
- b) The chairperson of the Planning Commission shall certify the final plat by signing and dating the final plat upon recommendation of approval from the Planning Commission.
- c) Upon making a favorable or unfavorable recommendation, with or without conditions, the final plat shall be forwarded to City Council for review and decision.

(10) *Step 10—Review and Decision on the Final Plat by the City Council.*

- a) After full compliance with this section, the Development Department shall prepare the necessary legislation for City Council for introduction no later than 60 days of the recommendation of Planning Commission.
- b) Council shall review the development agreement and final plat with access to the files of the Planning Commission.
- c) If approval is given, the development agreement and final plat, and any appropriate documents shall be signed by the Mayor and Clerk of Council upon passage of the acceptance legislation by City Council.
- d) All drawings shall be returned to the Development Department after approval by City Council. The Code Enforcement Officer shall notify the applicant of the action by City Council by mail or digitally within five days after the action by City Council. The approved development agreement and final plat shall be returned to

the applicant for recording in the applicable county recorder's office. The approved development agreement and final plat shall be recorded together in the applicable county recorder's office.

(E) REVIEW CRITERIA. In order to approve a major subdivision, the Planning Commission and City Council, as appropriate, shall determine the following:

- (1) That the major subdivision complies with all applicable provisions of this code;
- (2) That the major subdivision does not conflict with other regulations, plans, or policies of the City;
- (3) That applicable review agencies have no objections that cannot be resolved by the applicant; and
- (4) That the major subdivision is not otherwise contrary to the interest of the City.

(F) GENERAL COMPLIANCE.

- (1) All improvement standards set forth in this chapter shall apply unless otherwise waived or varied by the City in accordance with the procedures of Section 1203.04(H): Variances and Appeals, Section 1203.05(P): Variance of Subdivision Design and Improvement Standards, Section 1203.09: Administrative Waivers or Section 1203.10: Alternative Equivalent Compliance, as applicable.
- (2) Where a tract of land is proposed to be subdivided in several stages or phases over a period of years, the applicant shall be required to submit a development agreement, a preliminary plat for the entire tract (subdivision) to be eventually developed. Such development agreement shall expressly define the development project rules and regulations for the development of specific property(s); commitments and policies related to the development of the property(s); and agreements and standards pertaining to the development of a specific property(s). The development agreement shall also outline specific time frames and completion dates for the development of the property. The preliminary plat shall illustrate appropriate sectioning or phasing adequate to demonstrate to the Planning Commission that the total design as proposed for the entire subdivision is acceptable under the terms of this code including conformance with the thoroughfare plan, applicable county plan, and/or the City's Comprehensive Plan, as determined by the City Engineer. The Planning Commission shall review and decide on the development agreement and the preliminary plat for the entire subdivision. The Planning Commission, City Engineer, and City Council, as applicable, may review and make decisions on the development agreement and the final plat and improvements plan for each individual section or phase.
- (3) The City shall withhold all public improvements, including the maintenance of streets and appurtenances, erosion and sediment control(s), and storm water detention and quality, and the furnishing of water service, to all subdivisions that have not been approved and to all areas dedicated to the public that have not been accepted by the Planning Commission and City Council in the manner prescribed in this code.
- (4) The development agreement and plat shall conform to design standards that will encourage good development patterns and particularly to the principles, standards, policies and proposals which are specified in the Comprehensive Plan. Therefore, the

thoroughfare plan, drainage rights-of-way, school sites, public parks and recreation sites and other public buildings and facilities shown on the officially adopted Comprehensive Plan shall be considered in the decision to approve or disapprove subdivision plats. Each subdivision design shall be in accordance with all applicable sections of the this code, as amended. The City Engineer, at any time during design or construction or even after the recording of the final plat, shall have the authority to modify any engineering or construction detail, whenever required for the protection of the public interest, health, safety or welfare.

- (5) No construction shall take place until a bond, as required by this code, is received and approved by the City Engineer.

(G) TIMING OF APPROVALS.

(1) *Effect of Preliminary Plat Approval.*

- a) An approved preliminary plat is to be used as a guide for the preparation of construction drawings and the final plat for final approval and recording upon fulfillment of all conditions of the preliminary plat approval and all provisions of this code.
- b) Approval of a preliminary plat shall be valid for a period of up to five years from the date of approval unless construction is completed in phases and accordingly approved. If the site is to be developed in phases, the construction of each phase must be complete within three years of the completion of the previous phase. In all cases, a platted development should be completed within ten years.
- c) Upon expiration of a preliminary plat approval, no approval of a final plat shall be given until the preliminary plat has been resubmitted and approved pursuant to Section 1203.05(D): Procedure.

(2) *Effect of Final Plat Approval.*

- a) Recommendation of approval of a final plat by the Planning Commission shall not be an acceptance by the public of the offer of dedication of any street, highway, or other public way or open space upon the plat, until such acceptance is also endorsed by the City Council upon the tracing of the final plat.
- b) The Planning Commission's recommendation of approval shall expire if the final plat is not presented to the City Council for approval within one year of the Planning Commission's preliminary plat approval.
- c) Approval of the final plat by City Council will become void if the final plat is not recorded with the applicable county within six months of the approval by City Council. If voided, resubmission of the final plat is required pursuant to Section 1203.05(D): Procedure.

- (3) *Liability.* The approval of plans by the City shall not relieve the owner, developer or his or her engineer of any liabilities, damages or legal action which may result from faulty, careless or negligent design or construction observed within the guarantee period.

- (H) ESTIMATED COST. Upon approval of the construction drawings by the City Engineer, and before starting any construction work, the developer's engineer shall prepare and submit to

the City Engineer and/or the agencies having jurisdiction over sanitary sewer or water (where applicable), an independent estimate of costs, by item, for construction surveying; construction of roads, storm and sanitary sewers, sanitary treatment plants, pumping stations and water supply systems; drainage structures; erosion control, storm water management basins, restoration of land and site clean-up; and other related items. The total estimated cost, including prevailing wage for labor as calculated by the U.S. Department of Labor and the Ohio Department of Commerce, shall be prepared and signed by the developer's engineer. The City Engineer and/or the agencies having jurisdiction over sanitary sewer or water (where applicable), may add to the developer's estimate an amount to cover contingencies, including permit and inspection costs, to arrive at the total estimated cost. The approved total of estimated costs shall be the basis for the establishment of the performance bond amount.

