

# PHSCO EMPLOYEE HANDBOOK



Last updated: October 2022

## Contents

Introduction .....	4
Objectives .....	4
Employment at Will .....	5
Equal Opportunity .....	5
Americans with Disabilities Act (ADA) and Reasonable Accommodation .....	6
Harassment and Complaint Procedure.....	7
Whistleblower Policy .....	9
FITNESS FOR DUTY .....	10
Employee Background Record Checks.....	10
Conflicts of Interest.....	12
Employee Responsibility .....	12
Confidential Information .....	13
PUBLIC RECORDS POLICY .....	13
Open Door.....	15
Employment Classification.....	16
Workweek and Hours of Work .....	16
Time Records.....	16
Overtime .....	17
Position Descriptions .....	17
Compensation Plan .....	17
Travel And Expense Reimbursement.....	17
Deductions .....	18
Paychecks.....	18
Personnel Files .....	19
Employment of Relatives and Domestic Partners .....	19
Proper Licensure, Certificate and/or Registration .....	19
Separation from Employment.....	19
Drug-Free and Alcohol-Free Workplace .....	21
Workplace Violence Prevention.....	21
Safety .....	22
Attendance.....	23
Job Performance .....	23

Outside Employment .....	23
Dress .....	23
Cell Phone Safety and Driving .....	24
Remote Work .....	24
Computers, Internet, E-Mail, and Other Resources.....	25
Disciplinary Procedure .....	26
Holidays.....	28
All Purpose Leave .....	28
Long Term Illness .....	30
Family and Medical Leave .....	30
Military Leave.....	34
Jury Duty/Court Appearance .....	34
Administrative Leave With Pay .....	34
Leave Without Pay .....	34
Medical, Dental, and Vision Insurance.....	36
Group Life Insurance .....	36
Retirement .....	36
Retirement Severance.....	36
Deferred Compensation.....	36
Workers' Compensation .....	36

## Introduction

Policies are defined as the basic rules, which guide administrative action for accomplishing an organization's objectives. Comprehensive and clearly defined policies, consistently and fairly administered, are essential to the success of any organization.

The policies set forth and adopted within this Policy Manual supersede all previous written and unwritten personnel policies of PHSCO except as specifically delineated by the Board of Directors. This Policy Manual is a guide to be utilized by PHSCO to ensure uniformity and nondiscriminatory application of the conditions of employment. In the event there is a conflict between the contents of this Policy Manual or any applicable laws, those applicable laws shall prevail.

Updated policies will be communicated to employees, and employees shall be asked to sign a Receipt of Policy Manual form. Upon hire, employees shall be asked to sign the Receipt of Policy Manual form as documentation that they have received and read the Policy Manual. Input and questions about matters addressed in this Policy Manual is welcome and will always be considered.

## Objectives

PHSCO recognizes that a personnel system that recruits and retains competent, dependable personnel is indispensable for the effective delivery of services.

The policies and procedures set forth in this Policy Manual are designed to:

1. Set forth the standards currently established by PHSCO for the work carried out by the employees.
2. Promote high morale and foster good working relationships among employees by providing uniform personnel policies and consideration of employee needs.
3. Enhance the attractiveness of employment with PHSCO and encourage each employee to give his/her best effort to the organization and the public.
4. Establish a standard of courteous and dependable service to customers.
5. Provide fair and equal opportunity for qualified persons to enter and progress in their employment and are developed to achieve high performance, as determined through objective and practical personnel management methods.
6. Ensure that all operations are conducted in an ethical and legal manner to promote PHSCO's reputation as an efficient, progressive organization with its customers.
7. Ensure the organization engages, manages, and develops the workforce to utilize its full potential in alignment with the organization's overall mission, vision, values, strategy, and action plans.

# EMPLOYMENT

## Employment at Will

Employment at PHSCO is on an at-will basis unless otherwise stated in a written individual employment agreement signed by the PHSCO Board. This means that either the employee or PHSCO may terminate the employment relationship at any time, for any reason, with or without notice.

At-will employees will be required to sign an at-will letter upon hire or change in position title.

Nothing in this employee handbook creates or is intended to create an employment agreement, express or implied. Nothing contained in this, or any other document provided to the employee is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period. In addition, no PHSCO representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, that changes the at-will relationship.

## Equal Opportunity

PHSCO provides equal employment opportunities to all employees and applicants for employment without regard to race, color, creed, ancestry, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, religion, age, disability, genetic information, service in the military, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

PHSCO expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is not tolerated.

PHSCO will attempt to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's physical or mental disability, sincerely held religious beliefs and practices, and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon PHSCO's business operations.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the acting Executive Director. PHSCO will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. Employees who feel they have been subjected to any such retaliation should bring it to the attention of the acting Executive Director.

Retaliation means adverse conduct taken because an individual reported an actual or a perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. “Adverse conduct” includes but is not limited to:

- (1) Shunning and avoiding an individual who reports harassment, discrimination, or retaliation.
- (2) Express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation; *or*
- (3) Denying employment benefits because an applicant or employee reported harassment, discrimination, or retaliation or participated in the reporting and investigation process.

Other examples of retaliation include firing, demotion, denial of promotion, unjustified negative evaluations, increased surveillance, harassment, and assault.

Complaints of discrimination should be filed according to the procedures described in the Harassment and Complaint Procedure.

## Americans with Disabilities Act (ADA) and Reasonable Accommodation

PHSCO is committed to the fair and equal employment of individuals with disabilities under the ADA. It is PHSCO’s policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on PHSCO. PHSCO prohibits any harassment of, or discriminatory treatment of, employees or applicants based on a disability or because an employee has requested a reasonable accommodation.

In accordance with the ADA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. An employee or applicant with a disability may request an accommodation from the acting Executive Director and should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. PHSCO will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made, or if any other possible accommodations are appropriate. If requested, the employee is responsible for providing medical documentation regarding the disability and possible accommodations. All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

It is the policy of PHSCO to prohibit harassment or discrimination based on disability or because an employee has requested a reasonable accommodation. PHSCO prohibits retaliation against employees for exercising their rights under the ADA or other applicable civil rights laws.

Employees should use the procedures described in the Harassment and Complaint Procedure to report any harassment, discrimination, or retaliation they have experienced or witnessed.

## Harassment and Complaint Procedure

It is PHSCO's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or third party based on actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws. Such conduct will not be tolerated by PHSCO.

Furthermore, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. PHSCO will take all reasonable steps necessary to prevent and eliminate unlawful harassment.

**Definition of "unlawful harassment."** "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, a hostile, or an offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or another characteristic protected by state or federal law.

