



EASTGATE
Regional Council of Governments

**Eastgate Regional Council of Governments
(EASTGATE)**

Employee Handbook

June 2018

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I. INTRODUCTION

A. *Introductory Statement*

Welcome to Eastgate Regional Council of Governments (alternatively referred to hereafter as “Eastgate” or the “Agency”). Eastgate is a voluntary association of local governments in northeast Ohio. Mahoning County, Trumbull County, Ashtabula County, and all Cities, Villages, and Townships in these counties are members. Although our members are unique, they share many common interests. Eastgate brings communities together to create a unified voice in areas such as transportation, water and air quality, land use planning, and local infrastructure projects. Eastgate is directly responsible for a variety of Federal, State, and local planning and project implementation programs.

As the Metropolitan Planning Organization and Areawide Water Quality Management Agency for Mahoning and Trumbull Counties, and the designated Economic Development District for the Economic Development Administration and the Local Development District for the Appalachian Regional Commission in Ashtabula, Trumbull and Mahoning Counties, Eastgate continues to maintain required certifications and planning documents to qualify the region for federal and state funding. Other major areas of responsibility include administration of the State Capital Improvement Program, the District 6 Public Works Integrating Committee, Intergovernmental review, Air Quality Planning Agency, the statewide GoOhio Commute Program, and the Clean Ohio Conservation Program.

The delivery of quality service to our members is dependent upon establishing solid relationships with the people that are important to our way of doing business. In this regard, Eastgate maintains a quality oriented operating philosophy that recognizes employees as vitally important parts of the operation and, as such, they are challenged to raise the quality of service. We respect their individuality, value high quality work at all levels and reward performance that meets our elevated operating standards.

The Employee Handbook is designed to acquaint you with Eastgate Regional Council of Governments and provides information about policies, procedures, employee benefits, and other matters affecting your employment. It is essential that you read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Eastgate Regional Council of Governments to benefit our employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policies. This Handbook is not intended to set out each and every detail of the operation of the workplace, but rather should serve as a guideline for employees and supervisors in their work activities. As Eastgate Regional Council of Governments continues to grow, and as the need arises, Eastgate Regional Council of Governments reserves the right to revise, supplement, and/or rescind any policies or portion(s) of the Handbook from time to time as it deems appropriate, in its sole and absolute discretion. However, Eastgate Regional Council of Governments’ employment at-will policy is not

subject to change. Employees will, of course, be notified of such changes to the handbook as they occur.

We hope your experience with us will be challenging, enjoyable and rewarding. Once again, welcome!

B. Mission Statement

Eastgate provides a regional forum to discuss issues of mutual interest and concern, and to develop recommendations and plans to address those issues. All of this in hopes of leading to a common goal of improving the quality of life for the residents of Northeast Ohio.

C. At-Will Employment

It is Eastgate Regional Council of Governments (also referred to as "Eastgate" throughout this handbook) policy that all employees who do not have a written employment contract with Eastgate Regional Council of Governments that states otherwise, are employed at-will. Eastgate Regional Council of Governments' personnel policies are not intended to create, nor do they create, a contract of employment. These personnel policies do not confer contractual or property rights on the employee and do not create contractual obligations enforceable against Eastgate Regional Council of Governments. Employment with Eastgate Regional Council of Governments is for an indefinite length of time and either the employee or Eastgate Regional Council of Governments may terminate employment at any time. Such termination shall, however, be subject to the requirements of the hearing and review process described more fully below in the Discipline and Discharge section.

THE RULES, POLICIES AND PROCEDURES OF THIS HANDBOOK ARE NOT CONDITIONS OF EMPLOYMENT, NOR DO THEY CREATE PROPERTY RIGHTS IN JOBS. EASTGATE REGIONAL COUNCIL OF GOVERNMENTS RESERVES THE RIGHT TO MODIFY, REVOKE, SUSPEND, TERMINATE OR CHANGE, ANY OR ALL OF THIS HANDBOOK AT ANY TIME WITH OR WITHOUT NOTICE. THE MATERIAL IN THIS HANDBOOK IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO AND DOES NOT CREATE A CONTRACT. A DELAY OR OMISSION BY EASTGATE REGIONAL COUNCIL OF GOVERNMENTS IN THE EXERCISE OF ANY POLICIES OR PROCEDURES SHALL NOT IMPAIR EASTGATE REGIONAL COUNCIL OF GOVERNMENTS' RIGHTS OR REMEDIES NOR BE CONSTRUED AS A WAIVER OF ANY SUCH RIGHTS OR REMEDIES.

The statements contained in Eastgate's personnel policies and any other Eastgate materials are not intended to modify the at-will employment relationship. Program Managers, Department Directors and other management employees shall not make any statements or representations that alter the at-will employment relationship or imply that employees may only be terminated "for cause." In any event, employees shall not rely on management or supervisory employee statements or representations that appear to alter the at-will employment relationship or imply that employees may not be terminated "for cause." Only the Executive Director has the authority to enter into any employment agreement. Any such agreement must be written and signed by the Executive Director to be effective. Completion of the Introductory Period does not change an employee's status as an

at-will employee, the right of Eastgate to terminate an employee or any other conditions of employment.

D. Employee Relations

Eastgate believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly, respectfully and directly to their Department Director through the problem resolution process in this handbook.

Our experience has shown that when employees deal openly and directly, the work environment can be first class, communications can be clear, and attitudes can be positive. We believe that Eastgate amply demonstrates its commitment to employees by responding effectively to employee concerns.

II. GENERAL EMPLOYMENT REQUIREMENTS

A. Proof of Eligibility

Pursuant to federal law and regulations and other applicable requirements, all employees will be required to provide proof of eligibility to work in the United States after being hired. This requirement shall include, but may not be limited to, the completion of Immigration and Naturalization Service Form I-9. Employees, in compliance with applicable law, will be required to provide the necessary identity document or documents acceptable under federal law. Failure to provide the required documents and completed Immigration and Naturalization Service Form I-9 within three (3) business days of hire will result in immediate termination.

B. Equal Employment Opportunity

Eastgate is an equal employment opportunity employer and does not discriminate against employees or job applicants on the basis of race, religion, color, sex, age, national origin, handicap, veteran status, military status or family status, or any other status or condition protected by applicable state or federal laws, except where a bona fide occupational qualification applies.

To provide equal employment and advancement opportunities to all individuals, employment decisions at Eastgate will be based upon merit, qualifications, and abilities. Eastgate adheres to the following Federal guidelines, including, but not limited to:

- Titles VI and VII of the Civil Rights Act of 1964 (Title VII) and related regulations
- Equal Pay Act of 1963 (EPA)
- Age Discrimination in Employment Act of 1967 (ADEA)

- Title I and Title II of the Americans with Disabilities Act of 1990 (ADA)
- Sections 501 and 505 of the Rehabilitation Act of 1973
- Civil Rights Act of 1991
- Family and Medical Leave Act of 1993

Eastgate will recruit, hire, train, and promote persons in all job classifications without regard to race, religion, color, sex, age, national origin, handicap, family or veteran status, military status, or any other status or condition protected by applicable state or federal law, except where a bona fide occupational qualification applies.

Eastgate will also apply all personnel programs, as applicable, such as compensation, benefits, transfers, layoffs, return from layoff, Eastgate's sponsored training, education, and social and recreation programs without regard to race, religion, color, sex, age, national origin, handicap, veteran status, military status, or any other status or condition protected by applicable state or federal law, except where a bona fide occupational qualification applies.

Eastgate will make reasonable accommodations for qualified individuals with disabilities as defined by the Americans with Disabilities Act and resulting case law. (see below "Reasonable accommodation Policy" for more information)

Employees with questions and/or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate Project Manager, Department Director or the Executive Director of Eastgate. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Eastgate is an Equal Opportunity Employer.

C. Affirmative Action

Per Eastgate's Affirmative Action Program for Equal Employment Opportunity, Eastgate adheres to all applicable regulations regarding implementation of an affirmative action and equal opportunity policy. Eastgate's program of affirmative action for equal employment opportunity promotes equal employment opportunity consistent with the agency's policies and with federal and state regulations and requirements. An Equal Employment Opportunity Compliance Officer has been appointed and may be consulted for further information regarding the agency's affirmative action program.

Eastgate has undertaken efforts to develop procedures, analyses, data collection systems, report forms, and policy statements all geared toward improvement in the hiring, training, and promotion of qualified female, handicapped, and minority persons in all areas within the organization.

Further information can be found in the agency's affirmative action program or by contacting the Equal Employment Opportunity Compliance officer.

D. Reasonable Accommodation Policy

It is the policy of Eastgate to ensure that all qualified individuals are provided with equal employment opportunities without regard to disability. To ensure equal opportunities to qualified individuals with a disability, Eastgate will provide reasonable accommodations, consistent with its obligations under applicable state and federal laws, to the known limitations of qualified persons with disabilities, who are employees or applicants for employment, so these individuals may perform the essential functions of a position and/or participate in the employment application process.

It is also the policy of Eastgate to ensure that all qualified individuals are provided with equal employment opportunities without regard to religious belief. Eastgate respects the religious beliefs and practices of all applicants and employees, and upon request, will provide reasonable accommodation for an individual's legitimate and sincere religious practices or observances, consistent with Eastgate's obligations under state and federal law.

The responsibility for seeking a reasonable accommodation, whether for a disability or a religious belief or practice, begins with the employee or applicant. If you believe an accommodation is necessary for you to enjoy equal employment opportunities, it is your responsibility to inform your direct supervisor or the Department Director and to request a reasonable accommodation. Eastgate will engage in an interactive process with you to determine whether an appropriate reasonable accommodation is available.

E. Ethics and Conduct

The successful operation and reputation of Eastgate is built upon the scrupulous principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires the careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity. These principles set forth the basic guidelines for Eastgate's directors, officers and employees:

- Honest and ethical conduct
- Compliance with all applicable laws, rules and regulations
- The prompt reporting of any inappropriate activities and violations of policies and procedures

Obeying the law, both in letter and spirit, is the keystone on which Eastgate's standards are built. To the extent you do not know the details of all applicable laws, it is important to know enough to determine when to seek advice from your Department Director.

The continued success of Eastgate is dependent upon trust; we are dedicated and committed to preserving that trust. Employees owe a duty to Eastgate to act in a way that will merit the

continued trust and confidence of the public. No employee may accept money or gifts from visitors, vendors or other organizations involved in conducting our business. The quality service that we provide to our members and the public is part of our normal standards. Letters of appreciation are an acceptable way to recognize outstanding contributions. Individuals wishing to make a gift to the staff should be referred to the Office Administrator.

Eastgate will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, unethical conduct and/or any and all prohibited, unscrupulous practices.

The use of good judgment and the prudent person rule, incorporated with high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your Department Director for advice and consultation.

Compliance with this policy of ethics and conduct is the responsibility of every Eastgate employee. Disregarding or failing to comply with this standard of ethics and conduct will lead to disciplinary action, up to and including termination of employment.

F. Outside Employment and Potential Conflicts of Interest

Eastgate Regional Council of Governments' employees may not hold jobs outside their employment with Eastgate, unless prior approval from the Executive Director is received and only so if the employee continues to meet the performance standards of the employee's job with Eastgate. Any such approved outside employment must not interfere, be in conflict with or be in any way incompatible with or in any way be detrimental to the employee's ability to perform the employee's duties with Eastgate. All employees will be judged by the same performance standards and will be subject to scheduling without regard to any existing outside work requirements.

In evaluating any such request for prior approval, the Executive Director will consider whether a conflict of interest exists and whether the nature of the outside employment could impair the performance by the employee of the employee's duties for and responsibilities to Eastgate. Such evaluation and determination shall be made in the Executive Director's sole discretion.

Prior to accepting any outside employment, the Eastgate employee must submit in writing a letter to the Executive Director detailing the duties and conditions of the outside employment and with whom the outside employment would be held.

If it is determined that an employee's outside work interferes with their performance or their ability to meet the requirements of this organization as they are modified from time to time, the employee may, in the sole discretion of the Executive Director, be asked to terminate the outside employment or the employee may be terminated from Eastgate.

Employment with Eastgate is the employee's primary responsibility. Outside employment will not be considered as justification for poor performance, absenteeism or tardiness. Should the outside employment cause or contribute to any of these situations, disciplinary action up to and including termination may result.