(I) BONDING REQUIREMENTS.

- (1) Public Improvement Bonds shall be required for all private projects involving the installation of public utilities, and/or streets and appurtenances.
 - a) For developments involving dedication of Right-of-Way, prior to the approval of a Final Plat by the City of Monroe the developer shall post public improvement bonds in the amount of 130% of the estimated cost of the public improvements, as approved by the City of Monroe, to secure the performance and construction of the uncompleted and unapproved public improvements. The bonding forms, as determined by the City Engineer, shall be used when submitting bonds.
 - b) For development not involving the dedication of Right-of-Way, prior to the final approval of the construction drawings by the City of Monroe and prior to the start of construction, the developer shall post public improvement bonds in the amount of 130% of the estimated cost of the public improvements, as approved by the City of Monroe, to secure the performance and construction of the uncompleted and unapproved public improvements. The bonding forms, as determined by the City Engineer, shall be used when submitting bonds.
- (2) All developments shall post bonds for erosion and sedimentation control and stormwater detention and quality.
- (3) Prior to the Developer securing bonds, line-item estimates for all items to be bonded shall be submitted to the City Engineer for approval of the bonding amounts.
 - a) The estimates shall indicate the item of work, the item unit, number of units, unit price, and total cost for each item to be bonded as detailed in Section 1203.05(H) Estimated Cost. Lump sum estimates will not be accepted.
 - b) After preliminary acceptance of the constructed improvements and a complete set of As-Built plans have been received and approved by the City of Monroe in hard copy and digital format, the public improvement bond may be reduced to an amount determined by the City of Monroe, but shall be no less than 130% of all non-completed items. A maintenance bond will be held for a period of 12 months beyond the approval date of the improvements and after the top course of asphalt has been applied, to cover any defects in construction of the improvement to be determined by the City of Monroe. After this period and after the final inspection and completion of any punch list items, the maintenance responsibility of the

developer may be released. A bond covering the completion of any outstanding items, i.e. sidewalks and erosion control, shall be held until home or building construction or lots developed in the section bonded has reached 80% and all other improvements have been completed to the satisfaction of the City.

- i) Approval of improvements shall not be granted until a punch list has been completed by the City of Monroe and all items have been satisfactorily completed.
- (4) Erosion and Sedimentation Control Bonds shall be required for all private developments that meet the requirements as determined by the City Engineer. Bonds shall be provided in the amount of 130% of the estimated cost of the sedimentation and erosion control measures for the site, as approved by the City of Monroe.
 - a) Erosion and Sedimentation Control Bonds may be reduced upon approval of the site by the City Engineer. Erosion and Sediment Control, and Storm Water Detention and Quality Bonds shall not be released until stabilization has been inspected and approved by the City Engineer.
- (5) All Public Improvement Bonds, including Erosion and Sediment Control, and Storm Water Detention and Quality shall include prevailing wage for labor as calculated by the U.S. Department of Labor and the Ohio Department of Commerce.
- (6) The City of Monroe will accept security in any of four separate forms. The developer may select the form of security as best suits their situation. The four forms of acceptable security are as follows:
 - a) Original Letter of Credit in favor of the City of Monroe.
 - i) The Letter of Credit must include the following language for automatic renewal and notice to the City of Monroe, Ohio in case of non-renewal: "It is a condition of this Letter of Credit that it shall be deemed automatically extended without amendment for successive one year periods from its present or any future expiration date unless at least sixty (60) days before any such expiration date we notify the City Engineer of the City of Monroe, at the address listed above, in writing by certified or registered mail, that we elect not to consider this letter of credit renewed for any such additional period, at such time the City of Monroe, Ohio may declare the Developer to be in default and demand immediate payment of all sums under this Letter of Credit."
 - ii) If the Letter of Credit contains a draft presentment deadline, it is mandatory that the Letter of Credit include the following language: "The draft presentment deadline set forth in this letter of credit shall automatically be extended for one year periods unless at least sixty (60) days prior to any draft presentment deadline, or any prior extension thereof, the (name of financial institution) Bank notifies the City Engineer of the City of Monroe, Ohio, 233 S. Main Street, Monroe, Ohio 45050, that the draft presentment deadline shall not be extended for a successive one year period, at such time the City of Monroe, Ohio may declare the Developer to be in default and demand immediate payment of all sums under this Letter of Credit."

- iii) The Letter of Credit must also contain the following language: "The Security Agreement referenced by this Letter of Credit and all its terms and conditions, is attached hereto, made a part hereof, and fully incorporated herein, as if fully rewritten".
 - iv) Payment pursuant to the Letter of Credit shall not be conditioned except upon notification by the City Engineer to the issuing financial institution that the developer is in default of the installation and/or maintenance of improvements within the subject development.
 - v) The Letter of Credit must state that it is being issued in connection with the installation of improvements in a particular development being developed by a certain developer. This reference must be specific and identify the development and section or phase thereof as may be applicable. Additional reference must be made that the letter of credit is being issued in connection with the security agreement between the City and the developer.
- b) Original Escrow Letter issued by a financial institution.
- i) The following text shall be included: "The Security Agreement referenced by this Original Escrow Letter and all its terms and conditions, is attached hereto, made a part hereof, and fully incorporated herein, as if fully rewritten".
- c) Surety Bond issued by a surety company authorized to do business in the State of Ohio. An authorized representative must sign the security agreement which will serve as the bond. A power of attorney from the surety company authorizing the signature on behalf of the surety company must accompany the security agreement.
- d) Surety Obligation of National Bank. A national bank may bind itself as surety to indemnify the City should the Developer default in the installation of the development improvements if it has a segregated deposit sufficient to cover the bank's total potential liability. Therefore, an authorized representative of the national bank must sign the security agreement, which signature shall also constitute a certification that the national bank has a segregated deposit sufficient in amount to cover the bank's total potential liability.
- e) Irrespective of the type of security selected by the Developer, all security agreements must be signed by the Surety.
- f) The term "Surety" as used herein includes an FDIC insured bank, savings and loan or other financial institution where the security provided is a letter of credit, escrow letter or surety obligation of a national bank. The term "Surety" when referring to a bank, savings and loan or other financial institution is not intended to create obligations beyond those provided by the security agreement. In the event that Surety fails to make funds available to the City of Monroe, Ohio in accordance with the security agreement within thirty (30) days after notification of default, then amounts due shall bear interest at eight per cent (8%) per annum.
- g) Other than filing in the blanks, no other alterations to the Security Agreements or escrow letter may be made. The security agreements or the escrow letter shall not be retyped and only the forms provided or photocopies thereof are acceptable. Security agreements and escrow letters which have been altered or retyped will not

be accepted. The Development name on a Security Agreement must exactly match the name of the Development on the record Development plat with no exceptions. For example, if the name of the Development is Spicewood, the name on the agreement must be spell[ed] the same. The City will not accept the spelling of Spice Wood as it is not the same as Spicewood. In addition, if the Development is Section One, referring to as Section 1 is not the same.