**Definition of "sexual harassment."** While all forms of harassment are prohibited, special attention should be paid to sexual harassment. "Sexual harassment" can include all the above actions, as well as other unwelcome conduct, and is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature whereby:

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

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not.
- Sexual epithets; jokes; written or oral references to sexual conduct; gossip regarding one's sex life; comments about an individual's body; and comments about an individual's sexual activity, deficiencies, or prowess.
- Displaying sexually suggestive objects, pictures, or cartoons.
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments.
- Inquiries into one's sexual experiences; *and*
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual or other harassment and retaliation against individuals for cooperating with an investigation of sexual or other harassment complaints violate PHSCO's policy.

**Complaint procedure.** If you believe you have been subject to or have witnessed unlawful discrimination, including sexual or other forms of unlawful harassment, or other inappropriate conduct, you are requested and encouraged to make a complaint. You may complain directly to the acting Executive Director or PHSCO Board member with whom you feel comfortable bringing such a complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

All complaints will be investigated promptly, and confidentiality will be protected to the extent possible. A timely resolution of each complaint should be reached and communicated to the parties involved.

If the investigation confirms conduct that violates this policy has occurred, PHSCO will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

## Whistleblower Policy

PHSCO requires all employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the PHSCO, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that PHSCO can address and correct inappropriate conduct and actions. If an employee becomes aware in the course of the employee's employment of a violation of any state or federal statute or any ordinance or regulation of a political subdivision that PHSCO has authority to correct, and the employee reasonably believes that the violation is a criminal offense that is likely to cause an imminent risk of physical harm to persons or a hazard to public health or safety, a felony, or an improper solicitation for a contribution, the employee shall notify the acting Executive Director or a PHSCO Board member. It is the responsibility of all directors and employees to report concerns about ethical violations or suspected violations of law or regulations that PHSCO's operations.

It is contrary to the values of PHSCO for anyone to retaliate against any employee who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of PHSCO. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

PHSCO has an open-door policy and recommends that employees share their questions, concerns, suggestions, or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the PHSCO Board. Supervisors are required to report complaints or concerns about suspected ethical and legal violations in writing to the PHSCO Board, who has the responsibility to investigate all reported complaints. The acting Executive Director is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved.

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. The acting Executive Director will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.

## FITNESS FOR DUTY

PHSCO is committed to maintaining a healthy and safe work environment for all employees, as well as providing support for individual employees who may be facing the trauma of a life-threatening or catastrophic illness.

PHSCO recognizes that ill or injured employees may wish to continue to work as their condition allows. An employee's suitability to work is based on the individual's capability to perform the essential functions of his/her position.

Precautionary measures must be taken to ensure that an employee's condition does not present a health and/or safety risk to him/herself or to other employees or customers. Accordingly, PHSCO has the right to require a statement from the employee's attending physician that continued presence at work will pose no risk to the employee, co-workers, customers, or the public. Additionally, PHSCO reserves the right to require an examination by an appropriate doctor or psychologist appointed and paid for by PHSCO to determine that this individual can work and poses no threat to himself/herself or others.

## Employee Background Record Checks

All final candidates for employment will undergo various employment screens to determine their fitness to perform duties for PHSCO. Applicants shall be notified during the initial interview that a background check and other screening assessments will be conducted on the candidate who is under final consideration. PHSCO will cover the cost of required background checks. Background checks include but are not limited to impressions of the candidate's fingerprints for a criminal record check, a request for information regarding any prior criminal convictions or guilty pleas by the candidate, a certified driver's abstract of the candidate's record of convictions from the Bureau of Motor Vehicles, employment references, and for some positions, a credit check. A candidate may have a conditional offer rescinded based on previous criminal conviction(s) and/or an unsatisfactory driving record.

When a candidate is under final consideration for an offer of employment, the acting Executive Director or designee shall initiate the following procedures for a background check:

1. Contact the candidate's present and/or previous employer(s) to obtain a thorough and complete employment verification and references.
2. Prior to the conditional employment offer, require the candidate to submit a Conviction Statement that he/she has not been convicted of or pled guilty to any of the offenses described in O.R.C. Section 5123.081. Criminal convictions or any guilty pleas also shall be requested from the law enforcement agency that has jurisdiction in the candidate's current and/or last area of residence. This means the Bureau of Criminal Identification and Investigation and the Federal Bureau of Investigation if the candidate has not lived in the state of Ohio for the last five (5) years. A candidate's refusal to be fingerprinted or to sign the Conviction Statement shall result in no further consideration of his/her application.
3. Request an unofficial driving record from the BMV in the state in which they reside.

4. PHSCO may secure a copy of any license or credential required for the position the applicant is applying for PHSCO may contact the appropriate licensure board to determine whether the applicant is in good standing and whether there is evidence of any disciplinary action.

PHSCO will review the findings of all background check(s) and screenings and consider them in addition to other factors in the decision to employ or retain an individual. The candidate shall not be appointed to fill a position at PHSCO if the background check discloses information that he/she has:

- a. Displayed work performance patterns which, in the judgment of the acting Executive Director would prevent him/her from successfully performing the essential functions of the position being filled.
- b. Been dismissed for good cause from any branch of public service, if the reason for dismissal bears a direct and substantial relationship to the position being filled.
- c. An unacceptable driving record for those candidates who are seeking a position in which driving is an essential function of the position.
- d. Background check results must be received by the end of the probationary period, failure to receive the results could result in termination.

The BCI report (and the report from any other local, state, or federal agency contacted) regarding any felony convictions or guilty pleas shall be compared to the information on the application and statement signed by the candidate. If the comparison reveals any falsification of the application or a contradictory statement, and the candidate has been hired by PHSCO pending these reports, the falsification and/or contradiction is cause for immediate removal. BCI reports and similar criminal records checks are not public records as defined in O.R.C. Section 149.43 and shall not be made available to any person except the candidate, and other entities authorized to receive such records pursuant to O.R.C. Section 5123.081. Such reports shall be maintained in a separate file by the Human Resource contracted entity. PHSCO may employ an applicant pending receipt of the criminal background or FBI check if the applicant has signed a statement saying that he or she has not been convicted of or pleaded guilty to any of the offenses listed. PHSCO shall terminate the employment of an individual not disclosing relevant violations.

# EMPLOYEE RESPONSIBILITY

## Conflicts of Interest

PHSCO expects all employees to conduct themselves and PHSCO business in a manner that reflects the highest standards of ethical conduct and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

Exactly what constitutes a conflict of interest, or an unethical business practice is both a moral and a legal question. PHSCO recognizes and respects the individual employee's right to engage in activities outside of employment that are private in nature and do not in any way conflict with or reflect poorly on PHSCO.