Outside employment that constitutes an actual conflict of interest or the appearance of such is prohibited. Employees may not receive any wages or material gain from any individual(s) or organization(s) outside of their employment with Eastgate for services rendered while performing their jobs for Eastgate or as consideration for the employee's job with Eastgate.

Any employment or other action taken by Eastgate employees outside of the scope of that employee's employment with Eastgate will in no way render Eastgate liable for the actions of the employee. Eastgate expressly disclaims any and all liability for such actions of its employees outside of the scope of their employment.

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Eastgate wishes the agency to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. A conflict of interest generally exists when an, officer, employee, agent, consultant or other representative of Eastgate has a direct or indirect interest in a transaction or circumstance that affects or may appear to affect the judgment of that person and divides or may appear to divide the allegiance of that person between two or more competing interests.

An actual or potential conflict of interest also occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Eastgate's actions or functions. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to a member of management of Eastgate as soon as possible the existence of any such relationship so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Eastgate does business, but also when an employee or relative receives any potential benefit or special consideration as a result of any transaction or business dealings involving Eastgate. Contact your Department Director for more information or to address any questions about suspected or possible conflicts of interest. Failure to notify management of a potential conflict of interest may result in disciplinary action up to and including termination.

G. Auditor of State's Fraud Hotline

The Auditor of State for the State of Ohio has established a way for all Ohioans to report potential fraud throughout government. The Auditor of State maintains a system for the reporting of fraud, including misuse of public money by any public official or office. The system allows all Ohio citizens the opportunity to make anonymous complaints through a toll-free telephone number, the Auditor of State's website or through the United States mail. The Auditor of State keeps a log of all such complaints that have been filed.

Recent legislation had a direct impact on all public employers. Public offices must make their employees aware of the fraud reporting system. Public offices must also provide information about the fraud reporting system to all new hires. All new employees must confirm that they received this information within thirty (30) days after beginning employment.

Ohio law requires the Auditor of State to confirm that public offices have so notified new employees. This can be confirmed in one of two ways: (1) public offices may require new employees to sign forms acknowledging the employees were notified of the fraud reporting system or (2) public offices can provide the fraud reporting system information in the employee handbook for the public office. The employee should then sign and verify the employee's receipt of such manual. Eastgate has elected to utilize the second method. Therefore, an acknowledgment of receipt of Auditor of State's fraud reporting-system information is attached at the back of this Handbook for each employee to review, sign and return.

Current whistle blower protections are extended to employees who file a complaint with the new fraud reporting system. If an employee becomes aware of a situation and reports it to the Auditor of State's fraud reporting-system, the employee is protected against certain retaliatory or disciplinary actions.

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

Auditor of State's fraud contact information:
Telephone: 1-866-FRAUD oh (1-866-372-8364)
US Mail: Ohio Auditor of State's office
Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, Ohio 43215
Web: www.ohioauditor.gov

III. PRE AND POST EMPLOYMENT REQUIREMENTS

A. Employment Applications

It is the policy of Eastgate to require that candidates for employment complete the Eastgate application for employment form and undergo one or more interviews prior to receiving an offer of employment. Eastgate relies upon the accuracy of information contained in the employment application, Curriculum Vitae or résumé, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, and/or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, immediate termination of employment.

Eastgate requires verification of all pertinent professional and educational qualifications prior to date of hire.

Eastgate's recruitment program and review of all submitted applications will be conducted in compliance with the nondiscriminatory recruiting program and other policies contained within the agency's Affirmative Action Program.

B. Licensure

If your position with Eastgate requires a license or professional certification, you will be asked to provide these documents for inspection before or at the time of your employment. It is your responsibility to keep these professional credentials in effect and current. Misrepresentation of or failure to maintain the current and valid status of professional credentials may result in disciplinary action up to and including termination.

C. Criminal Background Investigation

Eastgate may complete a criminal background investigation through the Bureau of Criminal Investigation and Identification or a private, licensed, background investigation firm, for all new hires, after an offer of employment is extended and accepted. If such background investigations are conducted, offers of employment will be contingent upon satisfactory results of the record check. Newly hired employees with a criminal conviction upon their record will be given an opportunity to explain the circumstances of the conviction and to provide official documentation certifying such explanation. In management's sole discretion, such conviction(s) with or without certified explanation, may result in immediate termination. Newly hired employees will be requested to provide a release and waiver consenting to such criminal background check. Failure to provide such release and waiver may result in immediate termination. A sample of this waiver is provided at the back of the Handbook. In the event that adverse action is taken regarding a prospective or current employee due to the results received from such criminal background investigation, the employee will be provided a notice of rights regarding such use. Eastgate will pay for the cost of the background investigation.

D. Pre-Employment Consumer Report

Eastgate may require a pre-employment consumer report "Credit Check" on all candidates for positions that receive payments for Eastgate or otherwise handles or has access to Eastgate funds, whether the funds are by cash, check or credit card authorization. A candidate's consumer report will be obtained after a conditional offer of employment has been made to the prospective employee. Applicants for such positions will be required to provide an authorization for the "credit check" to be considered further for employment. In the event that adverse action is taken regarding a prospective or current employee due to the results received from such consumer reports (i.e. the conditional offer of employment is withdrawn), the employee will be provided a notice of rights regarding such use.

E. Resignation, Termination and Exit Interview

Any employee who is planning to resign should discuss the situation with management before making a final decision. Non-exempt employees are required to give at least two weeks written notice of resignation. Exempt employees are required to give four weeks written notice. The letter of resignation should be addressed to the Executive Director, with copies provided to the employee's Department Director. The letter should also provide the reasons for the resignation and state the last day of expected employment. Unused benefit time (vacation, sick days, etc.) cannot be substituted for notice of resignation without approval in advance. When an employee submits proper notice of resignation, the agency may choose to pay the employee for the required notice period rather than requiring the days actually be worked. Employees who terminate their employment will receive a final paycheck which represents payment for all hours worked in the last pay period.

Unused vacation balances are payable if an employee terminates employment by voluntary resignation with the required notice or if the employee is terminated or laid off. Such unused vacation balances are payable only up to a maximum of the immediately prior calendar years' worth of accrued, unused vacation balance, plus the portion accrued, but unused during the current calendar year in which such termination or resignation of employment occurs. However, only non-introductory period employees are eligible for payment of unused vacation balances. Unused sick leave is forfeited at the time an employee resigns or is terminated. However, an employee who retires from service with Eastgate after completion of ten (10) or more years of prior service with the State of Ohio or any political subdivision of the State is eligible to convert a maximum of twenty-five (25%) of his or her accrued but unused sick leave into a lump sum payment (subject to all applicable withholdings) at the time of retirement, up to a maximum of two hundred forty (240) hours or thirty (30) days.

Participation in the group insurance programs will end on the last day of the calendar month in which employment ends. You may refer to individual plan booklets for details regarding continuation of coverage through COBRA or conversion of the policy.

Employment may be terminated either voluntarily by the employee in the form of a resignation or by the discharge of the employee by Eastgate Regional Council of Governments.

Eastgate will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to Eastgate, or return of Eastgate owned property. This is also an opportunity to gather information that could be helpful in improving work conditions and the quality of service. An exit interview also helps to ensure that the reason for resignation is not based on a misunderstanding or a condition that could be remedied.

At the exit interview, Eastgate will ensure that Eastgate property is returned and that Eastgate obtains payment for any outstanding obligation such as expense advances, etc. An employee may request an exit interview if one is not scheduled.

Because employment with Eastgate is based on mutual consent, both the employee and Eastgate have the right to terminate employment at will, with or without cause, at any time, subject to the rights of review provided elsewhere in this handbook.

Employee benefits will be affected by employment termination in the following manner: All benefits that are due and payable at termination will, in accordance with the policies contained in this Handbook, be paid or unpaid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

When a staff member resigns or is discharged a general, neutral announcement may be made at the next regularly scheduled staff meeting and a memo may be forwarded to co-workers.

F. Reference Inquiries

All inquiries for references on current or former employees must be forwarded to the Office Administrator. Only a neutral reference will be provided in response to all inquiries for requests for reference, stating only the dates of employment and the job title of subject employee. No further information is provided.

G. Automatic Termination

If an employee fails to return to work at the conclusion of any authorized leave period (e.g. FMLA, bereavement, etc.), without proper additional advance authorization, or if the employee is absent from work for two (2) or more days without properly requesting such time off and advising the employee's Department Director, the employee's employment may be terminated at the sole discretion of Eastgate.

IV. TIMEKEEPING, PAYROLL PROCEDURES, EXPENSES, AND GENERAL ADMINISTRATIVE MATTERS

A. *Employment Categories*

As all employees are hired for an unspecified duration, these categories do not guarantee employment for any specific length of time. Employment is at the mutual consent of the employee and Eastgate. Accordingly, either the employee or the employer can terminate the employment relationship at any time at the discretion of each. However, certain unused benefits may be forfeited at the termination of employment. See III E. above for more information.

(1) **Introductory Status:** New or rehired employees, whether they are full-time or part-time employees, who have been continuously employed with Eastgate for less than 180 calendar days are considered to be within an Introductory Period. Such employment may be terminated at any time and for any reason during the 180 calendar-day period. The length of the introductory period may be extended on one or more occasions if necessary. During the 180-day period, the Department Director will evaluate the employee for such qualities as: the ability to interact well with the public, members, co-workers and others, professional conduct, performance of duties and the ability to follow directions; attendance, and the willingness to learn and the quality of job performance. Near the end of the 180 calendar-day period, the Department Director will evaluate your job performance to ensure that you have fulfilled the requirements of the job. After 180 calendar days of satisfactory performance, the employee achieves regular status and continues to be an at will employee thereafter.

The Introductory Period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance, in the sole discretion of Eastgate, and to determine whether the new position meets the expectations of Eastgate and the employee.

If Eastgate determines that the designated Introductory Period does not allow sufficient time to thoroughly evaluate the employee's performance, the Introductory Period may be extended for a specified period, within the sole discretion of Eastgate. However, such waiver does not in any way affect the at will employment relationship between Eastgate and the employee. Progressive Discipline will not be utilized during the Introductory Period. (See Progressive Discipline section elsewhere in this Handbook.)

Introductory Period status is not to be confused with probationary status that an employee may be placed in as a disciplinary measure. The use of probationary status as a disciplinary measure will be discussed later in this Handbook in the Discipline and Discharge section.

(2) **Full Time:** A nonexempt employee who is regularly scheduled to work and regularly works forty hours per week is considered full time. Full time employees may be eligible for certain benefits once they satisfy the terms and conditions of the various benefit programs, as further provided in this Handbook.

(3) **Part Time:** Any nonexempt employee who is regularly scheduled to work and regularly works less than forty hours per week will be classified as a part time employee and may or may not be eligible for certain employer-sponsored benefits, as provided more fully elsewhere in this handbook.

- (a) A minimum of 30 hours/week to receive prorated benefits;
- (b) Benefits will be prorated based on a 40-hour work week.

Consideration for part-time employment will be based on Agency functionality and at the sole discretion of the Executive Director.

(4) **Exempt Employees:** An employee whose job duties, responsibilities and salary place the employee in an exempt capacity pursuant to the Fair Labor Standards Act, Wage and Hour Regulations and applicable state laws are considered exempt employees. Exempt employees do not receive additional compensation for hours worked in excess of forty hours per work week. Eastgate Exempt Employees are the Executive Director and the Directors.

(5) **Non-Exempt Employees:** All other employees who are not classified as “exempt”. Non-exempt employees are entitled to compensatory time for all hours worked in excess of forty hours per work week. Such time must be approved by a Department Director in advance. Nonproductive paid time (vacation days, holidays, sick days, personal days, etc.) is not considered as hours worked for calculating compensatory time.

B. Personnel Files

Eastgate maintains a personnel file for each employee. Personnel files include documents related to the employee's employment, including, but not limited to, resumes and/or application materials, appointment and employment offer documents, change of status and termination forms, performance appraisals, letters of recognition and/or commendation, any disciplinary records, records of training, salary adjustments, and other relevant employment records.

Personnel files are the property of Eastgate. Information contained within shall be consistent with state and federal laws and regulations, and access to the information they contain is restricted. Department Directors and management personnel of Eastgate who have a legitimate reason to review information in a file are permitted to do so. All information is confidential and should be treated as such.

Employees who wish to review their own personnel file should contact the Office Administrator. Employees may review their own personnel files in Eastgate's offices in the presence of an individual appointed by Eastgate to maintain the files.

It is the employee's responsibility to promptly report any changes in address, telephone number, marital status, number of dependents, emergency contact person, or other pertinent information to the Office Administrator.