- h) Upon completion of the Security Agreements by the Developer and the Surety, they must be returned to the Office of the City Engineer.
- i) All Security Agreements must be submitted to the City Engineer with the construction drawings. In no circumstances will Security Agreements be approved by the City Engineer until the construction drawings have been approved by that City Engineer.
- j) Following performance of improvements in a Development, the Developer may request a reduction in the bond. Such requests may be made in writing to the Office of the City Engineer, and shall be granted in the sole discretion of the City of Monroe, Ohio.
- k) Upon release of the performance bond and acceptance of the maintenance bond as determined by the City Engineer, the City shall provide for the removal of snow and ice provided all roadway improvements are complete.

(J) RECORDING.

- (1) After all required approvals are secured, the final plat shall be returned to the applicant for final recording with the applicable county recorder. A Development Agreement shall be recorded with the Final Plat.
- (2) No development agreement or plat of any subdivision shall be recorded, or have any validity, until it has been approved and processed in the manner prescribed in this section.
- (3) In the event that an unapproved development agreement or plat is recorded, it shall be considered invalid.
- (4) Approval of a development agreement and the final plat by City Council will become void if the recording is not made within six months of the approval by City Council.
- (5) All costs for recording of a development agreement and the plat shall be borne by the owner and/or developer.

(K) REQUIREMENTS FOR THE START OF CONSTRUCTION OF PUBLIC IMPROVEMENTS. The applicant must comply with the following requirements in order to begin construction on the public improvements pursuant to the approved improvement plan.

- (1) The following items must have been approved prior to the commencement of construction:
 - a) The construction drawings for the subdivision;

- b) The estimated construction schedule, showing the starting and completion dates for each phase of the construction work, and a estimated date for the completion of the entire subdivision; and
 - c) Any bonds required for the project must be filed with the City Engineer.
- (2) The contractor must have all necessary permits required for the project prior to the start of construction.
- (3) A preconstruction meeting will be held, at which time the owner, the developer and/or his or her representative, the design engineer, the contractor, the City Engineer, the Code Enforcement Officer, any other interested city officials and other agencies, as required, will attend prior to the commencement of any project. At this time, the project will be discussed in regard to the procedure, construction methods, plans, materials, inspections, storm water management, erosion control, etc.

(L) AMENDMENTS.

- (1) Modifications to an approved preliminary plat are permitted pursuant to Section 1203.09: Administrative Waivers.
- (2) No changes, erasures, modifications or revisions shall be made to any construction drawings of a subdivision after approval has been given by the City Engineer and an endorsement is made in writing thereon, unless the improvement plan is first resubmitted and the changes approved by the City Engineer and/or the agencies having jurisdiction over wastewater or water (where applicable).
- (3) No changes, erasures, modifications or revisions shall be made to any final plat of a subdivision after recording, except as allowed under Section 1203.04(C): Replats or Section 1203.05(F)(4).
- (4) If it becomes necessary to modify the improvements as approved due to unforeseen circumstances, the subdivider shall inform the Code Enforcement Officer who shall consult with the City Engineer and the agencies having jurisdiction over sanitary sewers or water (where applicable), in writing, of the conditions requiring the modifications. Written authorization from the appropriate review agency to make the required modification must be received before proceeding with the construction of the improvement.

(M) PLAN CHECKING AND FIELD INSPECTION FEES. The applicant shall pay or reimburse the City of Monroe and/or the agencies having jurisdiction over sanitary sewer or water (where applicable), the total cost of plan review and field inspection of the improvements.

- (1) The review and inspection fee shall be determined by the City and the agencies having jurisdiction over sanitary sewer or water (where applicable) and will be equal to the fee established in the City's fee schedule.
- (2) The applicant is held responsible for all city plan review and inspection fees which will be payable upon invoice.
- (3) Failure to pay fees shall result in the City not issuing permits until all fees are paid in full.

- (4) The performance bond posted by the applicant guarantees the payment of all inspection fees and no bonds will be released until all inspection fees have been paid in full.
- (N) FINAL DRAWINGS. Within 30 days of the completion of the construction, and before acceptance, the subdivider's engineer shall update the original plans or plats as directed by the City Engineer and the agencies having jurisdiction over sanitary sewer or water (where applicable), showing the locations, sizes and elevations of all improvements as constructed. A legible mylar reproduction, a digital copy in Portable Document Format (PDF), and a digital copy that is compatible with the City's GIS/CAD systems shall be furnished to the City and agencies having jurisdiction over sanitary sewer or water (where applicable). The original plans or plats shall remain with the Development Department.
- (O) APPEALS.
 - (1) Whenever the Planning Commission has rendered a decision on a preliminary plat which is adverse to the request of the applicant, the aggrieved applicant may make an appeal to City Council.
 - a) The appeal shall be submitted to City Council within 30 days following the Planning Commission decision, and a copy of said appeal shall be filed with the Planning Commission and Development Department.
 - b) The appeal shall state, in full, the reasons it is being filed and the facts surrounding the same. Any facts and/or information not previously available to the Planning Commission, the inclusion of which at the time of the appeal would substantially alter the facts and information submitted to the Planning Commission prior to its original decision concerning the matter, shall be cause for resubmission of such matter to the Planning Commission, together with new facts and information, for its reconsideration.
 - c) City Council shall, upon receipt of an appeal, request a statement from the Planning Commission setting out the reasons for the decision being appealed, so as to properly advise City Council as to the considerations and regulations upon which the original decision was based.
 - d) The Clerk of Council shall notify the Planning Commission, applicant, owner of the subject property, and contiguous property owners of the time and place of City Council's public meeting to consider such appeal. All parties shall be heard and final judgment rendered by a two-thirds vote of City Council. Such decision shall be in writing, with the original being sent to the appellant and a copy to the Planning Commission.
 - (2) Whenever an applicant presenting a final plat for a major subdivision to the City Council has been rendered a decision from the City Council which is adverse to the request of the applicant, the aggrieved applicant may appeal the decision to the applicable court of common pleas within the number of days specified by law after the original decision from City Council.
- (P) VARIANCE OF SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS.
 - (1) The Planning Commission may consider and grant variances from the standards identified in Chapter 1208: Subdivision Design Standards, where unusual or exceptional

factors or conditions require such modification, provided that the Planning Commission shall:

- a) Determine that the size, shape, location or surroundings of the property are unusual and that unusual topographical or physical conditions or other conditions inherent in the land exist;
 - b) Determine that a strict compliance with the provision would create an extraordinary and unnecessary hardship in the face of the exceptional conditions;
 - c) Permit any variance of a provision only to the extent necessary to equitably remove the hardship so that substantial justice is done;
 - d) Determine that any modification granted will not be detrimental to the public interest nor in conflict with the spirit, intent, and purpose of Chapter 1208: Subdivision Design Standards;
 - e) Require such other conditions to be met by the proposed plat as the Planning Commission may find necessary to accomplish the purposes of this code, when modified; and
 - f) Determine that a strict compliance with the provision would deprive the property of privileges enjoyed by similar properties in the vicinity.
- (2) In making its determinations, the Planning Commission may also consider:
- a) Whether the property will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
 - b) Whether the essential character of the neighborhood will be altered or whether adjoining properties would be adversely affected as a result of the variance;
 - c) Whether the variance would adversely affect the delivery of governmental services; and
 - d) The recommendation of the City Engineer and Code Enforcement Officer.
- (3) Cul-de-sacs shall be discouraged if future roadway connections can be made. Planning Commission shall have the right to deny cul-de-sacs based on development design and service-related functions. Where a subdivision includes a cul-de-sac that requires a variance because the cul-de-sac is in excess of the maximum permitted length, the Planning Commission may also consider the number and size of lots served by the cul-de-sac, and the availability of central water service, to determine if the variance will permit appropriate development of the land without unduly affecting the public safety. The Planning Commission may also consider the opinions of local city officials.
- (4) The City Council may support variances affecting required improvements upon approval by the Planning Commission. Such recommendations shall be based on the findings listed in this section.”

SECTION 2: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

ATTEST:

APPROVED:

Clerk of Council

Mayor

First Reading: _____

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1203.05. Major Subdivisions.

(D) PROCEDURE. The review procedure for a major subdivision shall be as follows:

(1) *Step 1—Pre-application Conference.*

- a) The applicant shall meet with the Code Enforcement Officer for a pre-application conference before submitting an application for a major subdivision.
- b) The applicant shall supply preliminary information to the Code Enforcement Officer in a form established by the Development Department.
- c) The purpose of the pre-application conference shall be to discuss the proposed subdivision, review submittal requirements, and discuss compliance with the provisions of this code prior to the submission of an application.
- d) Subsequent to the pre-application conference with the Code Enforcement Officer, the applicant may consult with, at a minimum, the City Engineer, fire department and the County Soil and Water Conservation District. The applicant shall also consult with the agencies having jurisdiction for sanitary sewer or water, where applicable.

(2) *Step 2—Application and Official Filing of the Preliminary Plat.*

- a) The applicant shall submit an application in accordance with Section 1203.02: Common Review Requirements and with the provisions of this chapter.
- b) A development agreement and the preliminary plat shall be submitted as part of the initial application.
- c) Upon determination by the Code Enforcement Officer that the application is complete, the preliminary plat shall be accepted as being officially filed.
- d) The application and the official filing of the preliminary plat shall be in accordance with the applicable submittal deadlines of the Planning Commission.
- e) If the applicant fails to submit a complete application and preliminary plat within 180 days of the pre-application conference (Step 1), the applicant shall be required to begin the review procedure again from the pre-application conference.

(3) *Step 3—Staff Review and Staff Report on the Preliminary Plat.*

- a) Upon determination that the application for a major subdivision is complete, the Code Enforcement Officer shall transmit copies of the application for review by applicable agencies including, but not limited to, the City Engineer, fire department, agencies having jurisdiction for water and/or sanitary sewer, or other agencies the Code Enforcement Officer deems appropriate.
- b) Such agencies shall supply comments and recommendations to the Code Enforcement Officer prior to the regularly scheduled Planning Commission meeting where the development agreement and the preliminary plat will be reviewed.
- c) Prior to the Planning Commission meeting where the development agreement and the preliminary plat is scheduled for review, the Code Enforcement Officer shall review the development agreement and the preliminary plat and prepare a staff report.

(4) *Step 4—Review and Decision on the Preliminary Plat by the Planning Commission.*

- a) The Planning Commission shall not consider a major subdivision unless a development agreement and the preliminary plat is officially filed (Step 2).

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- b) The Planning Commission shall hold a public meeting to review and decide on the development agreement and the preliminary plat. The Planning Commission shall approve, approve with conditions, or deny the development agreement and the preliminary plat. The Planning Commission may also continue the meeting if questions regarding the development agreement and the preliminary plat are not satisfactorily addressed by the applicant.
- c) If the Planning Commission denies the development agreement and/or the preliminary plat, the applicant shall not move forward in the review process until a development agreement and a preliminary plat ~~is are~~ approved by the Planning Commission, or an appeal is granted by City Council.
- d) Appeal of a Decision by Planning Commission to Court of Common Pleas.
- i) If the Planning Commission denies the application for a development agreement and/or a preliminary plat, the applicant may appeal the decision to the applicable court of common pleas within 30 days of the Planning Commission's decision.
 - ii) An appeal pursuant to this section shall be initiated by filing a written appeal of the administrative decision with the Code Enforcement Officer.
 - iii) The applicant shall submit an application in accordance Section 1203.02: Common Review Requirements.
 - iv) Upon receiving the written appeal of the Planning Commission's decision on a development agreement and/or a preliminary plat, the Development Department shall transmit the written appeal with all papers, documents, and other materials related to the appealed decision or determination to the Clerk of Council. This material shall constitute the record of the appeal.
 - v) The City Council shall hold a public hearing within 45 days of the filing of the appeal provided adequate notification is provided pursuant to Section 1203.02(H): Public Notification for Public Hearings.
 - vi) Any person affected by the appeal may appear at the public hearing and testify in person, or by attorney or agent.
 - vii) The City Council shall render a decision on the appeal without unreasonable delay. The ~~Clerk of Council~~ Department of Development shall notify the appellant in writing of the decision of the City Council.
 - viii) A decision or determination shall not be reversed or modified unless there is competent, material, and substantial evidence in the record that the decision or determination fails to comply with either the procedural or substantive requirements of this code.
- (5) *Step 5—Submission of the Construction Drawings.*
 - i) The applicant's engineer shall prepare construction drawings, which shall conform to the approved development agreement and the preliminary plat and include all work to be performed. In cases where the applicant proposes to develop the subdivision in phases, construction drawings shall be submitted for each individual phase.
 - ii) The applicant shall supply the construction drawings to the Code Enforcement Officer in a form and number established by the Development Department.
 - iii) If the applicant finds, in the process of preparing construction drawings, that the approved development agreement and/or preliminary plat is not workable and changes in layout are required, the applicant shall inform the Code Enforcement Officer and City Engineer. The Code