It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises in which there is a potential conflict of interest, the employee should discuss this with the acting Executive Director for advice and guidance on how to proceed. The list below suggests some of the types of activities that indicate improper behavior, unacceptable personal integrity, or unacceptable ethics:

1. Simultaneous employment by another organization that is a competitor of or supplier to PHSCO.
2. Carrying on company business with an organization in which the employee, or a close relative of the employee, has a substantial ownership or interest.
3. Holding a substantial interest in, or participating in the management of, a organization to which the company makes sales or from which it makes purchases.
4. Borrowing money from customers or organizations, other than recognized loan institutions, from which PHSCO buys services, materials, equipment, or supplies.
5. Accepting substantial gifts or excessive entertainment from an outside organization.
6. Speculating or dealing in materials, equipment, supplies, services, or property purchased by PHSCO.
7. Participating in civic or professional organization activities in a manner that divulges confidential company information.
8. Misusing privileged information or revealing confidential data to outsiders.
9. Using one's position in the company or knowledge of its affairs for personal gains; *and*
10. Engaging in practices or procedures that violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the conduct of PHSCO business.

## Employee Responsibility

All employees are expected to enter the employment relationship in good faith and to cooperate with fellow workers in furthering the mission, vision, values, and goals of PHSCO. It is the obligation of every employee to make the fullest use of their job assignments and to contribute to the general advancement of PHSCO services. It is vitally important that each staff member do their part to promote a spirit of cooperation and easy working relationships with other staff

members. Each employee must understand that their conduct, both on and off the job, must not be such as to reflect unfavorably upon PHSCO or any of its members or participating customers or interfere with their ability or qualifications. This includes social media and online activities. Employees have the right to have and express opinions, suggestions, and criticisms regarding job problems, policies, and practices. Personal views should be expressed through the open-door policy not through complaints, “gossiping” or careless remarks, or discussions with any media representative.

## Confidential Information

The protection of confidential business information is vital to the success of PHSCO. Confidential information is all information disclosed to or known by you because of employment with PHSCO that is not generally known to people outside the company about its business.

An employee who improperly uses or discloses confidential business information will be subject to disciplinary action up to and including termination of employment and legal action, even if the employee does not actually benefit from the disclosed information.

All inquiries from the media must be referred to acting Executive Director.

## PUBLIC RECORDS POLICY

Pursuant to Section 149.43 of the Ohio Revised Code, the PHSCO COG hereby adopts this public records policy. It is the policy of the PHSCO COG that openness leads to a better-informed citizenry, which leads to better government and better public policy. It is the policy of the PHSCO COG to adhere to the state’s Public Records Act.

**Section 1. Public records:** In accordance with Section 149.43 of the Ohio Revised Code, the PHSCO COG defines records as: Any document, device, or item – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of the PHSCO COG, which documents the organization, functions, policies, decisions, procedures, operations, or other activities of the PHSCO COG. Records regarding those served by the PHSCO COG are not public records and will be disclosed only in accordance with state and federal law.

**Section 1.1:** It is the policy of the PHSCO COG that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See also Section 4 for the e-mail record policy). Record retention schedules will be updated regularly and posted prominently at the PHSCO COG’s administration office and other facilities.

### Section 2. Record requests

**Section 2.1:** A requester must at least identify the records requested with sufficient clarity to allow the PHSCO COG to identify, retrieve, and review the records. If it is not clear what records are being sought, the PHSCO COG may deny a request but will provide the requester an

opportunity to revise the request by informing the requester of the way records are maintained by the PHSCO COG and accessed in the ordinary course of the PHSCO COG's business.

**Section 2.2:** The PHSCO COG may ask a requester to make the request in writing, may ask for the requester's identity, and may inquire about the intended use of the information requested, but may do so only after disclosing to the requester that a written request is not mandatory, that the requester may decline to reveal the requester's identity or the intended use, and when a written request or disclosure of the identity or intended use would benefit the requester by enhancing the ability of the PHSCO COG to identify, locate, or deliver the public records sought by the requester.

**Section 2.3:** Public records will be available for inspection during regular business hours, except for published holidays. The PHSCO COG's regular business hours are 8:00 a.m. to 5:00 p.m., although these hours may change from time to time. Public records will be made available for inspection promptly. Copies of public records will be made available within a reasonable period. "Prompt" and "reasonable" consider, among other things, the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

**Section 2.4:** Section 149.43 of the Ohio Revised Code contains certain exemptions from disclosure. With respect to each request, the PHSCO COG will determine whether an exemption applies to prohibit disclosure or permit non-disclosure of the requested records. If a record contains information that does not constitute a public record in accordance with federal or state law, such information will be redacted. The PHSCO COG will make the redaction plainly visible or notify the requester of the redaction. When a redaction is required or authorized by state or federal law, it is not considered a denial of a request. A denial of public records in response to a valid request will be accompanied by an explanation, including legal authority, as required by Section 149.43 of the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

**Section 3. Costs for Public Records:** Those seeking public records will be charged only the actual cost of making copies.

**Section 3.1:** The charge for paper copies is \$.08 cents per page and \$.50 cents per page if the copies are larger than 8 ½ x 11.

**Section 3.2:** The charge for downloaded computer files to a compact disc is \$1.00 per disc.

**Section 3.3:** There is no charge for documents e-mailed.

**Section 3.4:** Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

**Section 4. E-mail:** Documents in electronic mail format are records as defined by Section 149.43 of the Ohio Revised Code when their content relates to the business of the PHSCO COG. E-mail is to be treated in the same fashion as records in other formats and will follow the same retention schedules.

**Section 4.1:** Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of the PHSCO COG are instructed to retain their e-mails that relate to public business (see Section 1 Public Records) and to copy them to their business e-mail accounts and/or to the PHSCO COG's records custodian.

**Section 4.2:** The records custodian will treat the e-mails from private accounts as records of the public office, will file them in the appropriate way, will retain them pursuant to established schedules, and will make them available for inspection and copying in accordance with the Public Records Act.

**Section 5. DISCLAIMER:** Notwithstanding the existence of this policy, the PHSCO COG hereby informs the public that it shall comply with the requirements of the Ohio Public Records Act, including, but not limited to, Section 149.43 of the Ohio Revised Code, and that the provisions of the Ohio Public Records Act, and any amendments thereto, supersede and take precedence over this policy. The PHSCO COG retains the right to amend this policy at any time in accordance with the Ohio Public Records Act.

## Employment Relationship

### Open Door

The purpose of our open-door policy is to encourage open communication, feedback, and discussion about any matter of importance to an employee. Our open-door policy means that employees are free to talk with any manager at any time about any topic.

PHSCO recognizes that employees may have suggestions for improving the workplace, as well as complaints about PHSCO. The most satisfactory solution to a job-related problem or concern is usually reached through a prompt discussion with a supervisor. Employees should feel free to contact their supervisor with any suggestions and/or complaints. If employees do not feel comfortable contacting their supervisor or are not satisfied with their supervisor's response, they should contact the acting Executive Director.