Eastgate shall consider notice to the employee's last known address or telephone number as sufficient notice whenever necessary.

Unauthorized access to personnel files will result in disciplinary action.

C. Performance Evaluations

Department Directors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. A formal written performance evaluation will be conducted by each employee's Department Director at the conclusion of the employee's introductory period. Thereafter, employees will undergo an annual performance evaluation. Additional formal performance evaluations are conducted to provide both Department Directors and employees the opportunity to discuss:

- job tasks
- identify and correct weaknesses
- encourage and recognize strengths
- establishing individual agency goal

As noted above, performance evaluations are scheduled to occur approximately annually. Performance evaluations will be discussed, reviewed by and signed by both the employee and Department Director in private with an observer present, if so designated by Eastgate.

The objective of the performance evaluation is to help the employee improve his or her performance. The completed performance evaluation is reviewed by the Executive Director and management of Eastgate. The evaluation will consist of a review of the employee's work performance, attendance and other aspects related to carrying out job responsibilities. Additional performance evaluations may be conducted throughout the year at the option of the Department Director or the Executive Director. Completed performance evaluations become a permanent part of the employee record. Employees are permitted to review past performance evaluations by making an appointment with the Office Administrator as provided above in IV B.

D. General Wage Information

The Executive Director has sole discretion regarding salary increases and promotions within those guidelines provided by the Finance/Executive Committee of the agency's General Policy Board. The Finance/Executive Committee sets annual guidelines as to such compensation increases as part of the total budget of the agency.

E. Job Descriptions

Eastgate makes every effort to create and maintain accurate job descriptions for all positions within the organization. Each description includes a job information section, a job summary section (giving a general overview of the job's purpose), an essential duties and responsibilities section, a qualifications section (including education and/or experience, language skills, mathematical skills,

reasoning ability, and any certification required), a physical demands section, and, if applicable, a work environment section.

Eastgate maintains job descriptions to aid in the orientation of new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for addressing reasonable accommodation requests for individuals with disabilities.

The Office Administrator prepares job descriptions when new positions are created. Existing job descriptions are periodically reviewed and revised to ensure that they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, by participating in the periodic review and revision of the job description.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Contact the Office Administrator if you have any questions and/or concerns about your job description.

F. Work Schedules

The customary work day for all full-time employees is 8 hours a day, 5 days a week. Working hours are Monday through Friday from 7:00 AM until 5:00 PM. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

To maintain a safe and productive work environment, Eastgate needs employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Eastgate. You must account for all absences and late arrivals with your Department Director. In the rare instance when employees cannot avoid being unable to work as scheduled, the employee must speak with the employee's Department Director directly as soon as possible in advance of the anticipated absence, but in all circumstances no later than 30 minutes after the start of the scheduled work day. As for tardiness, the employee must speak with the employee's Department Director directly as soon as practicable. If your Department Director and/or the Office Administrator cannot be located, contact the Executive Director. Failure to give such notice will result in disciplinary action, up to and including termination. Any absentee notification done more than 30 minutes after the appointed start time may be considered a "tardy" and subject to disciplinary action. Employees are required to be at their required work station, ready to work, at the start of their scheduled work day.

Poor attendance and excessive tardiness are disruptive. Poor attendance and/or excessive tardiness will lead to disciplinary action, up to and including termination of employment. Failure to report to work without reporting off may be considered voluntary termination. The Agency offers "flex time," that may allow an employee to alter the starting and ending times of the work day.

However, such flex time must be requested of the employee's supervisor and approved by the supervisor prior to starting to work a flex time schedule.

G. *Timekeeping and Payroll Approval Policy*

Accurately recording time worked is the responsibility of every employee. Federal and state laws require Eastgate to keep an accurate record of time worked to calculate employee pay and benefits. Time worked is defined as the time actually spent on the job performing assigned duties.

Employees must arrive on time for work and leave work on time. Late arrivals or early departures, without prior authorization of the employee's Department Director will result in disciplinary action up to and including termination.

Employees should accurately record the time they begin and end their work. They should also record the beginning and ending time of any departure from work for non-work-related reasons. Such recording is to be accomplished by utilizing the Agency's time recording system. Overtime work must always be approved by a Department Director before it is performed.

Altering, falsifying, or tampering with time records in any way, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Due to the requirements of the Fair Labor Standards Act and its regulations, nonexempt employees must not report to Eastgate's facility more than seven (7) minutes prior to their scheduled starting time nor stay more than seven (7) minutes after their scheduled stop time without prior authorization from their Department Director. Any violation may result in disciplinary action. Repeated violations will result in termination.

Please refer to Appendix A in this document for the complete Payroll Approval Policy.

H. *Meal Periods*

Each workday, all employees are eligible for an unpaid lunch break not to exceed 30 minutes in length. To the extent possible, meal periods will be provided in the middle of each work day. Non-exempt employees will be relieved of all active responsibilities and restrictions during meal periods. If an employee elects not to take the employee's meal period, this time may not be applied towards an early departure from the workplace, unless the employee's Department Director authorizes the early departure in advance. A shorter meal period may only be approved by a Department Director

It is the responsibility of the Department Directors to ensure that all departments are staffed at all times.

I. Overtime/Compensatory Time

Every effort will be made to limit the need for employees to work in excess of 40 hours per week by ensuring that workloads are distributed, that staffing levels are appropriate for the workload, and that workers are managing their time well. Flexible time schedules are also encouraged to reduce the employees need to work overtime.

When working requirements or other needs cannot be met during regularly scheduled working hours, employees may be asked to work additional hours. All overtime work for non-exempt employees must receive their Department Director's prior authorization. Failure to gain such required authorization prior to performing overtime work may void additional compensation and result in disciplinary action.

Generally, non-exempt employees will not work more than 40 hours in a single workweek. Flexible scheduling can be utilized to ensure that work is accomplished without the need for the non-exempt employee to work more than 40 hours in a workweek.

Approved compensatory time will be earned at the rate of one hour of compensatory time granted for each hour of overtime work. Approved compensatory time cannot be paid out, and a maximum of 16 hours may be stored at any one time. Accrued compensatory time off will expire six months after the pay period during which it was earned and should be recorded in the Agency's electronic time sheet system.

J. Paydays

All employees are paid bi-weekly on every other Thursday. Each paycheck will include earnings for all work performed through the period ending two weeks prior.

Pay checks are Direct Deposit in Employees personnel accounts chosen by the employee.

Pay advances are not permitted.

K. Pay Deductions and Setoffs

Eastgate is required by the state and federal governments to withhold personal income taxes, PERS employee contributions, Medicare taxes, and any other federal, state and local taxes or other required deductions where applicable. Eastgate may also withhold voluntary deductions (e.g., health insurance coverage premiums, credit union contributions, Ohio Public Employees Deferred Compensation Program contributions), and court ordered or otherwise required setoffs (e.g., payments to discharge a legally owed debt) from the employee's paycheck.

L. Travel Expenses

Employees are to consult the Agency Travel Reimbursement Policy included in this document as Appendix C and use the proper Travel Forms for preapproved agency travel.

M. Motor Vehicle Insurance Requirement

Employees that utilize their personal vehicle in the conduct of their duties for the Agency are required to maintain proof of automobile liability insurance in amounts acceptable to the Agency's insurance carrier. Employees are responsible for notifying their insurance carrier that their personal vehicle is also used for business travel.

V. DISCIPLINE, DISCHARGE AND PROBLEM RESOLUTION

A. Harassment Policy

Eastgate does not condone and prohibits harassment of any kind. Harassment includes any unwelcome advances, requests for sexual favors, and other verbal or physical conduct where tolerance of such actions is made either explicitly or implicitly a condition or term of employment; that interferes with an individual's work performance; or simply creates an intimidating, hostile, or offensive work environment. Harassment also includes using the submission to or rejection of this type of conduct as the basis for a tangible employment action (i.e. demotion, etc.) or a term of employment. Harassment does not include the legitimate efforts of a Department Director to motivate, discipline or direct a subordinate.

It is illegal and against Eastgate Regional Council of Governments' policy for any worker, visitor or volunteer, male or female, to harass a worker, visitor or volunteer, or to create a hostile working environment by behavior directed at individuals on the basis of their race, gender, age, disability, religion, sex (including pregnancy, sexual orientation, or gender identity), or national origin, by either committing or encouraging:

- (a) physical assaults, including, but not limited to, rape, sexual battery, molestation, or attempts to commit these assaults;
- (b) intentional physical conduct that is sexual in nature, including, but not limited to, touching, pinching, patting, or brushing up against another person's body;
- (c) unwanted sexual advances, propositions, or sexual comments, including making sexual gestures, jokes, or comments made in the presence of any employee who has indicated that such conduct in his or her presence is unwelcome;

- (d) posting or displaying pictures, posters, calendars, graffiti, objects, or other materials that are sexual in nature or pornographic; and
- (e) derogatory or demeaning language.

The creation of an intimidating, hostile or offensive working environment may include such actions as persistent offensive comments or the display of obscene or sexually oriented photographs or drawings. However, conduct or actions that arise out of a personal or social relationship and that are not intended to have a discriminatory employment effect may not be viewed as harassment. However, such conduct may violate Eastgate's policy on interoffice relationships in Section V. (C) below. Eastgate Regional Council of Governments will determine whether such conduct constitutes harassment, based on a review of the facts and circumstances of each situation.

All employees will be subject to discipline, up to and including discharge, for any act of harassment they commit.

All Eastgate employees and particularly those employees in management positions are required to and shall report immediately all instances of possible harassment, as described above, to the Office Administrator. Failure to so report harassment may result in disciplinary action.

Anyone who feels victimized by harassment should report the harassment to their Department Director immediately. If the victimized person's Department Director is the source of the alleged harassment, or the person has no direct Department Director, the employee should report the problem to the Office Administrator or the Equal Employment Opportunity Compliance officer. In the event the Office Administrator is the source of the alleged harassment; the victimized person should report the problem to Eastgate's Executive Director or the Equal Employment Opportunity Compliance officer.

To the greatest extent possible, confidentiality will be maintained with respect to a harassment complaint and only those who need to know about such a complaint will be advised of its existence. Eastgate management will undertake a thorough investigation of all legitimate claims of harassment.

Eastgate will conduct a prompt and thorough investigation of the complaint or observation of possible unlawful harassment or discrimination and take appropriate action based on its investigation. Since allegations of harassment or discrimination are serious matters for all concerned, employees will be expected to fully cooperate in Eastgate's efforts to investigate and enforce this policy. For the same reasons, discretion will be utilized in investigating, and when appropriate, remedying improper conduct.

No employee will be subject to any form of retaliation or discipline for pursuing a harassment complaint.

Employees will be subject to disciplinary action, up to and including termination, for violations of this policy including, but not limited to, harassing or retaliating conduct, failure or refusal to cooperate in a harassment investigation or other actions contrary to this policy.

If an employee believes that his or her report or complaint or a possible violation of this policy has not been promptly or properly addressed or the employee otherwise feels that Eastgate has not met its obligations under this policy, the employee should immediately contact the Office Administrator or the Executive Director. An effective harassment policy depends on all of us working together to address this very important subject.

B. Line of Authority

Line authority establishes clear connections between departments and positions, helping to create order as well as accomplish the mission of the organization. By line of authority, Eastgate is referring to the clear chain of command that reaches from top to bottom which creates unity of command. Each level in the line of authority is responsible for that level's staff actions and is accountable to the next level of the line of authority above them. Ultimately, all levels of the line of authority answer to the Executive Director. The line of authority is an efficient and effective system for communicating problems up the chain of command. This assists management in accomplishing tasks and remedying problems. It is important that attempts be made to resolve problems and seek answers at the lowest levels of the line of authority, prior to those problems rising further in the line of authority. However, whether problems are resolved or not, the results must be communicated up the line of authority to insure proper communication and efficient administration of the organization. The organizational chart, through which the line of authority operates, is available for review by employees, simply by asking their immediate Department Director to provide them a copy of the current version of the organizational chart.

The most important thing to realize about the line of authority is that it is required to be used properly. Improper bypassing of the immediate level of authority above a staff member when communicating problems, requests, etc. is not proper and is counterproductive and prohibited. The only time that a staff member should bypass his or her Department Director in communicating matters up the line of authority are those circumstances described more fully in the equal employment opportunity, problem resolution and harassment policies within this Handbook.