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Enforcement Officer may require that a revised development agreement and/or preliminary plan be submitted for re-approval following Steps 2 through 4 above.

- iv) The City Engineer shall accept performance bonds pursuant to Section 1203.05(1): Bonding Requirements.

(6) *Step 6—Staff Review and Decision on the Construction Drawings.*

- a) The Code Enforcement Officer shall distribute copies of the construction drawings to the City Engineer and, where applicable, the applicant shall submit the construction drawings to the agencies having jurisdiction for sanitary sewer or water, the Ohio Environmental Protection Agency, and any other applicable agencies.
- b) The review agencies shall provide comments and recommendations on the construction drawings to the Code Enforcement Officer.
- c) A copy of the construction drawings shall be marked and returned to the applicant's engineer for corrections, if necessary.
- d) If found to be satisfactory by the City Engineer, the original tracing shall be submitted for approval signature by the Code Enforcement Officer, City Engineer, and the agencies having jurisdiction over sanitary sewer or water (where applicable).
- e) Improvements shall not be constructed until such time as the City has accepted the performance bond, and the City and other applicable agencies have approved the construction drawings. The applicant is required to participate in a pre-construction meeting and file all bond documents with the City Engineer prior to commencing construction of improvements.

(7) *Step 7—Filing of the Final Plat.*

- i) The applicant shall submit the final plat and accompanying development agreement in accordance with Section 1203.02: Common Review Requirements and with the provisions of this chapter.
- ii) Upon determination by the Code Enforcement Officer that the final plat and accompanying development agreement ~~have~~ been properly submitted, the final plat and accompanying development agreement shall be accepted as being filed.
- iii) The application and the official filing of the development agreement and final plat shall be in accordance with the applicable submittal deadlines of the Planning Commission.
- iv) The development agreement and final plat submission shall include the submission of construction drawings for the corresponding phase of development.

(8) *Step 8—Staff Review and Staff Report on the Final Plat.*

- a) Upon determination that the application for a final plat and accompanying development agreement is complete, the Code Enforcement Officer shall transmit copies of the application for review by the City Engineer and other applicable agencies the Code Enforcement Officer deems appropriate.
- b) The City Engineer and agencies shall supply comments and recommendations to the Code Enforcement Officer prior to the regularly scheduled Planning Commission meeting where the development agreement and final plat will be reviewed.
- c) Prior to the Planning Commission meeting where the development and final plat ~~are~~ is scheduled for review, the Code Enforcement Officer shall review the development agreement and final plat and prepare a staff report.

(9) *Step 9—Review and Recommendation on the Final Plat by the Planning Commission.*

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- a) The Planning Commission shall hold a public meeting to review and make a recommendation on the development agreement and final plat. The Planning Commission shall take one of the following actions:
 - i) The Planning Commission shall give a favorable recommendation on the development agreement and final plat authorizing its secretary, or any other officer of the Planning Commission, to indicate such approval and the date on the tracing of the final plat.
 - ii) If the construction drawings have not been approved by the City Engineer (Step 6) by the time of the Planning Commission's scheduled meeting, the development agreement and final plat may be placed on the agenda for the next Planning Commission meeting for action.
 - iii) Should the Planning Commission deny the development agreement and/or the final plat, written notice of such action, including reference to the regulation or regulations not complied with by the plat, shall be given to the applicant and the applicant's engineer and/or surveyor. The action shall also be entered on the official records of the Planning Commission.
- b) The chairperson of the Planning Commission shall certify the final plat by signing and dating the final plat upon recommendation of approval from the Planning Commission.
- c) Upon making a favorable or unfavorable recommendation, with or without conditions, the final plat shall be forwarded to City Council for review and decision.

(10) *Step 10—Review and Decision on the Final Plat by the City Council.*

- a) After full compliance with this section, the Development Department shall ~~request the Clerk of Council to~~ prepare the necessary legislation for City Council for introduction no later than 60 days of the recommendation of Planning Commission.
- b) Council shall review the development agreement and final plat with access to the files of the Planning Commission.
- c) If approval is given, the development agreement and final plat, and any appropriate documents shall be signed by the Mayor and Clerk of Council upon passage of the acceptance legislation by City Council.
- d) All drawings shall be returned to the Development Department after approval by City Council. The Code Enforcement Officer shall notify the applicant of the action by City Council by mail or digitally within five days after the action by City Council. The ~~original tracing approved~~ development agreement and final plat shall be returned to the applicant for recording in the applicable county recorder's office. The approved development agreement and final plat shall be recorded together in the applicable county recorder's office.

(F) GENERAL COMPLIANCE.