The open-door policy includes the assurances that an employee who pursues his or her rights to talk to any person in management will experience no retaliation or interference from the employee's immediate supervisor.

## Employment Classification

To determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, PHSCO classifies its employees as shown below. PHSCO may review or change employee classifications at any time.

**Exempt.** Exempt employees are typically paid on a salary basis and are not eligible to receive overtime pay.

**Nonexempt.** Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.

**Regular, full time.** Employees who are not in a temporary status and work a minimum of 30 hours weekly and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package and are subject to the terms, conditions, and limitations of each benefits program.

**Regular, part time.** Employees who are not in a temporary status and who are regularly scheduled to work less than 30 hours weekly but at least 20 hours weekly and who maintain continuous employment status. Part-time employees are eligible for some of the benefits offered by the company and are subject to the terms, conditions, and limitations of each benefits program.

**Temporary, full time.** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the company's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

**Temporary, part time.** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than 30 hours weekly for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

## Workweek and Hours of Work

The standard workweek is from Sunday 12:00 a.m. until Saturday 11:59 p.m. and generally consists of 40 work hours. Office hours are generally 8:00 a.m. to 4:00 p.m.

## Time Records

All employees are required to complete accurate weekly time reports showing all time actually worked. These records are required by governmental regulations and are used to calculate regular, and overtime pay. At the end of each week, you must submit, and your supervisor must approve the time sheet attesting to its correctness before processing payroll.

## Overtime

When required due to the needs of the business, you may be asked to work overtime. Overtime is actual hours worked more than 40 in a single workweek. Nonexempt employees will be paid overtime compensation at the rate of one and one-half their regular rate of pay for all hours over 40 worked in a single workweek. Paid leave, such as holiday, paid time off (APL or LTI), does not apply toward work time. All overtime work must be approved in advance by a supervisor.

## Position Descriptions

PHSCO shall develop position descriptions for each position. Position descriptions are based on essential duties and responsibilities of the position. They shall include normal work schedules, classification, and certification/registration and/or licensure requirements. An employee will receive a copy of the position description as an attachment to the at-will letter as a condition of employment. If it is determined that the actual duties of the position are significantly different from the duties described in the job description, a new job description may be developed.

## Compensation Plan

PHSCO believes that it is in the best interest of both the organization and its employees to fairly compensate its workforce. Based on market data, the PHSCO Board will establish a salary for each position.

## Travel And Expense Reimbursement

Employees may receive reimbursement for expenses incurred while on official PHSCO business.

### **Mileage Reimbursement**

Employees using personal vehicles (with authorization to do so) shall be reimbursed for actual miles while on official PHSCO business and at the PHSCO approved mileage rate. PHSCO has adopted the IRS mileage rate as the authorized rate for travel. Such payment is considered total reimbursement for all vehicle-related expenses. Mileage reimbursement is payable to only one employee if two or more employees travel on the same trip and use the same vehicle. Employees are expected to record work-related mileage on their timesheet pursuant to the timekeeping policy. Reimbursement shall be made through direct deposit into the same account that the employee has identified for payroll purposes.

### **Overnight Accommodations, Meal Reimbursement and Airfare**

PHSCO follows the US General Services Administration for reimbursement of expenses covering the cost of overnight accommodations, meal reimbursement and airfare. Please review <https://www.gsa.gov/travel-resources> In most instances, overnight accommodations should be made in advance with approval from the supervisor. Expenses will be reimbursed upon presentation of receipts and an Expense Reimbursement Form.

### **Parking and Tolls**

Charges incurred for parking and tolls are reimbursable at the actual amount. Receipts for parking costs and tolls are required. Upon presentation of receipts and an Expense Reimbursement Form, reimbursement shall be made through a check issued to the employee.

### **Registration Fees**

Registration fees may be reimbursed with prior approval of the employee's supervisor. Upon presentation of receipts and an Expense Reimbursement Form, reimbursement shall be made through a check issued to the employee.

### **Miscellaneous Expenses**

Employees may receive reimbursement for expenses incurred while conducting PHSCO business with prior authorization from their supervisor. Upon presentation of receipts and an Expense Reimbursement Form, reimbursement shall be made through a check issued to the employee.

## Deductions

PHSCO does not make improper deductions from the salaries of exempt employees and complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position.

**Permitted deductions.** The FLSA limits the types of deductions that may be made from the pay of an exempt employee. Deductions that are permitted include:

- Deductions that are required by law, e.g., income taxes.
- Deductions for employee benefits when authorized by the employee.
- Unpaid disciplinary suspensions of 1 or more full days imposed in good faith for workplace conduct rule infractions.

During the week an exempt employee begins work for the company or during the last week of employment, the employee will only be paid for actual hours worked. In addition, an employee may be paid only for hours worked during a period when the employee is using unpaid leave under the Family and Medical Leave Act (FMLA).

**Improper deductions.** If an employee classified as exempt believes that an improper deduction has been taken from the employee's pay, the employee should immediately report the deduction to the payroll processor. The report will be promptly investigated, and if it is found that an improper deduction has been made, the company will reimburse the employee for the improper deduction.

## Paychecks

PHSCO's pay periods for all employees are two weeks and payday is biweekly on Friday. If payday falls on a federal holiday, employees will receive their paycheck on the preceding workday. Paychecks are directly deposited into your checking and/or savings accounts.

## Personnel Files

Employee files are maintained by PHSCO and are considered confidential. Supervisors may only have access to personnel file information on a need-to-know basis. Employees may inspect their own personnel files and may copy them but may not remove documents from their file. Inspections by employees must be requested in writing to the acting Executive Director and will be scheduled at a mutually convenient time or as required under state law. Personnel files are to be reviewed in the presence of the acting Executive Director. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

## Employment of Relatives and Domestic Partners

Relatives and domestic partners may be hired by the company if (1) the persons concerned will not work in a direct supervisory relationship, and (2) the employment will not pose difficulties for supervision, security, safety, or morale. For the purposes of this policy, "relatives" are defined as spouses, children, siblings, parents, or grandparents. A "domestic partnership" is generally defined as a committed relationship between two individuals who are sharing a home or living arrangements.

Current employees who marry each other or become involved in a domestic partnership will be permitted to continue employment with PSHCO provided they don't work in a direct supervisory relationship with each other or otherwise pose difficulties as mentioned above. If employees who marry or live together do work in a direct supervisory relationship with each other, PHSCO will attempt to reassign one of the employees to another position for which the employee is qualified if such a position is available. If no such position is available, the employees will be permitted to determine which one of them will resign.