C. Romantic or Sexual Interoffice Relationships

Eastgate does not encourage office romances or sexual relationships among employees but acknowledges that such personal relationships may be a part of life outside the work place. While Eastgate does not wish to direct the personal lives of its employees, it has established guidelines in personal relationships at the workplace to prevent unfair preferential treatment or decisions that may be disadvantageous to Eastgate, its employees or the public.

It is expected of every employee that a personal relationship does not affect the employee's performance on the job. If a personal relationship does affect your job, as with any employee

demonstrating a performance problem, you may be subject to disciplinary action, up to and including termination of employment.

Eastgate recognizes that consensual romantic or sexual relationships between a member of management and an employee may lead to unforeseen and unfortunate complications and significant difficulties for all those involved including the member of management, the employee, other employees, and Eastgate. As such, Eastgate prohibits direct reporting relationships between employees involved in a romantic or sexual relationship. If a romantic or sexual relationship between a member of management and an employee does develop, it shall be the responsibility of the member of management to promptly disclose the relationship to the Office Administrator or the Executive Director who will respond appropriately. Eastgate management will try to accommodate the situation by relocating one of the employees to another position. If Eastgate management is unable to accommodate the situation, one of the employees may be required to leave the employ of Eastgate.

All employees are again reminded of Eastgate's prohibition against unlawful workplace harassment. If any employee believes that he or she is the victim of unlawful harassment as the result of a romantic or sexual relationship, he or she is to follow Eastgate's harassment policy contained in this Handbook.

D. Drug and Alcohol Abuse Policy

The Agency is committed to a drug free and alcohol-free environment while on Agency business and within Agency premises. Employees are expected to report to work on time and in the appropriate mental and physical condition. The unlawful manufacturing, distribution, dispensation, possession or use of a controlled substance or the possession or use of alcohol on Agency premises while conducting Agency business is prohibited. Violation may lead to termination.

The welfare and success of the Agency depends upon the safety, physical and psychological well-being of all its employees. The possible abuse of drugs and alcohol and the consequences that follow pose a serious threat to the Agency, its employees and its members. Therefore, the use of alcohol or controlled substances while on duty or the presence of these substances in an employee's system during work are prohibited. The abuse of prescribed or over-the-counter drugs is also prohibited. If you are taking prescribed or over-the-counter medication that may impair your ability to function in any manner, you must report this to your supervisor immediately.

This policy is designed to clarify the Agency's position with respect to the use of alcohol by its employees, while at Agency functions, business meetings and other circumstances in which Agency employees may be considered to be engaged on Agency business. This policy is applicable in addition to any other general or specific policies dealing with the possession, use and sale of alcohol, unauthorized or illegal drugs or misuse of any legal drugs on Agency premises or while on Agency business.

E. *Employee Off Duty Conduct*

Disciplinary action against an employee may also be undertaken where: (1) the employee's off duty conduct causes or caused an actual loss or damage to Eastgate; (2) the employee's off duty conduct adversely affects the reputation of Eastgate; (3) the employee's off duty conduct makes the employee unable to work and/or (4) the employee's off duty conduct affects productivity in the work place.

F. *Campaigning/Electioneering*

While employees of Eastgate are encouraged to participate in our communities and in our nation's political process, such participation is not appropriate in the workplace. Pursuant to the Hatch Act, Eastgate cannot endorse or contribute to any political campaign. Therefore, no political campaigning or electioneering will be permitted by employees of Eastgate during work hours or on Eastgate premises. Employees are not permitted to wear candidate campaign pins, to post candidate campaign literature or signs or to otherwise partake in political campaigning and/or electioneering in the workplace. Obviously, such activities during an employee's off duty hours are a private matter of the employee. However, at no time may an employee claim to or appear to represent Eastgate regarding any support or statements made by an employee on behalf of a political campaign.

While employees are permitted to register and vote, express opinions, make financial contributions to political candidates, circulate petitions outside of the workplace, attend political rallies that are open to the public, sign petitions outside of the workplace, and display stickers, badges or signs outside of the workplace, they are not permitted to participate as a partisan candidate for office, declare candidacy for office, circulate petitions for candidates in the workplace, hold an office in a political organization, accept appointment to an office normally filled by partisan election, solicit an assessment, contribution or subscription for any party or candidate for political office in the workplace, or solicit the sale or purchase of political party tickets, materials or other political matter in the workplace.

If you have any questions regarding the applicability of this provision and prohibitions of certain actions in the workplace or otherwise, please do not hesitate to contact the Office Administrator for further information.

G. *Other External Activities*

An employee who wishes to serve in an advisory capacity for another organization or to serve on the Board of any civic organization must first obtain approval from the Department Director.

The decision for approval will be based on the amount of time and type of activity involved, its relevance to Eastgate and the services provided by Eastgate and the other Board or organization, the employee's regular work schedule, and the benefit to the employee and Eastgate of such external involvement.

H. Discipline and Discharge

Whenever a group of people work together, rules are necessary to create an orderly, safe and enjoyable work environment. People work best when they are working together and follow the same standards of conduct. To prevent any misunderstandings as to what standards of conduct are expected, the following rules have been established to serve as examples. These rules are designed to protect and benefit everyone and to ensure the orderly operation of our business and our service to our members. Whenever disciplinary action is required, it is generally the responsibility of the employee's Department Director to implement it. This list is not exhaustive and is not intended to cover all possible situations. Eastgate retains complete discretion as to the type of disciplinary action to be taken and may deviate from the normal procedure due to the nature and severity of the violation whenever Eastgate deems it appropriate. This list is only intended as a guideline to be used by Eastgate. Violation of any of the following may result in discipline, up to and including discharge:

- a) Possession, consumption or use of alcoholic beverages, hallucinogens, narcotics, marijuana or prohibited or mood-altering drugs of any type on Eastgate's premises, or in Eastgate's vehicles, or off premises while engaged in Eastgate's business, or introducing same on Eastgate's premises, or reporting to work under the influence of any of the above, is strictly prohibited.
- b) Making false statements on any employment application, personnel record or document, timekeeping records, absence, sickness or any of Eastgate Regional Council of Governments' records or in reference to any investigation.
- c) Intentionally altering another employees' time record or having another employee alter yours.
- d) Dishonesty, cheating, theft or misappropriation of property, records, information or funds of Eastgate Regional Council of Governments, members, visitors or any employee.
- e) Violating Eastgate Regional Council of Governments' Non-Discrimination or Harassment Policy.
- f) Negligent or willful acts which result or could result in injury to any employee or damage to Eastgate's property or equipment.
- g) Insubordination (the refusal or failure to perform work and/or duties assigned in the manner assigned).
- h) Irregular attendance, unauthorized absence, absenteeism or tardiness.
- i) Job abandonment.
- j) Habits or state of health dangerous to the worker, coworkers or visitors.

- k) Failure to cooperate with investigations. Failure to cooperate with any and all investigations conducted by Eastgate personnel, law enforcement personnel, or any other authorized investigative personnel.
- l) Marking walls or defacing Eastgate's property, or posting, defacing Eastgate property.
- m) Excessive, unnecessary or unauthorized use of Eastgate's supplies, particularly for personal purposes.
- n) Accepting or soliciting gratuities from others for work done as an Eastgate employee.
- o) Fighting, threatening violence or force or other disorderly conduct.
- p) Violation of Eastgate's Confidentiality Policy.
- q) Threatening or intimidating or interfering with fellow employees, distraction of other employees by unnecessary shouting or by unnecessary demonstrations.
- r) Using obscene, threatening, or abusive language in the presence of Eastgate personnel or members of the public while on Eastgate business.
- s) Immoral or indecent conduct on Eastgate's property.
- t) Neglect of duty.
- u) Discourteous or disruptive behavior toward coworkers, or other Eastgate personnel or toward members of the public while on Eastgate business.
- v) Violation of any Eastgate's policies or procedures.
- w) Possession of any weapons, ammunition, explosives or firearms while on Eastgate's property, within Eastgate's vehicles or while on Eastgate's business.
- x) Disregarding safety and/or security regulations.
- y) Unauthorized use of, or tampering with telephones, computers, fire extinguisher(s), or controls of building and equipment.
- z) Sleeping or the appearance of sleeping during actual work hours.
- aa) Participation in an illegal strike, sit down, slow down, sit in, cessation or stoppage of work if it interferes in any way with Eastgate's operations.
- bb) Leaving Eastgate's premises during working hours without Department Director approval.

- cc) Doing personal work on Eastgate's paid time.
- dd) Unauthorized access to confidential information, including personnel files, regardless of whether that information is ultimately disclosed or not.
- ee) Divulging information concerning employees or others without authorization or other violations of confidentiality.
- ff) Failure to apply one's self diligently to assigned tasks.
- gg) Unauthorized overtime work.
- hh) Solicitation during paid work time for any non-work-related purpose unless prior written permission has been given by a Department Director or the Executive Director.
- ii) Repeated violation of Eastgate's dress code (see "Dress and Personal Appearance").
- jj) Littering or contributing to poor housekeeping, unsanitary or unsafe conditions on Eastgate's premises.
- kk) Intentionally omitted.
- ll) Smoking on agency premises.
- mm) Unsatisfactory performance or conduct.
- nn) Excessive or unauthorized use of telephones or cellular telephones for personal matters.
- oo) Using the organization's time and resources for personal gain.
- pp) Stealing, using, or disclosing someone else's code or password without authorization.
- qq) Copying, pirating, or downloading software and electronic files without permission.
- rr) Sending or posting confidential material, trade secrets, or proprietary information outside of the organization.
- ss) Violating copyright law.
- tt) Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted internet services and transmissions.

- uu) Sending or posting messages or material that could damage the organization's image or reputation.
- vv) Participating in the viewing or exchange of pornography or obscene materials.
- ww) Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.
- xx) Jeopardizing the security of the organization's electronic communications systems.
- yy) Passing off personal views as representing those of the organization.
- zz) Sending anonymous email messages.
- aaa) Failure to report any harassment, accident, unsafe equipment, condition or circumstance.
- bbb) Failure to follow the line of authority.
- ccc) Gambling
- ddd) Unauthorized political activity.

To ensure orderly operations and provide the best possible work environment, Eastgate requires employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The above violations are meant to serve only as a guideline and a sample of violations that may result in disciplinary action.

Employment with Eastgate is at the mutual consent of Eastgate and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

I. Progressive Discipline

The purpose of this policy is to state Eastgate's position on administering equitable and consistent discipline for unsatisfactory conduct and/or work performance in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels. The primary purpose for progressive discipline is to assist the employee in understanding that a performance problem or opportunity for improvement exists. The goal of progressive discipline is to improve the employee's performance and to assist Eastgate in maintaining workplace order and discipline.

Eastgate's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with Eastgate is based on mutual consent and both the employee and Eastgate have the right to terminate employment at will, with or without cause, Eastgate may use progressive discipline at its discretion.

Disciplinary action may call for any of the following: -- verbal warning, written warning, probation or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed, at the sole discretion of Eastgate.

By using progressive discipline, employee problems are corrected at an early stage, benefiting both the employee and Eastgate.

Progressive discipline means that, with respect to most disciplinary problems, these steps may typically be followed in Eastgate's sole discretion:

- a first violation of any Eastgate policy or procedure of any type may result in a verbal warning, documentation of which will be placed in the employee's personnel file.
- a second violation of any Eastgate policy or procedure of any type may result in a written warning being issued to the employee.
- a third violation of any Eastgate policy or procedure of any type may result in the employee receiving an unpaid suspension.
- any additional violations of any Eastgate policies or procedures of any type may then lead to termination of employment.

Eastgate may, in its sole discretion, determine that a disciplinary problem justifies suspension or termination of employment without first resorting to the lesser disciplinary steps cited above.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Discipline and Discharge policy includes examples of problems that may result in immediate suspension or termination of employment.

Employees in the introductory period of their employment are not subject to progressive discipline and, in management's sole discretion, will typically be terminated upon a first violation.

(1) Suspension

If an employee is suspended, the employee will receive, within three days of the decision to issue the suspension a written document outlining the reasons for the suspension, the duration of the suspension and the employees anticipated return date from suspension. Once the employee returns to work from suspension, the employee will be placed on a thirty (30) day probationary period (see below) at which time the employee's performance will be monitored and reviewed with the employee, the Department Director, and the Executive Director.

During suspensions of significant length, employees will not continue to accumulate eligibility credit toward employee benefits. In other words, if an employee were to be suspended for one week, that employee would have the employee's date of eligible service for purposes of determining, for example, vacation eligibility extended by one week.