- (1) All improvement standards set forth in this chapter shall apply unless otherwise waived or varied by the City in accordance with the procedures of Section 1203.04(H): Variances and Appeals, Section 1203.05(P): Variance of Subdivision Design and Improvement Standards, Section 1203.09: Administrative Waivers or Section 1203.10: Alternative Equivalent Compliance, as applicable.
- (2) Where a tract of land is proposed to be subdivided in several stages or phases over a period of years, the applicant shall be required to submit a development agreement, a preliminary plat for the entire tract (subdivision) to be eventually developed. Such development agreement shall expressly define the development project rules and regulations for the development of specific property(s); commitments and policies related to the development of the property(s); and agreements and standards pertaining to the development of a specific property(s). The development agreement shall also outline specific time

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frames and completion dates for the development of the property. The preliminary plat shall illustrate appropriate sectioning or phasing adequate to demonstrate to the Planning Commission that the total design as proposed for the entire subdivision is acceptable under the terms of this code including conformance with the thoroughfare plan, applicable county plan, and/or the City's Comprehensive Plan, as determined by the City Engineer. The Planning Commission shall review and decide on the development agreement and the preliminary plat for the entire subdivision. The Planning Commission, City Engineer, and City Council, as applicable, may review and make decisions on the development agreement and the final plat, and improvements plan for each individual section or phase.

- (3) The city shall withhold all public improvements, including the maintenance of streets and appurtenances, erosion and sediment control(s), and storm water detention and quality, and the furnishing of water service, to all subdivisions that have not been approved and to all areas dedicated to the public that have not been accepted by the Planning Commission and City Council in the manner prescribed in this code.
 - (4) The subdivision-development agreement and plat shall conform to design standards that will encourage good development patterns and particularly to the principles, standards, policies and proposals which are specified in the Comprehensive Plan. Therefore, the thoroughfare plan, drainage rights-of-way, school sites, public parks and recreation sites and other public buildings and facilities shown on the officially adopted Comprehensive Plan shall be considered in the decision to approve or disapprove subdivision plats. Each subdivision design shall be in accordance with all applicable sections of the this code, as amended. The City Engineer, at any time during design or construction or even after the recording of the final plat, shall have the authority to modify any engineering or construction detail, whenever required for the protection of the public interest, health, safety or welfare.
 - (5) No construction shall take place until a bond, as required by this code, is received and approved by the City Engineer.
- (H) ESTIMATED COST. Upon approval of the construction drawings by the City Engineer, and before starting any construction work, the developer's engineer shall prepare and submit to the City Engineer and/or the agencies having jurisdiction over sanitary sewer or water (where applicable), an independent estimate of costs, by item, for construction surveying; construction of roads, storm and sanitary sewers, sanitary treatment plants, pumping stations and water supply systems; drainage structures; erosion control, storm water management basins, restoration of land and site clean-up; and other related items. The total estimated cost, including prevailing wage for labor as calculated by the U.S. Department of Labor and the Ohio Department of Commerce, shall be prepared and signed by the developer's engineer. The City Engineer and/or the agencies having jurisdiction over sanitary sewer or water (where applicable), may add to the developer's estimate an amount to cover contingencies, including permit and inspection costs, to arrive at the total estimated cost. The approved total of estimated costs shall be the basis for the establishment of the performance bond amount.
- (I) BONDING REQUIREMENTS.
- (1) Public Improvement Bonds shall be required for all private projects involving the installation of public utilities, and/or roadways, streets and appurtenances.
 - a) For developments involving dedication of Right-of-Way, prior to the approval of a Final Plat by the City of Monroe the developer shall post public improvement bonds in the amount of 130% of the estimated cost of the public improvements, as approved by the City of Monroe, to secure the performance and construction of the uncompleted and unapproved public improvements. The bonding forms, as determined by the City Engineer, shall be used when submitting bonds.
 - b) For development not involving the dedication of Right-of-Way, prior to the final approval of the construction drawings by the City of Monroe and prior to the start of construction, the developer

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shall post public improvement bonds in the amount of 130% of the estimated cost of the public improvements, as approved by the City of Monroe, to secure the performance and construction of the uncompleted and unapproved public improvements. The bonding forms, as determined by the City Engineer, shall be used when submitting bonds.

- (2) All developments shall post bonds for erosion and sedimentation control and stormwater detention and quality.
- (3) Prior to the Developer securing bonds, ~~line item~~ estimates for all items to be bonded shall be submitted to the City Engineer for approval of the bonding amounts.
 - a) The estimates shall indicate the item of work, the item unit, number of units, unit price, and total cost for each item to be bonded as detailed in Section 1203.05(H) Estimated Cost. Lump sum estimates ~~shall not be submitted~~ will not be accepted.
 - b) After preliminary acceptance of the constructed improvements and a complete set of As-Built plans have been received and approved by the City of Monroe in hard copy and digital format, the public improvement bond may be reduced to an amount determined by the City of Monroe, but shall be no less than 130% of all non-completed items. A maintenance bond will be held for a period of 12 months beyond the approval date of the improvements and after the top course of asphalt has been applied, to cover any defects in construction of the improvement to be determined by the City of Monroe. After this period and after the final inspection and completion of any ~~punch list~~ punch list items, the maintenance responsibility of the developer may be released. A bond covering the completion of any outstanding items, i.e. sidewalks and erosion control, shall be held until home or building construction or lots developed in the section bonded has reached 80% and all other improvements have been completed to the satisfaction of the City.
 - i) Approval of improvements shall not be granted until a punch list has been completed by the City of Monroe and all items have been satisfactorily completed.
- (4) Erosion and Sedimentation Control Bonds shall be required for all private developments that meet the requirements as determined by the City Engineer. Bonds shall be provided in the amount of 130% of the estimated cost of the sedimentation and erosion control measures for the site, as approved by the City of Monroe.
 - a) Erosion and Sedimentation Control Bonds may be reduced upon approval of the site by the City Engineer. ~~Prior to approval, the site shall have been permanently stabilized~~ Erosion and Sediment Control, and Storm Water Detention and Quality Bonds shall not be released until stabilization has been inspected and approved by the City Engineer.
- (5) All Public Improvement Bonds, including Erosion and Sediment Control, and Storm Water Detention and Quality shall include prevailing wage for labor as calculated by the U.S. Department of Labor and the Ohio Department of Commerce.
- (6) The City of Monroe will accept security in any of four separate forms. The developer may select the form of security as best suits their situation. The four forms of acceptable security are as follows:
 - a) Original Letter of Credit in favor of the City of Monroe.
 - i) The Letter of Credit must include the following language for automatic renewal and notice to the City of Monroe, Ohio in case of non-renewal: "It is a condition of this Letter of Credit that it shall be deemed automatically extended without amendment for successive one year periods from its present or any future expiration date unless at least sixty (60) days before any such expiration date we notify the City Engineer of the City of Monroe, at the address listed above, in writing by certified or registered mail, that we elect not to consider this letter of credit renewed for any such additional period, at such time the City of

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Monroe, Ohio may declare the Developer to be in default and demand immediate payment of all sums under this Letter of Credit."