## Proper Licensure, Certificate and/or Registration

All employees of PHSCO who are required to be professionally licensed, registered, or certified shall submit such license, registration and/or license renewals to Human Resources contracted entity. A copy of the license and/or certification shall be maintained in each employee's file. Employees are responsible for monitoring and maintaining their licenses and certifications and maintaining their validity. An employee who fails to provide such licenses, registrations, or license renewals shall not be permitted to work in his/her employment category or classification and may be discharged from his/her position if licensure, registration, or certification expires and/or is not renewed or continued.

## Separation from Employment

In all cases of voluntary resignation (one initiated by the employee), employees are asked to provide a written notice to their supervisors at least 10 working days in advance of the last day of work. The 10 days must be actual working days. Holidays and APL will not be counted toward the 10-day notice. Employees who provide the requested amount of notice will be considered to have resigned in good standing and generally will be eligible for rehire.

In most cases, the acting Executive Director will conduct an exit meeting on or before the last day of employment to collect all PHSCO property and to discuss final pay. If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address.

# Workplace Safety

## Drug-Free and Alcohol-Free Workplace

It is the policy of PHSCO to maintain a drug and alcohol-free work environment that is safe and productive for employees and others having business with PHSCO.

The unlawful use, possession, purchase, sale, or distribution of or being under the influence of any illegal drug or controlled substance (including medical marijuana) while on company or client premises or while performing services for the company is strictly prohibited. PHSCO also prohibits reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours. In addition, PHSCO prohibits off-premises abuse of alcohol and controlled substances (including medical marijuana), as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the company's reputation.

To ensure compliance with this policy, substance abuse screening may be conducted **For cause:** upon reasonable suspicion that the employee is under the influence of alcohol or drugs that could affect or have adversely affected the employee's job performance

Compliance with this policy is a condition of employment. Employees who test positive or who refuse to submit to substance abuse screening will be subject to termination. Notwithstanding any provision herein, this policy will be always enforced in accordance with applicable state and local law.

Any employee violating this policy is subject to discipline, up to and including termination, for the first offense.

## Workplace Violence Prevention

PHSCO is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse; attempts to intimidate others; menacing gestures; stalking; or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace.

All PHSCO employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor, or a member of the PHSCO Board. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline because of reporting a threat in good faith under this guideline.

Any individual engaging in violence against PHSCO, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action

will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

## Safety

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

# Workplace Guidelines

## Attendance

All employees are expected to be ready to work, every day they are scheduled to work.

If an employee will be absent for an entire day, the employee must contact the supervisor as soon as possible. Voicemail, text, and e-mail messages are acceptable.

## Job Performance

Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed.

Generally, formal performance reviews are conducted annually. These reviews include a written performance appraisal and discussion between the employee and the supervisor about job performance and expectations for the coming year.

## **Probationary Period**

PHSCO positions are subject to a 180-day probation. Removal of an employee may be made at any time during the probationary period if the service of the employee is considered unsatisfactory by the PHSCO Board. PHSCO also reserves the right to extend a probationary period. An employee is not able to appeal a probationary removal.

## Outside Employment

Employees generally are permitted to work a second job if it does not interfere with their job performance or create a conflict of interest with PHSCO. All employees, including part-time employees, must obtain prior approval from the PHSCO Board before undertaking any outside employment or other work activity.

Employees with a second job are expected to work their assigned schedules. A second job will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. In addition, employees who have accepted outside employment may not use paid sick time to work on the outside job. However, an employee on a leave of absence may continue to work in the outside job if this employment has been approved by the company under this policy and the employee's reason for leave does not preclude the outside employment.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to disciplinary action up to and including termination.

## Dress

PHSCO provides a casual yet professional work environment for its employees. Even though the dress code is casual, it is important to project a professional image to our customers, and

coworkers. All employees are expected to dress in a manner consistent with good hygiene, safety, and good taste. Please use common sense.

## Cell Phone Safety and Driving

Safe driving is priority when operating a vehicle while driving on PHSCO business. Your first responsibility is to pay attention to your driving. Never allow a cell phone or other mobile device to distract you from concentrating on driving.

Under no circumstances should you feel that you need to place yourself or others at risk while driving to fulfill business needs. You should follow these procedures to avoid distracted driving:

- Follow all applicable state and local laws that address the use of cell phones and other mobile devices while driving.
- Avoid using your cell phone while driving, and do not use it as a hand-held device. Find a safe place to pull over to make or receive phone calls, send, or receive text messages, or manipulate navigation apps.
- Program your destination into navigation apps or GPS devices before you start driving.
- Do not read or respond to text messages or e-mail or browse social media or the Internet while driving.
- Be aware of distractions from in-car “infotainment” systems. Just because they are built into the vehicle does not mean they do not create a hazardous distraction.

Employees who fail to follow safety guidelines are subject to discipline.

## Remote Work

The purpose of this policy is to outline remote work expectations. PHSCO believes that operational needs, effectiveness, and efficiency may be better supported by a remote workforce. Remote work allows employees to work at home, on the road or any location for all or part of their workweek. Remote work does not change the terms and conditions of employment with PHSCO.

### **Availability**

Availability is a key component to the success of remote work. It is critical that employees are available to answer questions and provide service to both internal and external customers. It is up to supervisors to ensure that adequate coverage is available. Employees must work together and communicate schedules to ensure that someone is available to ensure customer needs are met.

### **Equipment**

PHSCO will determine, provide, and maintain responsibility for the appropriate equipment (including hardware, software, and other office equipment) for each employee. PHSCO accepts no responsibility for damage or repairs to employee-owned equipment. Equipment supplied by PHSCO must be used for business purposes only. The employee must sign an inventory of all

PHSCO property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all PHSCO property will be returned, unless other arrangements have been made. PHSCO will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. The employee will establish an appropriate work environment within his or her home for work purposes. The work environment will be set up so they can accomplish work in an efficient manner. PHSCO will not be responsible for costs associated with the setup or operational costs of the employee's home office, such as remodeling, repairs, furniture, lighting, internet, home maintenance, and utilities.

### **Internet**

When working remotely, employees must ensure the network is secured with a WPA/WPA3 (Wi-Fi Protected Access) security protocol. The use of equipment, software, and supplies, if provided by PHSCO, is limited to use by the employee only. Personal health information and individuals' records should only be accessed by a secured connection on PHSCO equipment.

### **Security**

Employees who work remotely are responsible for the security and confidentiality of all PHSCO related information. Employees must follow all applicable data security procedures and safety requirements while working, including the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

### **Child Care**

Remote work is not designed to be a replacement for appropriate child, adult, or pet care. Employees should not engage in dependent care activities when performing PHSCO duties. Employees must be careful to keep interruptions to a minimum to avoid disruptions in work accomplishment. The focus of remote work must be on job performance and meeting the operational needs of PHSCO. Remote workers are encouraged to discuss expectations of remote work with family members.