(2) Probation

In addition to the above described Progressive Discipline policies, Eastgate may, at its sole discretion, place an employee on probation who has demonstrated poor performance or difficulties with properly fulfilling the employee's duties and responsibilities. Eastgate may also, at its sole discretion, place an employee who violates any policy or procedure of Eastgate on probation. Probationary periods may be up to 90 calendar days in length. This probationary period may be extended further at the sole discretion of Eastgate management. Any employee placed on probation for violating Eastgate policies or procedures remains an at-will employee and will be evaluated near the end of the probationary period to determine whether the employee's employment is to be continued. If the employee has completed probation without any additional violations of Eastgate policy or procedures and has demonstrated proper performance of the employee's duties, the employee may be removed from probationary status and returned to normal at-will employment status. During the period that an employee is on probation, the employee is not eligible for wage increases. Any violation of Eastgate policy or procedures while on probation will normally result in immediate termination of employment. Employees on probation may be eligible to take available vacation or personal days. However, any such leave taken will extend the total length of the probationary period by the amount of the vacation or personal time taken.

(3) Disciplinary Procedures

As provided above, employees may be suspended, terminated, or otherwise disciplined by Eastgate for violations of Eastgate policies, for poor performance, etc. Employees may also be reduced in pay or position for such violations or for poor performance.

Eastgate is obliged to investigate the nature of an alleged infraction to determine if a violation of law or policy has occurred. Employees must provide complete and accurate information during any such investigation.

Where deemed appropriate by Eastgate, the progressive discipline policy may not be followed and the alleged policy violation by the employee will be investigated and the employee will be notified as to the date and time for a pre-disciplinary hearing. It is within Eastgate's sole discretion to determine the appropriate disciplinary action to be taken in any given situation.

Records of verbal warnings, as described above, will remain effective in the employee's file and will be included in the progressive discipline procedures for twelve (12) months after the date of the verbal warning, provided that no subsequent violations have occurred during that twelve (12) month period. If subsequent violations do occur during the twelve (12) month period, the prior verbal warning will remain in effect for an additional twelve (12) months after the most recent incident.

Written disciplinary actions, as described above, will remain effective in the employee's file and will be included in the progressive discipline procedures for twenty-four (24) months, provided that no subsequent violations have occurred during that twenty-four (24) month period. If there are no subsequent violations by the employee within the twenty-four (24) month period, the prior written disciplinary action will no longer be effective. However, if there are subsequent violations during the twenty-four (24) month period, the written disciplinary action will remain in effect for an additional twenty-four (24) months after the date of the most recent incident.

Inactive or no longer effective records will not be considered when processing subsequent disciplinary actions.

(4) Pre-Suspension, Reduction or Termination Procedures

When an employee allegedly commits a violation that could result in a suspension, reduction in pay or position or termination, the following procedure will apply. In the sole discretion of Eastgate management, if an employee's behavior requires immediate removal from the premises, the employee may be placed on administrative leave for the remainder of the work day. The employee must report to work the next work day, or at a time established by management.

(a) The employee will be provided a letter from the Department Director or Executive Director advising the employee of the nature of the allegations against the employee. The letter will also provide the date and time for a pre-disciplinary conference. The employee may request a continuance, to be determined at the sole discretion of the Executive Director.

(b) The employee will be provided an opportunity at the hearing to state the employee's position as to the alleged violation(s).

(c) Should Eastgate management determine that a suspension, reduction in pay or position or termination is warranted, the employee will be provided a written statement that will state the violations that management has determined occurred and the type of discipline to be applied.

(5) Appeals

(a) Personnel action taken by Eastgate against an employee in the form of a termination, suspension or reduction in pay or position, as well as layoffs, suspension or reduction in pay or position for non-disciplinary reasons, may be appealed by the effected employee or employees by submitting a written request for appeal to the Executive Director within two weeks of the date of the written notification of such action received by the employee.

(b) If the employee requests such an appeal, the Executive Director will set a date and time for the hearing that shall be no more than one week after the date of the submission of the request for appeal.

(c) A hearing will be conducted before a hearing board consisting of the Chair and Vice Chair of the Finance and the Executive Committee of the General Policy Board of Eastgate and two additional members of the Finance/Executive Committee of the General Policy Board of Eastgate. At this hearing, Eastgate management shall present all evidence available to management regarding the layoff or alleged violations, and the resulting reasons for the layoff or disciplinary action taken including, the testimony of witnesses and the provision of supporting documents. The affected employee or employees shall then present the employee's defenses and rebuttals regarding same and shall be permitted to present witnesses and evidence, including but not limited to, documents in support of the employee's position.

(d) The findings of the hearing board shall be submitted in writing to the Executive Director. The findings must be considered by the Executive Director in making the final determination but are not binding upon the Executive Director.

(e) The Executive Director will issue a final decision in writing to the employee within one week of the receipt by the Executive Director of the findings of the hearing board.

J. Workplace Violence Prevention

As Eastgate is committed to preventing workplace violence and to maintaining a safe work environment, it is our employees' obligation to treat others with courtesy and respect. Please see Eastgate's policies on harassing, threatening and/or intimidating behavior, as well as Eastgate's policy on weapons for more information. In addition to the weapons provided in Eastgate's weapons policy, it is forbidden for any person to bring to Eastgate's premises any dangerous or hazardous substance. Employees are required to immediately report all threats or potential threats of violence to their immediate Department Director or the Office Administrator. Any disputes, differences or altercations between employees must also be immediately reported to the attention of each of the employee's immediate Department Director or the Office Administrator to prevent the situation from escalating.

K. Conflict Resolution

Eastgate is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and trustworthy atmosphere in which any conflict, complaint, suggestion, and/or question receives a timely response from Eastgate Department Director.

Eastgate endeavors to ensure fair and honest treatment of all employees. Department Directors, Program Managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the conflict resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with Eastgate so long as the complaint is provided in a reasonable, business-like manner, or for proper use of the conflict resolution procedure. The proper use of the conflict resolution procedure requires the use of the line of authority described elsewhere in this Handbook.

If a situation occurs when an employee believes that a condition of employment or a decision affecting the employee is unjust or inequitable, the employee is encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

(1) Employee presents the facts regarding conflict to their immediate Department Director within three calendar days after the issue arises or the incident occurs. If the Department Director is unavailable or if the employee believes it would be inappropriate to contact the Department Director due to the Department Director's involvement in the incident or issue, the employee may present the problem to the Office Administrator. Otherwise, the employee is required to utilize the line of authority described elsewhere in this Handbook. Please refer to the Eastgate organizational chart for further information.

(2) The Department Director, or other member of management, as applicable, should respond to the problem during discussion or in writing within five calendar days, after consulting with management, when necessary. The Department Director as applicable, must document the discussion.

(3) If the problem remains unresolved, the employee may present the problem to the Executive Director within three calendar days. Such presentation of the problem to the Executive Director must also be in writing.

(4) The Executive Director will then discuss the matter with the employee and relevant management personnel. The Executive Director's conclusions will then be made in writing, usually within 30 days, and a copy will be provided to the employee. This stage of the process results in a final decision.

VI. LEAVES AND BENEFITS

A. *Employee Benefits*

Eligible employees at Eastgate are provided with a wide range of benefits. A number of the programs (such as PERS, workers' compensation, and state unemployment insurance) cover all employees in the manner prescribed by law.

Eligibility for employer-sponsored benefits is dependent upon a variety of factors, including employee classification. Your Department Director or the Office Administrator can help identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook and in the detailed policies of benefit providers such as health insurance, life insurance, PERS, Deferred Compensation and accidental death and dismemberment insurance.

Eastgate reserves the right to alter or end any employee benefit at any time in its sole discretion. As of the date of this Handbook, those benefits available to eligible employees of Eastgate were as follows:

- Vacation
- Holidays
- Personal Leave
- Sick Time
- Family and Medical Leave
- Unpaid Leave
- Health Insurance, including Vision and Dental
- Accidental Death and Dismemberment Insurance
- Life Insurance
- PERS
- Deferred Compensation Program
- Bereavement Leave
- Jury Leave
- Voting
- Military Leave
- Benefits Continuation
- Workers' Compensation

Employees who have not yet completed one (1) year of service, may request to use vacation prior to the completion of their first year of service. Such request must be made in writing to the Executive Director and approval of such a request is within the sole discretion of the Executive Director.

Unless specifically provided for in this Handbook, no other benefits are available to eligible Eastgate employees.

B. Vacation

(1) Eligibility and Accruing Vacation

Vacation is available to eligible employees.

Vacation eligibility accrues only during regularly scheduled work hours and does not accrue during overtime hours or unpaid leaves of absence.

All eligible employees receive vacation benefits on an accrual schedule as provided below:

Years of Service	Maximum eligible annually accrued Vacation Days	Hours Accrued Per 80 Hours Worked	Maximum Accrual (in hours)	Maximum Payout (in hours)
0 to 5 years	10 workdays	3.077	240	160
6 years to 10 years	15 workdays	4.615	360	240
11 years to 15 years	20 workdays	6.154	480	320
16 years to 20 years	22.5 workdays	6.923	480	320
21 years to 25 years	25 workdays	7.692	480	360
26 or more years	30 workdays	9.231	480	400

Updated vacation accrual will take effect the first full pay period in July 2018.

An employee's prior years of service with the State of Ohio or any eligible political subdivision of the State of Ohio will be used to determine years of service for vacation accrual.

An employee must submit a leave time request before leaving on vacation if the end of the pay period falls within the employee's vacation time.

(2) Requesting, and Scheduling Vacation

An employee wishing to schedule vacation must give proper notice to their Department Director prior to the requested vacation date, submit a leave time request and receive approval prior to taking such vacation. Notice for a partial day must be given at least one day in advance of the requested vacation date. Notice for a vacation request of a day or more must be given in advance equal to the number of days requested off (requesting three days off requires a

notice of three days prior to the vacation date). The employee's Department Director shall consider staffing requirements and workloads to ensure adequate coverage during any requested vacation.

An employee requesting vacation must have a sufficient vacation balance to support a time off request.

Paid vacation time can be used in minimum increments of one-half (1/2) hour.

(3) *Vacation Pay*

The vacation rate of pay is the employee's regular base rate of pay. Vacation hours are not considered as hours worked for the computation of overtime. Vacation time cannot be a negative number. In other words, employees cannot take more vacation than is currently available to them. Time off will not be paid if the time taken off is more than the available vacation balance. Also, time taken off more than the available vacation balance may result in disciplinary action. Any vacation paid out due to resignation or termination will be paid for the unused amount accrued as of the effective date of resignation or termination to eligible employees so long as applicable notice requirements, etc. have been fulfilled.

(4) *Leave of Absence*

Employees on unpaid leaves of absence do not accumulate vacation benefits during the leave period. Vacation eligibility will resume when the employee returns to work.

(5) *Termination of Employment*

A non-introductory period employee who resigns and gives the required written notice or who is terminated or laid off, will have the employee's unused, accrued vacation balance paid to the employee at the employee's current base rate of pay. The employee's immediate Department Director must approve any request to use any of the unused, accrued vacation while working through a resignation notice period. The maximum amount of unused, accrued eligible vacation that may be paid to an otherwise eligible employee who resigns or who is terminated or laid off is, per Section IV B (1) above, limited to the immediately prior years' worth of accrued, unused vacation balance, plus the portion accrued, but unused, during the current year in which such termination or resignation of employment occurs. Any amounts so paid will be included in the employee's final paycheck, with all necessary withholdings and deductions applicable.

(6) *Overtime*

Vacation time utilized will not be included in the calculation of overtime.

C. Holidays

Eastgate will grant paid holiday time off to all full-time and part-time employees. To be eligible, part-time employees must also work a regular and established schedule. Part-time employees will be paid for the number of hours that they are normally scheduled to, and would otherwise work, on the day on which the holiday falls if the holiday is on a regularly scheduled and established work day.

If a holiday falls on a Sunday, it will be observed the following Monday. If a holiday falls on a Saturday, it will be observed the preceding Friday. The Christmas Eve holiday is the exception to this procedure. Please refer to the information below for restrictions that shall apply to the Christmas Eve paid holiday time off.

If a recognized holiday falls during an eligible employee's paid leave, (such as vacation, sick leave, etc.), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Paid time off for holidays for non-exempt employees will not be counted as hours worked for the purposes of determining the application of overtime pay requirements.