- ii) If the Letter of Credit contains a draft presentment deadline, it is mandatory that the Letter of Credit include the following language: "The draft presentment deadline set forth in this letter of credit shall automatically be extended for one year periods unless at least sixty (60) days prior to any draft presentment deadline, or any prior extension thereof, the (name of financial institution) Bank notifies the City Engineer of the City of Monroe, Ohio, 233 S. Main Street, Monroe, Ohio 45050, that the draft presentment deadline shall not be extended for a successive one year period, at such time the City of Monroe, Ohio may declare the Developer to be in default and demand immediate payment of all sums under this Letter of Credit."
 - iii) The Letter of Credit must also contain the following language: "The Security Agreement referenced by this Letter of Credit and all its terms and conditions, is attached hereto, made a part hereof, and fully incorporated herein, as if fully rewritten".
 - iv) Payment pursuant to the Letter of Credit shall not be conditioned except upon notification by the City Engineer to the issuing financial institution that the developer is in default of the installation and/or maintenance of improvements within the subject development.
 - v) The Letter of Credit must state that it is being issued in connection with the installation of improvements in a particular development being developed by a certain developer. This reference must be specific and identify the development and section or phase thereof as may be applicable. Additional reference must be made that the letter of credit is being issued in connection with the security agreement between the City and the developer.
- b) Original Escrow Letter issued by a financial institution.
- i) The following text shall be included: "The Security Agreement referenced by this Original Escrow Letter and all its terms and conditions, is attached hereto, made a part hereof, and fully incorporated herein, as if fully rewritten".
- c) Surety Bond issued by a surety company authorized to do business in the State of Ohio. An authorized representative must sign the security agreement which will serve as the bond. A power of attorney from the surety company authorizing the signature on behalf of the surety company must accompany the security agreement.
- d) Surety Obligation of National Bank. A national bank may bind itself as surety to indemnify the City should the Developer default in the installation of the development improvements if it has a segregated deposit sufficient to cover the bank's total potential liability. Therefore, an authorized representative of the national bank must sign the security agreement, which signature shall also constitute a certification that the national bank has a segregated deposit sufficient in amount to cover the bank's total potential liability.
- e) Irrespective of the type of security selected by the Developer, all security agreements must be signed by the Surety.
- f) The term "Surety" as used herein includes an FDIC insured bank, savings and loan or other financial institution where the security provided is a letter of credit, escrow letter or surety obligation of a national bank. The term "Surety" when referring to a bank, savings and loan or other financial institution is not intended to create obligations beyond those provided by the security agreement. In the event that Surety fails to make funds available to the City of Monroe, Ohio in accordance with the security agreement within thirty (30) days after notification of default, then amounts due shall bear interest at eight per cent (8%) per annum.

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- g) Other than filing in the blanks, no other alterations to the Security Agreements or escrow letter may be made. The security agreements or the escrow letter shall not be retyped and only the forms provided or photocopies thereof are acceptable. Security agreements and escrow letters which have been altered or retyped will not be accepted. The Development name on a Security Agreement must exactly match the name of the Development on the record Development plat with no exceptions. For example, if the name of the Development is Spicewood, the name on the agreement must be spell[ed] the same. The City will not accept the spelling of Spice Wood as it is not the same as Spicewood. In addition, if the Development is Section One, referring to as Section 1 is not the same.
 - h) Upon completion of the Security Agreements by the Developer and the Surety, they must be returned to the Office of the City Engineer.
 - i) All Security Agreements must be submitted to the City Engineer with the construction drawings. In no circumstances will Security Agreements be approved by the City Engineer until the construction drawings have been approved by that City Engineer.
 - j) Following performance of improvements in a Development, the Developer may request a reduction in the bond. Such requests may be made in writing to the Office of the City Engineer, and shall be granted in the sole discretion of the City of Monroe, Ohio.
 - k) Upon release of the performance bond and acceptance of the maintenance bond as determined by the City Engineer, the City shall provide for the removal of snow and ice provided all roadway improvements are complete.
- (J) RECORDING.
- (1) After all required approvals are secured, the final plat shall be returned to the applicant for final recording with the applicable county recorder. A Development Agreement shall be recorded with the Final Plat.
 - (2) No development agreement or plat of any subdivision shall be recorded, or have any validity, until it has been approved and processed in the manner prescribed in this section.
 - (3) In the event that an unapproved development agreement or plat is recorded, it shall be considered invalid.
 - (4) Approval of a development agreement and the final plat by City Council will become void if the recording is not made within six months of the approval by City Council.
 - (5) All costs for recording of a development agreement and the plat shall be borne by the owner and/or developer.



HIRE AND DEVELOP TALENT

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Meant for command staff. Includes up-front call, an assessment battery, extended interview, tailored report, interview questions, coaching suggestions and a total score.

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PRADCO
DEVELOPING STRONGER ORGANIZATIONS

4 ADVANCED SUPERVISORY PROMOTIONAL ASSESSMENTS

Ideal for sergeants, captains, lieutenants, battalion chiefs, and department supervisors.

What PRADCO Does:

- Helps define the approach by consulting with management/HR to get the most important information
- Assesses people at the command staff/supervisory level
- Evaluates test data and a consultant conducts a personal interview with the candidate
- Provides feedback to the candidate
- Conducts an onboarding feedback with the selected candidate within 30 days (optional)

Includes a customized three-page report delivered within four business days of assessment completion that features:

- Key strengths and weaknesses
- Ratings in 5 categories that give a holistic view of the candidate
- A summary detailing fit and a total score
- Customized interview questions for follow-up purposes
- Customized coaching suggestions to help you onboard and develop the selected candidate

5 SENIOR LEADERSHIP ASSESSMENTS

Ideal for chiefs, assistant chiefs, director-level, and above positions.