Meetings should be scheduled at a community or customer location. Remote work or assigned work location can be changed at any time based on the ability to meet operational needs.

## **Computers, Internet, E-Mail, and Other Resources**

PHSCO provides a wide variety of communication tools and resources to employees for use in running day-to-day business activities. Whether it is the telephone, voicemail, scanner, Internet, intranet, e-mail, text messaging, portable electronic devices, or any other company-provided technology, use should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

Employees should not have any expectation of privacy in their use of company computer, phone, portable electronic devices, or other communication tools. All communications made using company-provided equipment or services, including e-mail and Internet activity, are subject to

inspection by the company. Employees should keep in mind that even if they delete an e-mail, a voicemail, or another communication, a copy may be archived on the company's systems.

PHSCO encourages employees to use e-mail only to communicate with fellow employees, suppliers, customers, or potential customers regarding company business. Internal and external e-mails are considered business records and may be subject to federal and state recordkeeping requirements, as well as to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the company.

All use of company-provided communications systems, including e-mail and Internet use, should conform to PHSCO guidelines/policies, including but not limited to the Equal Opportunity, Harassment, Confidential Information, and Conflicts of Interest. So, for example, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Similarly, employees should not divulge confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites.

Because e-mail, telephone and voicemail, and Internet communication equipment are provided for company business purposes and are critical to the PHSCO's success, communications may be accessed without notice by IT administrators and management to ensure compliance with this guideline.

Employees should pay particular care to the use and security of portable electronic devices when used for business-related purposes, such as laptops, tablets, smartphones, and other data storage media, whether provided by the employer or the employee. Lost or stolen portable electronic devices containing company information may cause breaches of security that result in the loss of company confidential commercial data, the loss of vital research data, the unauthorized disclosure of sensitive employee data, lawsuits against the individual, and lawsuits against the company. Employees should use appropriate password protections for such devices and physically secure them as recommended by IT department administrators.

Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the NLRA to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits. Employees have the right to engage in or refrain from such activities.

## Disciplinary Procedure

PHSCO expects employees to comply with the PHSCO's standards of behavior and performance and to correct any noncompliance with these standards.

Under normal circumstances, PHSCO endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit. This policy does

not modify the status of employees as employees at will or in any way restrict the PHSCO's right to bypass the disciplinary procedures suggested.

The following steps are suggested in the discipline procedure. All steps should be documented in the employee's personnel file.

**Step 1:** Informal Discussion. When a performance problem is first identified, the nature of the problem and the action necessary to correct it should be thoroughly discussed with the employee.

**Step 2:** Counseling. If a private informal discussion with the employee has not resulted in corrective action, following a thorough investigation, the supervisor should meet with the employee and (a) review the problem, (b) permit the employee to present information regarding the problem, (c) advise the employee that the problem must be corrected, (d) inform the employee that failure to correct the problem will result in further disciplinary action that may include discharge, and (e) issue a counseling notice to the employee.

**Step 3:** Reprimand. If satisfactory performance and corrective action are not achieved under Steps 1 and 2, the supervisor and a second representative should meet with the employee in private and proceed via (a) through (d) above and issue a reprimand notice to the employee.

**Step 4:** Suspension. Supervisors have the authority to temporarily remove employees from the workplace, with or without pay, if approved in advance by the acting Executive Director and PHSCO Board President. An exempt employee generally may not be suspended without pay for less than a full day, and the suspension must be related to written workplace conduct rules applicable to all employees, such as a written policy prohibiting sexual harassment or workplace violence.

**Step 5:** Failure to improve. Failure to improve performance or behavior after the written warning or suspension can result in termination.

The progressive disciplinary procedures described above also may be applied to an employee who is experiencing a series of unrelated problems involving job performance or behavior.

In cases involving serious misconduct, or any time the supervisor determines it is necessary, such as a major breach of policy or violation of law, the procedures contained above may be disregarded. Typically, the supervisor should suspend the employee immediately (with or without pay), and an investigation of the incidents leading up to the suspension should be conducted to determine if any further action, such as termination, should be taken.

# Time Off and Leaves of Absence

## Holidays

PHSCO observes and allows time off with pay for the following holidays:

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Memorial Day
- Juneteenth National Independence Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Veteran's day observed the day after Thanksgiving
- Christmas Eve
- Christmas

If one of these holidays falls on a Sunday, it will be observed on the following Monday. If the holiday falls on a Saturday, it will be observed the preceding Friday.

**Holiday pay.** All regular, full-time employees will receive eight (8) hours holiday pay at their regular rate of pay. A person not in active pay status the day prior to or following a holiday shall not be entitled to holiday pay. If a holiday occurs while an employee is on APL, the day will not be counted as APL.

**Religious observances.** Employees who need time off to observe religious practices or holidays not already scheduled by PHSCO should speak with their supervisor. Depending upon business needs, the employee may be able to work on a day that is normally observed as a holiday and then take time off for another religious day. Employees may also be able to take vacation time or take off unpaid days. The company will seek to reasonably accommodate individuals' religious observances.

## All Purpose Leave

PHSCO recognizes the importance of time off from work to relax, spend time with family, or any other reason an employee needs or wants to be off work. PHSCO provides paid All Purpose Leave (APL) to full-time employees for this purpose, and employees are encouraged to take vacation during the year.

Full-time (40 hours/week) employees will be awarded APL hours at initial employment per the schedule below.

Begin Year of Service	Full time staff hours awarded
-----------------------	-------------------------------

Upon Hire	80
6 Months	80
1 Year	160
2 Year	160
3 Year	160
4 Year	176
5 Year	176
6 Year	176
7 Year	200
8 Year	200
9 Year	200
10 Year	224
11 Year	224
12 Year	224
13 + Year	248

Employees must submit a request to use APL using the Human Resource Information System (HRIS). As a courtesy and for planning purposes a minimum of twenty-four (24) hours notice is required for eight (8) hours of APL usage. Twenty-four (24) to forty (40) consecutive hours of usage requires a minimum of one (1) week notice and approval unless it is an emergency. APL usage for more than forty (40) consecutive hours requires notice and approval a minimum of one (1) month in advance of the planned usage unless it is an emergency. Immediate supervisors must approve or deny all APL requests.

On the employment anniversary date, APL hours per the table above will be added to the current balance. Unused APL up to 120 hours will remain in the employee's APL balance. Any APL over 120 hours is rolled over into the Long-Term Illness balance.

Any service with the State of Ohio or its political subdivisions counts toward the number of years of service in determining the APL to which an employee is entitled per the schedule above. Time spent on previous authorized leaves of absence (including military leave) also counts. However, no APL is earned while an employee is on leave without pay. Any person removed from public employment due to the conviction of a felony, who is subsequently reemployed in the public sector, shall not be credited with prior public service for the purpose of receiving vacation leave.