The Executive Director has the discretion to waive this provision under certain circumstances. Holiday pay will be calculated based upon the employee's straight-time pay rate (as of the date of the holiday) times the number of hours indicated below.

The following are the holidays during which Eastgate will be closed and for which eligible employees will be paid:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- **Christmas Eve
- Christmas Day

** Only if Christmas Eve falls on a Monday, Tuesday, Wednesday or Thursday. Should Christmas Eve fall on a Friday, the Eastgate office will be closed in observance of Christmas Day that subsequently would fall on Saturday. Christmas Eve would not be recognized as paid holiday time off. If Christmas Eve falls on a Saturday or Sunday, the Eastgate office is already closed. Hence, Christmas Eve would not be recognized as paid holiday time off.

D. Personal Leave

Eastgate will grant all permanent employees that work no less than 30 hours per week, 16 hours of personal leave annually. Specific details of the Personal Leave Policy are as follow:

- Personal leave hours will begin on January 1st of each year and expire December 31st of that same year.
- Personal leave cannot be accrued.
- Personal leave is not eligible for payout upon resignation, retirement, or termination. Unused hours are forfeited to the Agency.
- Personal leave must be approved in advance by the employee's Department Director.
- Personal leave may be used in one (1) hour increments.
- Interns and/or student help are not eligible for personal leave.

New full-time employees will be granted 16 hours of personal leave if hired before July 1st of that year and 8 hours of personal leave if hired on July 1st or after.

E. Sick Time

Eligible employees accrue sick leave at the rate of 4.6 hours for each 80 hours of service. Sick leave does not accrue during overtime work. The amount of sick leave that an employee may accrue is unlimited.

Any employee who has previously worked for the State of Ohio or any political subdivision of the State or for a public agency such as a Board of Education or public library prior to employment with Eastgate, shall be credited with the unused balance of the employee's accumulated unused sick leave provided that the employee's hire date at Eastgate is no more than ten (10) years from the date that the employee ceased work at the State of Ohio, political subdivision or public agency. Documentation of such unused balance must be provided to Eastgate to be eligible.

- It is the policy of Eastgate to provide a sick time benefit to non-introductory period full-time and part-time employees. Sick time may be used for the following: The illness or injury of the employee or the illness or injury of a member of the employee's immediate family, where the presence of the employee is reasonably necessary.
- Medical, dental, optical or other examinations or treatment of the employee or a member of the employee's immediate family.
- Pregnancy, child birth or related medical conditions.

Eastgate defines "immediate family" to include spouse, child, parent, sister, brother, or grandchild, grandparents, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, stepchild, or a child in the custody of and residing in the home of an employee. A parent

is defined as biological or an individual who assumes parental status and responsibilities in place of a parent to the employee when the employee was a child.

Where an employee is or is expected to be absent for three or more consecutive days due to illness, injury, etc. a physician statement must be provided to the Office Administrator that verifies the illness, injury, etc. and the expected return to work date of the employee. It may also be necessary for the employee to submit a Family and Medical Leave Act request.

Before returning to work from a sick leave absence of seven (7) calendar days or more, an employee must also provide a physician's verification that the employee is fit to return to duty.

Where an illness, injury, etc. continues beyond the time covered by the employee's accrued eligible sick leave, the employee may request to use eligible vacation time or other paid leave time that may be available to the employee or may request an unpaid leave of absence. It may also be necessary for the employee to submit a Family and Medical Leave Act request.

An employee who retires from service with Eastgate and who has previously completed ten (10) or more years of service with the State of Ohio or any political subdivision of the state, is entitled to convert a portion of the employee's accrued, but unused sick leave into a cash payment at the time of retirement. For purposes of this policy, the conversion factor shall be a multiple of .25 X the total accumulation of accrued but unused sick leave. Such resulting payout shall not exceed an amount equal to 240 hours at the rate of pay in effect at the time the employee retires.

(1) Termination of Employment

Other than as provided above, with regard to retirees from Eastgate who have ten or more years of service with the State or other political subdivision or public agency, upon notice of resignation or termination, all sick leave benefits shall be terminated without payment to the employee for any unused sick leave.

(2) Requirements for A Period of Sick Leave to Be Paid

(a) The employee must notify the employee's immediate Department Director and/or the Office Administrator no more than one (1) hour after the scheduled start time of the employee's work day. As Eastgate understands that emergencies occur, if an emergency occurs and the one (1) hour request for sick leave cannot be accomplished, it is required that the employee's Department Director or the Office Administrator be contacted during the employee's work day.

(b) Employees will be paid only for sick time that is available. Negative balances are not allowed.

(c) No sick time benefits will be paid without the authorization of the employee's immediate Department Director.

(d) Each day that an employee is off from work utilizing sick leave, the employee is expected to report to the employee's Department Director as to when the employee intends to return to work. Alternatively, the employee must provide advance notice of the length of any sick leave to be relieved of the requirement to call in daily. In other words, if an employee knows that the employee's illness or recovery is going to be more than one (1) day in length, the employee should provide advance notice of the absence to the employee's Department Director to avoid the need for calling off each day of the period of illness. Employees are required to call their Supervisor to provide updates, should the circumstances of their absence change.

(3) Abuse of Sick Leave Benefits

Abuse of sick leave benefits shall result in disciplinary action up to and including termination of employment.

(4) Overtime

Sick time utilized will not be included in the calculation of overtime.

F. Family and Medical Leave

It is the policy of the Agency to grant up to twelve (12) weeks of Family and Medical Leave during a twelve (12) month period, as later described within this policy, to eligible employees, in accordance with the Family and Medical Leave Act of 1993 (FMLA) and its Amendments. The leave may be paid, unpaid or a combination of paid and unpaid as specified and later described in this policy. The Agency recognizes the occasional need for time away from work to participate in early child-rearing, the care of family members who have serious health conditions, and the need for time to recover from the employee's own serious health conditions. This policy is intended to assist employees of the Agency in better balancing these family needs with work place demands. The policy allows eligible employees to take reasonable leaves of absence for the birth, adoption, or placement of a foster child; for the care of a spouse, son, daughter or parent who has a serious health condition; or because the employee is unable to perform the functions of his/her position due to a serious health condition.

(1) Military Family Leave Amendments:

(a) **Qualifying Exigency Leave:** The Family Medical Leave Act (FMLA) has also been amended to allow an employee who has a spouse, son, daughter or parent in the military who is currently on active duty or called to active duty and deployed to a foreign country to take FMLA leave due to a qualifying exigency arising from the covered family member's active military duty (or call to active duty status). This leave may be taken continuously, intermittently, or on a reduced schedule. Such leave is part of regular FMLA leave, so the maximum amount of leave is twelve (12) weeks during the twelve (12) month leave year (including exigency leave and all other types of regular FMLA leave). As with all other forms of FMLA leave, the use of available vacation and/or personal time is required to be taken as the initial part of any such leave taken.

“Active Duty or Call to Active Duty Status” means military duty under a call or order to Active Duty (or notification of an impending call or order to Active Duty) for deployment to a foreign country. This means that the military member must be a member of the military on Active Duty or Call to Active Duty

A covered “Military Member” is a member of the military who is on Active Duty or called to Active Duty status and is an employee’s spouse, son, daughter, or parent.

A “Qualifying Exigency” means only the following non-medical, non-routine activities and no others:

- short notice deployment activities;
- military events and related activities;
- child care and school activities;
- financial and legal arrangements;
- counseling activities;
- rest and recuperation activities;
- post-deployment activities; and/or
- additional activities.

When an employee is first requesting leave for an exigency related to a Military Member, as with regular FMLA leave, the request must provide sufficient information, depending upon the situation (e.g., the anticipated timing and duration of leave, that a covered Military Member is on Active Duty or called to Active Duty status, and one of the qualifying exigency reasons must be given).

The Agency may require certain types of certification to support a request for exigency leave and, if required, the Agency will request such certification within five (5) business days after foreseeable leave is requested, or within five (5) business days after unforeseeable leave commences, or at a later date, if the Agency has reason to question the appropriateness or duration of the leave requested. As with other FMLA leave, the employee must return the information requested no later than fifteen (15) days after it is requested.

(b) Caregiver Leave: The FMLA Act also allows an employee who is the spouse, son or daughter, or parent, or next of kin (nearest blood relative) of a service member in the regular armed forces, National Guard or reserves or veteran of any of these services who has incurred a serious injury or illness in the line of duty while on active duty to take FMLA leave to care for the service member. Such leave may be taken continuously, intermittently, or on a reduced schedule. As with the other forms of FMLA leave, any available paid time off, such as vacation or personal time, must be utilized first within the FMLA leave taken. The maximum amount of leave available is twenty-six (26) weeks in a single twelve (12) month period on a “per covered service member,” and “per injury or illness,” basis, measured forward from the date the employee first takes caregiver leave (any unused amount at the end of the twelve (12) month period is forfeited). During that single twelve (12) month period, caregiver leave is combined with regular FMLA leave and the total cannot exceed twenty-six (26) weeks. If leave qualifies as both military caregiver leaves and FMLA medical

leave to care for a family member with a serious health condition, it must be counted as caregiver leave, and will not be counted as both caregiver leave and FMLA medical leave.

A "Covered Service Member" is defined as a current member or veteran of the regular armed forces, National Guard, or reserves who is undergoing medical treatment, recuperation or therapy, is otherwise in an outpatient status, or is otherwise on the temporary disability retired list. For veterans, the care must be for a serious illness or injury that manifested itself before or after the Member became a veteran and is a service related injury, illness, or medical condition that was incurred or was aggravated while on Active Duty. All of which can be determined by the service member's or veteran's authorized healthcare provider. The treatment must be for a serious illness or injury incurred in the line of duty, on active duty, that may render the service member medically unfit to perform the duties of the service member's office, grade, rank or rating. This also can be determined by the service member's authorized healthcare provider. An authorized healthcare provider in this context must be a Department of Defense healthcare provider, a Veteran's Affairs healthcare provider, a Department of Defense TRICARE network authorized private healthcare provider, or a Department of Defense non-network TRICARE authorized private healthcare provider. In the case of a veteran, such eligibility continues for a period for up to five (5) years after the veteran leaves military service, where the veteran developed a service related injury, illness, or medical condition that was incurred or had a condition that was aggravated while on Active Duty.

If foreseeable, such leave should be requested at least thirty (30) days in advance or as soon as practicable. If the leave is unforeseeable, then the leave should be requested as soon as practicable. The employee's request must provide sufficient information, depending upon the situation (e.g., the anticipated timing and duration of leave, that a covered service member has incurred a serious injury or illness, and that the service member needs care). The procedures for the employee's request, the employer's notification of eligibility, rights and responsibilities, and designation of the leave will follow the same process as other types of FMLA leave. The Agency may require certain types of certification to support a request for Caregiver Leave including proof of the service member's military status, proof of the serious injury or illness, etc.

The provisions of this policy shall not supersede any state or local law that provides greater employee leave benefits and rights than those offered in this policy.

Employees are eligible for Family Medical Leave if they have been employed by the Agency for at least twelve (12) months and have worked at least 1,250 hours during the twelve (12) month period immediately preceding the date when the Family Medical Leave begins. The twelve (12) months need not have been consecutive (i.e., breaks in service or part-time work do not automatically disqualify the employee). However, breaks in service of more than seven (7) years in length will result in the prior service not being counted unless such breaks are due to service covered by the Uniformed Services Employment and Reemployment Rights Act. Furthermore, for eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week. Time not actually worked, including vacation, personal leave, sick leave, holidays, and any other form of paid time off (PTO) is not counted towards the 1,250 hours of service. The employee must work in an office or a work site where fifty (50) or

more employees are employed within seventy-five (75) miles of the office or work site. Therefore, all current Agency sites are qualified work sites. Employees applying for and granted a Family Medical Leave are required to meet notification and documentation requirements as outlined further in this policy. Failure to meet these requirements may result in a delay or possible denial of Family Medical Leave.