What PRADCO Does:

- Helps define the approach by consulting with management/HR to get the most important information
- Assesses individuals at the senior leadership level of your organization
- Evaluates all test data, and two consultants conduct a personal interview with the candidate
- Provides feedback to the candidate
- Conducts an onboarding feedback session with the selected candidate within 30 days

Includes a customized five-page report delivered within four business days of assessment completion that features:

- Information relative to issues and concerns raised prior to assessment derived from testing
- Key strengths and weaknesses
- Ratings in 5 categories that give a holistic view of the candidate
- A summary detailing fit and a total score (if required)
- Customized interview questions for follow-up purposes
- Customized coaching suggestions to help you onboard and develop your new leader
- Thorough debrief with consultants
- Onboarding for the selected candidate within 30 days

Additional Information:

Interviews can be conducted face-to-face or virtually (video conference), if needed.

PRADCO can begin your assessment process within 1-2 weeks of notification.

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ADVANCED LEADERSHIP ASSESSMENT

DAN SAMPLE- CAPTAIN



Corporate Headquarters

178 East Washington Street, Chagrin Falls, Ohio 44022
www.pradco.com | (440) 337-4700

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DAN SAMPLE - CAPTAIN

Supporting Agency Objectives



- ✓ Embodies his values of honesty and integrity as an example to encourage other officers
- ✓ Takes on extra work details that serve the community and reflect positively on the agency
- ✓ Plans to improve recruitment by advocating for changes in hiring standards that reflect the agency's current needs and values
- ✓ Works with others to make improvements to the department's operations, such as overhauling the field training program
- ✓ Treats the welfare of the agency and the community as a high priority through his actions
- ✓ Passionate about advancing to a supervisory position where he can promote positivity
- ✓ Supports giving and receiving constructive criticism to allow everyone to improve
- ✗ Will need to get comfortable delegating tasks to be effective in a supervisory role

Command Presence



- ✓ Leads by example and plans to support other officers by being out on the road and taking on calls with them
- ✓ Separates personal relationships from professional relationships when he needs to have difficult conversations
- ✓ Intends to draw from his experience as officer-in-charge to transition to the rank of sergeant
- ✓ Establishes authority with people who doubt his credibility through his command presence, firm tone, and overall conduct
- ✓ Demonstrates confidence and willingness to take on difficult calls to earn respect from others
- ✓ Acts to secure scenes that show a risk for escalation and dangerous situations out in the field
- ✓ Asserts himself when he sees officers potentially violating the code of conduct
- ✗ Too direct during interactions that would benefit from a more tactful approach

Driving Accountability



- ✓ Holds people to the standards set by policy and procedure to maintain consistency and quality of police service
- ✓ Deters coworkers from cutting corners or making choices that could undermine the quality of a call response
- ✓ Shows and explains the relevant policies and procedures to establish clear expectations
- ✓ Holds himself and others to a high standard of behavior that portrays law enforcement in a positive, professional light
- ✓ Corrects underperformance by explaining agency standards and the reasoning behind them
- ✓ Supports giving and receiving constructive criticism to allow everyone to improve
- ✗ Sets overly high expectations for some officers that could lead to friction, at times
- ✗ Overly critical toward officers whose motivation and performance differ from his

DAN SAMPLE - CAPTAIN

Maintaining Strong Relationships



- ✓ Spends time with citizens to speak with them about their concerns and create positive experiences with them
- ✓ Serves as the lead advisor for the local youth program to build and maintain connections within the community
- ✓ Takes discussions off-line when necessary to resolve disagreements diplomatically
- ✓ Supports open lines of communication between leadership and general staff
- ✗ Sets aside insufficient time to build meaningful connections with his coworkers
- ✗ Puts little emphasis on learning the different motivational styles of other officers
- ✗ Could be more approachable with his demeanor and nonverbal communication

Problem-Solving



- ✓ Draws sound conclusions based on the information pertinent to the situation
- ✓ Sets aside personal feelings and assumptions to make objective decisions based on the facts
- ✓ Relies on training and experience to make quick decisions under pressure
- ✓ Asks others for information and support when he feels he cannot resolve an issue on his own
- ✓ Trusts his judgment and demonstrates confidence when he needs to defend decisions
- ✓ Learns from mistakes so he can prevent repeat occurrences in the future
- ✓ Follows policy and procedure to make decisions in line with the agency's expectations

Total Score

80

SUMMARY

Dan demonstrates integrity and takes on work details that allow him to engage with the community as an example to others. He intends to be an active supervisor and join others on calls. Dan holds people accountable to the agency's policies and procedures and discourages them from taking shortcuts that would diminish the quality of the service that they provide. He gets to know citizens to promote positive interactions that reflect well on the agency. In terms of decisions, Dan looks at information objectively and draws sound conclusions. Developmentally, Dan will need to delegate work to others instead of taking it all on himself. He would benefit from taking a more tactful approach with peers, especially when he provides constructive criticism regarding their performance and his expectations of them. Dan would improve his relationships by making time to get to know people and their motivations. Overall, if Dan can establish effective relationships with his subordinates, his sound problem-solving and ability to model effective behaviors should serve him well in the role of Captain for the agency.

DAN SAMPLE - CAPTAIN

FOLLOW UP QUESTIONS

1. Recall an assignment that would have improved if you delegated some of the work to others. What was the outcome and how could you have enlisted help from others?
2. Describe an interaction that would have benefitted from a less straightforward interpersonal approach. What could you have done differently to accomplish your goals?
3. Give an example of how you handled someone who fell short of your expectations. What was the outcome?
4. How do you manage someone who is difficult to motivate? Please provide an example. How did you handle the interaction and what was the result?
5. Talk about a quick decision you made on duty. What happened and what could you have done to improve the decision?

DEVELOPMENTAL SUGGESTIONS

- Build Relationships: Your success as a supervisor will, in part, be determined by the relationships you build with your subordinates. Take time to get to know what motivates people so you can connect them to opportunities, and they will appreciate and be more receptive to you. Show empathy and encourage people to approach you with questions and concerns.
- Coach Up to Expectations: Ensure that direct reports have the resources and knowledge they need to meet your expectations. Learn their strengths and shortcomings, then leverage your experience as an FTO to provide constructive criticism and feedback around areas for improvement. Set goals, monitor progress, and provide feedback so the people you coach can understand your expectations.
- Enlist Help from Others: To be successful as a supervisor, you will need to assign tasks to other officers. Assess your responsibilities in terms of which ones need your direct involvement, and then delegate assignments to other officers that match their motivations and abilities. You can help others grow and develop by allowing them to take on tasks that stretch their abilities or require them to develop new skills.