Newly hired employees must provide written notification of total prior service with all applicable public employers to the HR or designee within sixty (60) days of hire. The State of Ohio Prior Service Certification Form shall be used to verify prior service credit.

As a public sector employer PHSCO employees are not entitled to and should not be paid for time not worked. In accordance with federal law, PHSCO will make deductions from an employee's pay when the employee is absent from work for personal reasons or sickness, illness, disability, or injury when leave is not used by the employee because:

- (1) permission for leave has not been requested or has been rejected.
- (2) an employee has exhausted his/her APL or LTI; or
- (3) the employee chooses to use leave without pay.

Depending on the circumstances, deductions from pay will be made in whole or half-day increments.

## Long Term Illness

All employees can accumulate “Long Term Illness” (LTI) hours. LTI is a pool of hours the employee may accumulate when unused APL is transferred at the end of each anniversary year.

Long Term Illness hours can be accessed when there is an illness, injury, childbirth, etc., occurring to an employee or a member of the employee’s immediate family, during which the employee is unable to perform his/her duties and/or requires the employee to be absent from work. Immediate family shall include the following: Parent, grandparent, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in-law, spouse, child, stepchild, grandchild, a legal guardian, or other persons who stand in place of a parent (in loco parentis).

Employees must submit a request to use LTI using the Human Resource Information System (HRIS). Immediate supervisors must approve or deny all LTI requests. All LTI will be counted as FMLA leave (see FMLA policy for details). Each employee requesting to use LTI leave hours will be required to submit FMLA paperwork signed by a licensed physician indicating that the employee is unable to perform his/her duties and will be required to provide a release to full duty from their physician upon their return. Once the employee exhausts LTI and APL hours, further absences from work may be granted without pay at the discretion of the Executive Director. There is no maximum limit on the hours in LTI.

An employee, at the time of hire, may transfer up to a maximum of two hundred forty (240) hours of sick leave accrued but unused within another public agency into their LTI Bank. Such transfer must be accompanied by the appropriate documentation.

## Family and Medical Leave

PHSCO complies with the federal FMLA, which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. The company also abides by any state and local leave laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws.

Please note there are many requirements, qualifications, and exceptions under these laws, and each employee’s situation is different. Contact the acting Executive Director to discuss options for leave.

The FMLA requires private employers with 50 or more employees and all public agencies, including state, local, and federal employers, and local education agencies (schools) to provide eligible employees up to 12 weeks of unpaid, job-protected leave in any 12-month period for

certain family and medical reasons. The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave, except for leaves to care for a covered servicemember with a serious illness or injury. For those leaves, the leave entitlement is 26 weeks in a single 12-month period measured forward from the date an employee first takes that type of leave.

**Basic leave entitlement.** The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons: (1) for incapacity due to pregnancy, prenatal medical care, or childbirth; (2) to care for the employee's child after birth or placement for adoption or foster care; (3) to care for the employee's spouse, child, or parent who has a serious health condition; or (4) for a serious health condition that makes the employee unable to work.

**Military family leave entitlements.** Eligible employees with a spouse, child, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include addressing issues that arise from (1) short notice of deployment (limited to up to 7 days of leave); (2) attending certain military events and related activity; (3) arranging child care and school activities; (4) addressing certain financial and legal arrangements; (5) attending certain counseling sessions; (6) spending time with covered military family members on short-term temporary rest and recuperation leave (limited to up to 5 days of leave); (7) attending post deployment reintegration briefings; (8) arranging care for or providing care to a parent who is incapable of self-care; and (9) any additional activities agreed upon by the employer and employee that arise out of the military member's active duty or call to active duty.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the armed forces, including a member of the National Guard or reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of the servicemember's office, grade, rank, or rating and for which the servicemember is undergoing medical treatment, recuperation, or therapy; is in outpatient status; or is on the temporary disability retired list.

**Benefits and protections during FMLA leave.** During FMLA leave, the company will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. However, an employee on FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Certain highly compensated key employees also may be denied reinstatement when necessary to prevent “substantial and grievous economic injury” to the company’s operations. A “key” employee is an eligible salaried employee who is among the highest-paid 10 percent of the company’s employees. Employees will be notified of their status as key employees, when applicable, after they request FMLA leave.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued before the start of an employee’s leave.

**Employee eligibility.** The FMLA defines eligible employees as employees who (1) have worked for the company for at least 12 months; (2) have worked for the company for at least 1,250 hours in the previous 12 months.

**Definition of “serious health condition.”** A serious health condition is an illness, an injury, an impairment, or a 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 the functions of the employee’s job or prevents the qualified family member from participating in school, work, or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least 2 visits to a healthcare provider or 1 visit and a regimen of continuing treatment, incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of “continuing treatment.”

**Use of leave.** An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced work schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies also may be taken on an intermittent or a reduced work schedule basis.

**Substitution of paid leave for unpaid leave.** Employees may choose or employers may require the use of accrued paid leave while taking FMLA leave. Accordingly, the company requires employees to use any accrued paid vacation, personal, and sick days during an unpaid FMLA leave taken because of the employees’ own serious health condition or the serious health condition of a family member or to care for a seriously ill or injured family member in the military. In addition, employees must use any accrued paid vacation or personal days (but not sick days) during FMLA leave taken to care for a newborn or newly placed child or for a qualifying exigency arising out of a family member’s active duty or call to active duty status in support of a contingency operation. To use paid leave for FMLA leave, employees must comply with the company’s normal paid leave procedures found in its APL and LTI policies.

**Employee responsibilities.** Employees must provide 30 days’ advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days’ notice is not possible, employees must

provide notice as soon as practicable and generally must comply with the company's normal call-in procedures. The company may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave, absent unusual circumstances preventing the notice.

Employees must provide sufficient information for the company to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a healthcare provider, or circumstances supporting the need for military family leave. Employees also must inform the company if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also are required to provide a certification and periodic recertification supporting the need for leave. The company also may require a second and, if necessary, a third opinion (at the company's expense) and, when the leave is a result of the employee's own serious health condition, a fitness-for-duty report to return to work. The company also may delay or deny approval of leave for lack of proper medical certification.

**PHSCO responsibilities.** The company will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required, as well as the employees' rights and responsibilities. If employees are not eligible, PHSCO will provide a reason for the ineligibility.

PHSCO will inform employees if leave will be designated as FMLA protected and the amount of leave counted against the employees' FMLA leave entitlement. If PHSCO determines that the leave is not FMLA protected, PHSCO will notify the employees.