(c) Duration and Basis for Leave: Eligible employees are entitled to twelve (12) weeks (26 weeks in the case of caring for a recovering service member as more fully described below) of unpaid Family Medical Leave during the twelve (12) month period commencing on the date that Family Medical Leave is first taken. In other words, the Agency will measure the twelve (12) month period forward from the date of the first day of the first medical leave an employee takes under this policy. Each time an employee takes Family Medical Leave, the Agency will compute the amount of leave the employee has taken under this policy and subtract it from the twelve (12) weeks (or applicable 26 weeks) of available leave, and the balance remaining is the amount the employee is entitled to for the remainder of the twelve (12) month period as described herein. Family Medical Leave may be taken for one or more of the following reasons:

- Birth of an employee's son or daughter and to care for that son or daughter. As may the mother, a father may take FMLA leave for his pregnant wife's prenatal care and appointments (including providing transportation) and to provide care after birth if the wife has a serious health condition;
- Placement of a son or daughter with an employee for adoption or foster care;
- To care for the employee's spouse, son, daughter, or parent who has a serious health condition, and the employee is needed to attend to basic needs, both during periods of inpatient care and during periods of home care. An eligible employee may take leave under this provision regardless of the availability of another family member to provide the same or similar care;
- The employee's own serious health condition that makes the employee unable to perform the functions of his or her job;
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

The entitlement of leave expires at the end of the twelve (12) months period that began on the date the leave period begins. Subsequent twelve (12) month periods of entitlement will each

begin on the anniversary date of the first day that each employee's first Family Medical Leave was taken.

The serious health condition of the employee is defined as follows:

- a serious health condition that makes the employee unable to perform the functions of the employee's position;
- a condition which requires inpatient care at a hospital, hospice or residential medical care facility, or a condition which requires continuing care by a licensed health care provider;
- illness of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of incapacity lasting three (3) or more full consecutive days, or an in-person treatment schedule of at least once within seven (7) days of the first day of incapacity and either a regimen of continuing treatment initiated by a healthcare provider during the first treatment, or a second in-person visit for treatment (the necessity of which is determined by the healthcare provider within thirty (30) days of the first day of incapacity).

Employees with questions about what illnesses are covered under the Family Medical Leave Act policy and under the Agency's sick leave policy are encouraged to consult with the Agency's Office Administrator.

The Family and Medical Leave Act also allows for up to twenty-six (26) weeks of leave during a twelve (12) month period for the spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member. A recovering service member is defined as a member of the armed forces who suffered a serious injury or illness while on active duty that may render the person unable to perform the duties of the member's office, grade, rank or rating.

(d) Intermittent or Reduced Leave: Leave taken for serious health conditions, as described above, may be taken on an intermittent basis (not all at one time) when it is a Medical Necessity. "Medical Necessity" means there is a medical need for the leave rather than for voluntary treatments and procedures. The employee's health care provider must state that such leave is medically necessary and explain why.

The Agency, where leave is foreseeable and intermittent leave for a chronic condition has been scheduled, may require an employee on such scheduled intermittent leave to transfer temporarily to an available alternative position for which the employee is qualified if the position receives equivalent pay and benefits, and better accommodates recurring periods of leave than the employee's regular position.

An employee may choose to take Family Medical Leave on a reduced leave schedule. This may involve reducing his/her usual number of hours per work day or work week during the leave period. The duration of the leave will remain at a twelve (12) week or, as applicable, twenty-six (26) week maximum total.

(e) Use of Sick Time, Vacation, and Unpaid Leave: An employee who is taking leave because of the employee's own serious health condition must use all accumulated Sick Time and all accumulated Vacation Days as part of the Family Medical Leave prior to being eligible for the unpaid leave portion of Family Medical Leave. If an employee is taking leave because of the serious health condition of a family member or to care for a service member or a qualifying exigency, the employee must use all accumulated Sick Time and all accumulated Vacation Days as Part of the Family Medical Leave prior to being eligible for the unpaid portion of the Family Medical Leave.

Under the Agency's Family and Medical Leave Act Policy, once the employee's leave is classified as Family Medical Leave, the employee cannot use paid time off for which the employee may otherwise be eligible to extend the twelve (12) or, as applicable, twenty-six (26) weeks of leave either at the beginning or end of the Family Medical Leave period. These types of paid leave are included within and must be utilized first within the Family Medical Leave Act period prior to the use of the remaining unpaid portion of the Family Medical Leave Act.

An employee taking leave for the birth of a child must use all available Sick Leave and Vacation time and then will be eligible for the remaining unpaid leave portion for the remainder of the twelve (12) weeks of FMLA leave.

An employee who is taking leave for the adoption of a child by the employee or foster care of a child by the employee or to care for a service member or for a military exigency must use all Sick Leave, and Vacation as part of the Family Medical Leave prior to being eligible for the remaining unpaid portion of the leave.

(f) Holidays: Holidays occurring during a full week of FMLA leave count as FMLA leave. If an employee works any part of a work week during which a holiday falls, the holiday does not count as FMLA leave unless the employee was scheduled to work on the holiday.

(g) Workers' Compensation: Leave taken as a result of a Workers' Compensation injury will be considered Family Medical Leave under FMLA.

(h) Employee Notice and Scheduling Requirements: If the need for this leave is foreseeable, an employee requesting Family Medical Leave is required to give thirty (30) days' written notice before the date of leave is to begin. If unforeseeable, notice should be given as soon as practicable.

Where the need for leave is foreseeable, notice should be in writing and forwarded to the Office Administrator. However, where the need for the FMLA leave is not foreseeable, verbal notice will suffice.

When requesting FMLA leave for the first time, the employee must provide sufficient information, depending upon the situation (e.g., state a qualifying reason, explain the reason why leave is needed, provide the anticipated timing and duration of the leave, if foreseeable, etc.) Calling in “sick” is not enough. When Family Medical Leave is related to a serious health condition, the employee must make a reasonable effort to schedule treatments so as not to unduly disrupt the Agency’s operations.

(i) Medical Certification and Reporting Requirements: The Agency may require that Family Medical Leave related to a serious health condition be supported by certification issued by the health care provider of the employee or the employee’s spouse, son, daughter or parent, etc., as appropriate. The employee has fifteen (15) days from the date of the request to respond to such a request. Failure to provide certification may result in the delay or denial of continuation of leave. Medical certification may be provided by using the medical certification form available from the Office Administrator.

This certification shall include (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) appropriate medical facts within the knowledge of the health care provider regarding the condition; (4) a brief statement detailing why the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee’s position; (5) a statement that the employee is needed to care for the son, daughter, spouse or parent; and (6) an estimate of the time that the employee is needed to care for the son, daughter, spouse or parent. If medical certification is required by the Agency, it will be requested by the Agency (a) within five (5) business days after foreseeable leave is requested; (b) within five (5) business days after unforeseeable leave begins; or (c) at a later date, if the Agency has reason to question the appropriateness or duration of the leave.

While on Family Medical Leave, an employee is requested to report periodically (no less frequently than every thirty (30) days) to the Agency regarding the status of his/her medical condition or the medical condition of his/her family member, etc., and regarding the employee’s intention to return to work unless a chronic condition is involved, in which case reasonable frequency of updates, if any, will be determined in consultation with the employee. The Agency requires certification of a health care provider that the employee is medically able to return to work, prior to allowing the employee to return to work.

If the duration of the FMLA leave is more than thirty (30) days (i.e., the employee is unable to work continuously or intermittently for more than thirty (30) days) then a medical re-certification may be requested by the Agency: (a) upon expiration of the period of incapacity specified on the original certification; (b) in any event, every six (6) months in connection with an absence; (c) if an extension to the leave is needed; (d) if a significant change in the certification has occurred; or (e) if the employer receives information casting doubt upon the employee’s stated reason for the absence.

(j) Restoration to Position: When an employee returns to work following Family Medical Leave, the employee will be returned to the same status, pay, benefits and other employment terms as were present prior to the Family Medical Leave. The position will be the same or one which entails substantially equivalent skill, effort, responsibility and authority.

(k) Effect on Accrued Benefits: Taking Family Medical Leave will not result in the loss of any employee benefit accrued prior to the date on which the leave began. However, vacation benefits will not accrue during the period of leave. An employee will not accrue any right, benefit, or position of employment other than one which he/she would have been entitled to had a leave not been taken.

(l) Continuation of Employee Benefits: While an employee is on Family Medical Leave, the Agency will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued work.

If the employee chooses not to return to work at the conclusion of the Family Medical Leave period, for reasons other than a continued serious health condition, the Agency will require the employee to reimburse the Agency the amount the Agency paid for the employee's health insurance premiums during the leave period.

While the employee is on Family Medical Leave, the employee will continue to be responsible for the employee's portion of the employee's health care premiums. While on the paid portion of Family Medical Leave, the Agency will continue to make payroll deductions to collect the employee's share of the premiums, where applicable. While on unpaid Family Medical Leave, the employee must continue to make this premium payment to the Agency. If the payment is more than thirty (30) days late, the employee's health care coverage may be terminated until the employee returns to a paid status or pays all prior payments due as described herein.

(m) Procedure to Request Leave Under The FMLA: When it becomes necessary for an employee to request leave under the Family Medical Leave Act (FMLA), following is the procedure:

- (i) The employee notifies the Office Administrator.
- (ii) Within five (5) business days, the Office Administrator will provide "Notice of Eligibility and Rights and Responsibilities" form WH-381 and the applicable Certification of Health Care Provider, forms WH-384, 380-F or 385 to satisfy mandatory employer requirements to provide the employee taking FMLA leave with written notice detailing specific rights and responsibilities of the employee and explaining any consequences of a failure to meet these obligations.

- (iii) The employee's physician or health care provider must complete the appropriate (either WH-380-F, 384, or 385 form) and return the completed form to the Office Administrator within 15 calendar days.
- (iv) Within five (5) business days after acquiring enough information to determine if the employee's request qualifies for FMLA leave, the Agency will provide the employee a Designation Notice (Form WH-382) that will provide details on the leave being designated as FMLA leave, the amount of leave being counted as FMLA leave (if known), whether paid time off benefits will be used during leave and, if so, what paid leave will count as FMLA leave, whether a fitness for duty certification will be required, etc.

A copy of any documentation concerning an employee's Family Medical Leave will be placed in the employee's file. Documentation concerning employee medical information will be kept separate from the personnel file.

If an employee is absent due to an illness that progresses into a serious health condition and the employee requests Family Medical Leave as provided under this policy, the Agency will designate all, or some portion, of the related absence due to illness as Family Medical Leave, to the extent that the earlier absence due to illness meets the necessary qualifications for Family Medical Leave.

G. Unpaid Leave Policy

The Agency may approve an unpaid leave of absence for a specific period of time not to exceed six (6) weeks, upon the approval of the employee's department head and the Executive Director, for reasons not otherwise included under other leave policies contained in this Handbook. Such leave may not be in addition to other leave provided in this Handbook. Such leave shall be unpaid. The approval of such leave will depend upon the employee's reasons, any urgency, the employee's department workload, the availability of a replacement, and other operational needs of the Agency.

If the employee utilizes such leave for reasons other than those reasons given by the employee's application for such leave, the employee's leave will be cancelled, and the employee will be subject to disciplinary action up to and including termination.

This benefit is available only to those employees who have completed their 180-day introductory period of service.

Such leave requests should be made via email. The employee may be required to provide additional documentation, as determined in the Agency's sole discretion, for the Agency to consider the employee's application for such leave.

If such a leave is granted, the employee may continue to participate in the Agency's medical insurance plan, etc. However, such participation will be at the employee's sole and total cost. The Office Administrator will be able to provide an employee with the details regarding such costs.

H. Health, Dental and Vision Insurance

(1) Health Insurance Benefit

Full-time employees and part-time employees regularly scheduled and working 30 hours or more per week are eligible to participate in the Eastgate's sponsored group insurance programs, in accordance with the enrollment and eligibility requirements of each insurance program. At this time, the health insurance program includes dental and vision benefits. Premiums for employees and dependents are payroll deductible. Employees should complete an enrollment form for the group health plan on or before the date that the employee begins employment. Enrollment forms must be completed and submitted to the administration office before the end of the applicable enrollment period or waiting period. Insurance coverage takes effect the first of the month following the employee's date of hire. Employees will receive complete details for the health plans during orientation and further information is also available in the plan documents. The details and benefits provided by Eastgate as part of its group insurance program is subject to change at any time, in Eastgate's sole discretion. Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between Eastgate and the insurance carrier, as well as to further requirements of Eastgate. Information on the costs of the coverage will be provided in advance of enrollment to eligible employees. Contact the Office Administrator for more information about health insurance benefits. Eastgate may, from time to time, in its sole discretion, find it necessary to change group health care insurance policy carriers and any applicable health care coverage.

(2) Coverage for Health Benefits During Disability

If covered employee is no longer working full-time, or part-time working 30 hours per week due to a sickness or injury, the employee may continue the employee's coverage under the group plan. Coverage will continue as long as the Agency considers the individual an employee for federal and state tax purposes, the employee continues to meet eligibility requirements under the contract, and by paying the required premium. Once employment is terminated, the "Benefits Continuation" section applies.