**Other provisions.** Under an exception to the FLSA in the FMLA regulations, hourly amounts may be deducted for unpaid leave from the salary of executive, administrative, and professional employees; outside sales representatives; certain highly skilled computer professionals; and certain highly compensated employees who are exempt from the minimum wage and overtime requirements of the FLSA, without affecting the employees' exempt status. This special exception to the "salary basis" requirements for the FLSA's exemptions extends only to eligible employees' use of FMLA leave.

Employees may not perform work for self-employment or for any other employer during an approved leave of absence, except when the leave is for military or public service or when the company has approved the employment under its Outside Employment policy and the employees' reason for FMLA leave does not preclude the outside employment.

**Unlawful acts by employers.** The FMLA makes it unlawful for any employer (1) to interfere with, restrain, or deny the exercise of any right provided under the FMLA or (2) to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

**Enforcement.** An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

## Military Leave

PHSCO supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. Any employee who needs time off for uniformed service should immediately notify the PHSCO Board who will provide details regarding the leave. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the supervisor as soon as possible.

Upon return from military leave, employees will retain certain rights with respect to reinstatement, seniority, layoffs, compensation, length of service promotions, and length of service pay increases, as required by applicable federal or state law. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary termination.

## Jury Duty/Court Appearance

PHSCO supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty to their supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence.

If an employee is released from jury duty after 4 hours or less of service, the employee must report to work for the remainder of that workday.

Time for appearance in court for personal business will be the individual employee's responsibility. Normally, personal days or vacation days will be used for this purpose.

## Administrative Leave With Pay

The acting Executive Director with approval from the PHSCO Board may place an employee on administrative leave with pay. Such leave is to be used only in circumstances where the health or safety of an employee or of any person or property entrusted to the employee's care could be adversely affected, or if PHSCO is conducting an investigation that may result in disciplinary action. Compensation for administrative leave is solely at the discretion of the acting Executive Director and the PHSCO Board, except that the length of the leave shall not exceed the length of the situation for which the leave was granted.

## Leave Without Pay

The acting Executive Director with PHSCO Board approval may grant a leave of absence without pay to any employee for a maximum duration of six (6) months for any personal reasons of the employee. Such a leave may not be renewed or extended beyond six (6) months. The

authorization of a leave of absence without pay is a matter of administrative discretion. The acting Executive Director and PHSCO Board will decide in each individual case if a leave of absence is to be granted. The granting of any leave of absence is subject to approval of the Board. Except for emergencies, employees will advise the acting Executive Director thirty (30) days prior to commencement of the desired leave so that the various functions may proceed properly.

Upon completion of a leave of absence, the employee is to be returned to the position formerly occupied, or to a similar position if the employee's former position no longer exists. Upon the reinstatement of the employee from leave, any replacement in the position while an employee is on leave will be terminated subject to established layoff procedures, returned to his/her original position, or considered as a candidate for a vacant position, provided he/she is qualified for such position. An employee may return to work before the scheduled expiration of leave if requested by the employee and approved by the acting Executive Director, with two (2) weeks prior notification. An employee who fails to return to work within three (3) working days of the completion or a valid cancellation of a leave of absence without pay without explanation to and approval from the acting Executive Director may be removed from his/her position. Leave without pay cannot be utilized until such time that all APL has been exhausted including FMLA and LTI leave, if applicable. The leave of absence without pay provided by this policy may not be substituted for FMLA.

# Employee Benefits

PHSCO recognizes the value of benefits to employees and their families. PHSCO supports employees by offering a comprehensive and competitive benefits program.

## Medical, Dental, and Vision Insurance

Full-time employees working 40 hours per week are eligible for insurance on the first of the month following date of hire.

## Group Life Insurance

PHSCO provides life insurance for full-time employees who work 40 hours per week. Employees are eligible for this benefit on the first of the month following date of hire. The cost of this coverage is paid for in full by PHSCO. Voluntary life insurance is also offered, in which the employee pays the premium through payroll deduction.

## Retirement

All employees are required by state statute to participate in the Ohio Public Employees Retirement System (OPERS). Both PHSCO and the employee make payments to the retirement system each pay period. Under current provisions of law, retirees who are eligible for Social Security benefits at the time of retirement will have their Social Security Benefits reduced by an “offset” for public sector work in Ohio.

## Retirement Severance

At the time of retirement, an employee with ten (10) or more years of service with PHSCO and who retires from PHSCO and under an Ohio Public Employee Retirement System, may elect to receive twenty five percent (25%) of their unused APL and LTI balance up to 240 hours of pay. The payment for the retirement severance will be based on the employee’s rate of pay at the time of retirement and will eliminate all LTI and APL hours. LTI and APL payments under this policy may only be made one to any employee. Such payment will be made in one lump sum payment within 30 days of the retirement of the employee.

## Deferred Compensation

All employees have the option to participate in Ohio Deferred Compensation program. The maximum amount that an employee may contribute to the program(s) for any year is established by the Internal Revenue Service. Detailed information about the program options is available at <https://www.ohio457.org>. PHSCO reserves the right to administer the program.

## Workers’ Compensation

Workers’ compensation is a “no-fault” system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment.

PHSCO pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

PHSCO abides by all applicable state workers' compensation laws and regulations.

If an employee sustains a job-related injury or illness, it is important to notify the supervisor and HR immediately. The supervisor will complete an injury report with input from the employee and return the form to the acting Executive Director. The claim will be filed with the insurance company. In cases of true medical emergencies, report to the nearest emergency room.

Workers' compensation benefits (paid or unpaid) will run concurrently with FMLA leave, if applicable, where permitted by state and federal law. In addition, employees will not be paid APL or LTI for approved absences covered by the workers' compensation program, except to supplement the workers' compensation benefits such as when the plan only covers a portion of the employees' salary as allowed by state law.

## **EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND RECEIPT**

I hereby acknowledge receipt of the employee handbook of **PHSCO**. I understand and agree that it is my responsibility to read and comply with the policies in the handbook.

I understand that the handbook and all other written and oral materials provided to me are intended for informational purposes only. The handbook, PHSCO practices, and other communications do not create an employment contract or term. I understand that the policies and benefits, both in the handbook and those communicated to me in any other fashion, are subject to interpretation, review, removal, and change by PHSCO at any time without notice.

I further understand that I am an at-will employee and that neither this document nor any other communication shall bind the company to employ me now or hereafter and that my employment may be terminated by me or PHSCO without reason at any time. I understand that no representative of the company has any authority to enter into any agreement for employment for any specified period or to assure any other personnel action or to assure any benefits or terms or conditions of employment or make any agreement contrary to the foregoing.

I also understand and agree that this agreement may not be modified orally and that only the PHSCO Board of Directors may make a commitment for employment. I also understand that if such an agreement is made, it must be in writing and signed by the PHSCO Board.

---

Employee's Name in Print

---

Signature of Employee

---

Date Signed by Employee

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**