I. Accidental Death and Dismemberment Insurance

Each full-time and part-time employee regularly scheduled to and working 30 hours or more per week participates in the Accidental Death and Dismemberment Insurance Plan. Details can be found in the group insurance benefit booklet.

J. Life Insurance

Each full-time and part-time employee regularly scheduled to and working 30 hours or more per week participates in the group life insurance program. The amount of insurance is equal to the employee's annual base salary, not to exceed \$50,000. See the Office Administrator for further information. Details can also be found in the Group Insurance Benefit plan documents.

K. Public Employees' Retirement System

Participation in the Public Employees Retirement System of Ohio (PERS) is mandatory of all employees. This retirement plan is in lieu of Social Security.

If an employee leaves public employment, the employee may request that the employee's contributions into the PERS system be refunded to the employee. Funds contributed by employers are not refundable. The form and process to receive a contribution refund can be found on the Ohio PERS website.

PERS provides for the naming of a beneficiary for the employee's account. If no beneficiary is named, the employee's spouse will be determined to be the beneficiary. If the employee has no spouse, the employee's children will be determined to be the beneficiaries if no other beneficiary is named. If the employee has neither a spouse nor children, the employee's parents will be determined to be the beneficiary of the account if no other beneficiary is named. If the employee has no spouse, children or living parents, and names no other beneficiary for the account, the employee's estate will be determined to be the beneficiary.

Changes in employee name or address must be provided in writing to PERS.

Employees having questions regarding the program or who need to update personal information should contact PERS at the following address or phone number:

Public Employees Retirement System of Ohio
277 East Town Street
Columbus, Ohio 43215-4642
Phone: 800-222-7377

Members participating in the Traditional Pension or the Combined Plan are eligible to retire with either full or reduced benefits as determined by the length of public service and age requirements established by PERS. Consult the Member Handbook at www.opers.org to determine eligibility and benefits.

Members participating in the Member-Directed Plan are eligible to retire after they reach age 55. Your retirement benefit is based on the value of your individual defined contribution account balance and the payment method you select.

These benefits are subject to change, as determined and described by PERS.

L. Deferred Compensation Program

Eastgate employees are eligible to participate in the Ohio Public Employee's Deferred Compensation Program. Under this program, the employee makes contributions on a pretax basis to a Section 457 account. Eastgate does not provide matching employer contributions to this account. Employees having any questions regarding this program should contact the administration office or go on line at: www.ohio457.org.

M. Bereavement Leave

Employees who wish to take time off due to the death of an immediate family member should notify their Department Director immediately.

Bereavement leave will be provided to those employees in the following eligible classification(s):

- full-time employees
- part-time employees regularly scheduled to and working 30 hours or more per week,

Eastgate will grant to each eligible employee three (3) paid bereavement days for each loss of an immediate family member.

A bereavement leave of absence is a leave with pay. Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their Department Director's approval, use any available paid leave for additional time off as necessary. The employee on bereavement leave should return to work on the first regularly scheduled day of work following the end of the leave.

Eastgate defines "immediate family" to include spouse, child, parent, sister, brother, or grandchild, grandparents, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, stepchild, or a child in the custody of and residing in the home of an employee. A parent is defined as biological or an individual who assumes parental status and responsibilities in place of a parent to the employee when the employee was a child. Proof of death and relationship (e.g., obituary) may be required to receive paid bereavement leave. An employee will not receive paid bereavement leave for days the employee is not otherwise normally scheduled to work.

N. Jury Leave

Eastgate provides leaves of absence for employees who are called to serve as jurors or witnesses in matters where the employee is not a party. Full-time and part-time employees who are regularly scheduled to and work 30 hours or more per week will be paid the difference between their normal base rate of pay and any compensation they receive from the judicial authority for serving as a juror or for appearing as a witness for 20 days or less in any 12-month period. If an employee is called to jury duty or as a witness, the employee must notify the employee's immediate Department Director as soon as possible.

If an employee is summoned to jury duty or as a witness, written confirmation from the court of the employee's jury duty or witness duty is required. A copy of the summons must be submitted to your Department Director as soon as possible after it is received.

When an employee reports to court, if the employee is subsequently excused or otherwise is not required to serve the full day, the employee is expected to return to work unless the employee is excused by the employee's Department Director or the Office Administrator.

Employees must submit to their Department Director or the Office Administrator proof of service when the employee's period of service is completed.

Service credit will continue to accrue during court leave.

O. Voting

Per Ohio Law, the Agency will provide a reasonable amount of unpaid time off to allow the employee to vote on any given election day. However, given the length of time that polling places are open and available for voting, the Agency would ask that employees make all reasonable attempts to vote either before the start of the work day or after the end of the work day. A reasonable amount of unpaid time off is also available for poll workers.

P. Military Leave

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) expands both job and benefit protections for workers who serve in the military. USERRA prohibits discrimination against applicants and employees who serve in the military. The uniformed services include Army, Navy, Marine Corps, Air Force, Coast Guard and the Reserves for each of these branches of the military. Also included is service in the Army National Guard or Air National Guard, commissioned corps of the Public Health Service, and any other category of person so designated by the President in time of war or emergency. The word "service" is defined to include active duty, active duty training, initial active duty for training, inactive duty training, full-time National Guard duty, and absence from work for an examination to determine a person's fitness for any of these types of service.

USERRA requires all employees to provide notice of military service to their employer, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable. Notice may be provided orally or in writing, either by the individual or by an appropriate officer of the relevant service branch.

(1) Provisions:

- Employees who are members of the uniformed services are entitled to military leave of absence with pay for up to a total of 20 business days of each calendar year, and without pay for up to a maximum of five years.
- Military leave does not affect paid time off balances that exist as of the day the leave begins.
- Military leave is granted for both voluntary and mandatory service.
- An employee who requests a military leave of absence must provide reasonable advance written notice of such active military service to their Department Director. Such notice is not required where it is precluded by military necessity or the giving of such notice is otherwise impossible or unreasonable.

(2) Reemployment Rights:

- The intent of the Uniformed Service Employment and Reemployment Rights Act of 1994 is to encourage non-career military service by elimination or minimizing the disadvantages to civilian careers and employment that occur because of military call. The thrust of the law is to restore the employee to the previous employment position with all seniority, status, pay and benefits that would have accrued if the employee had not left for military service.
- To be eligible for reemployment rights, individuals must have been issued an honorable discharge.

(3) Return from Duty:

- A veteran returning from military service is entitled to be restored to his or her former position or to one of similar seniority, pay and status if he or she is qualified to perform the duties of the former position. A person is "qualified" for a position if he or she can perform the essential responsibilities of the position.
- The Uniformed Service Employment and Reemployment Rights Act does not create a system of seniority but recognizes any existing seniority that has been established by contract, custom or practice.

(4) Employee Responsibilities:

- Provide as much advance-notice of the absence as possible.
- Provide copies of the official orders or other official documentation.
- Submit a Leave Form.
- Retain copies of all relevant documents.
- Apply for reemployment in a timely manner.

Q. *Benefits Continuation (Mini-COBRA)*

Mini-COBRA in Ohio applies to small businesses with less than twenty (20) employees. The law provides employees the benefit of continuing health insurance coverage if the employee was terminated involuntarily.

To be eligible for Mini-COBRA the following must occur:

- The employee must be terminated involuntarily.
- The employee must have had three (3) months of continuous coverage prior to termination.

If the employee is eligible for Mini-COBRA continuation of coverage, the employee:

- Must complete a continuation election form.
- Must make timely payment of the premium. This amount can be no more than 105% of the group rate for the insurance.
- Coverage may be continued for up to twelve (12) months.

R. *Workers' Compensation*

Employees are insured in accordance with Ohio's Workers' Compensation laws. If you are injured or become ill as a result of performing your job, you must inform your Department Director as soon as possible, but in all instances before the end of your work day on the day of the incident or illness. A First Report of Injury or incident report must be completed as soon after the injury as possible. Your medical bills and lost wages, if any, may be paid in accordance with provisions of Ohio law. Medical bills for job related illness or injury should not be submitted through the group medical insurance plan of Eastgate.

Eastgate is committed to providing the best medical care available and working with injured employees to assure a timely return to regular employment status. In most cases, modified or light duty work will be arranged to comply with temporary physical limitations. An employee is encouraged to contact the Office Administrator if the employee has a problem related to medical care, communication with an insurance company or any other matter related to the work-related injury or illness.

As mentioned above, it is vital that job related injuries or illnesses be reported immediately. Please see Section VIII A. for more information on the procedures for the prompt reporting of such matters.

Eastgate utilizes a managed care service to provide managed care services in the event of a workplace injury. Should an employee be injured during the course of employment, the employee's supervisor is to notify the administration office. The injured employee must complete a First Report of Injury form, which can be obtained from the administration office. If the employee is unable to complete the form, the employee's Department Director is to complete it. This form is to be completed regardless of whether the injury appears insignificant or not.

The injured employee will receive a managed care identification card which must be presented to the medical provider when receiving treatment.

Contact the managed care service utilized by Eastgate to receive assistance in choosing an appropriate medical provider.

If emergency care is necessary, the managed care service utilized by Eastgate must be contacted within 48 hours of such emergency treatment. The managed care service will provide the employee a list of providers if additional care is necessary.

The injured employee is responsible for providing Eastgate with the expected date of the employee's return to work, as soon as it is known. The employee must keep Eastgate apprised of the employee's condition. An employee who must leave work due to injury before completing the work day will be paid at the employee's regular base rate of pay for the balance of time left in the scheduled work day. Injured employees are required to comply with all treatment plans of the attending physician's and cooperate fully in returning to work as soon as possible. Failure to cooperate may result in disciplinary action.

An injured employee may elect to use accrued eligible sick time and/or vacation time prior to receiving benefits from worker's compensation. However, it is prohibited for an employee to receive paid sick time or other paid leave while simultaneously receiving benefits from Workers' Compensation. Injuries incurred during voluntary participation in off duty recreational, social, or athletic activities sponsored by Eastgate are not eligible for Workers' Compensation benefits.

S. *Plan Documents Control*

For any benefit (e.g. insurance) administered or provided through a third party (e.g. insurance carrier) the terms of the coverage under the plan documents control and supersede any terms indicated in this handbook. Thus, changes to the applicable terms of these benefits may change at any time, without notice.

VII. COMMUNICATION SYSTEMS USE POLICY

A. Use of Phones and Mail Systems

Personal use of Agency phones and cell-phones, during business hours adversely affects productivity and distracts from assigned duties. Personal calls should be limited. Personal calls, whether made on an Eastgate phone, Eastgate cell phones, or the employee's personal cell phone, should be made during employee lunch time. Excessive personal calls during the work day, as determined by an employee's Department Director, other than during lunch time, will result in disciplinary action up to and including termination.

It is not appropriate to use cellular telephones to discuss private and/or confidential information.

Eastgate purchased cell phones, provided to some employees for use as a business tool, are the property of Eastgate. The phones are provided to assist employees in communicating with management and other employees, associates, and others with whom they may conduct business. Cell phone use is intended for business-related calls only; personal calls on Eastgate cell phones are to be limited to emergencies, as provided above. Cell phone invoices will be regularly examined. Eastgate Regional Council of Governments will charge an employee for any excessive personal usage of Eastgate cell phones.

As a representative of Eastgate, cell phone users are reminded that the regular business etiquette employed when speaking from office phones or in meetings likewise applies to conversations conducted over a cell phone.

B. Bulletin Board

Eastgate will maintain a bulletin board at its facility. This bulletin board is provided to communicate important information to Eastgate employees. All employees are encouraged to regularly check the bulletin board for recent updates and information on employment laws and regulations and other information.

C. Computer, Voice Mail, E-mail and Internet Usage

Computers, computer files, the email system, all communications systems, all voice mail and e-mail transmissions from or received by Eastgate Regional Council of Governments and any software furnished to employees are Eastgate property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. Employees are to keep any passwords received confidential. However, Eastgate reserves the right at all times to require the disclosure of all passwords used on Eastgate computers or other Eastgate systems. Furthermore, to ensure compliance with this and other Eastgate policies, Eastgate reserves the right to monitor, delete, or otherwise manage all e-mail, voice mail, internet usage, and other

communications from or to Eastgate systems, computers or locations. Such communications are NOT private.

Internet access to global electronic information resources on the World Wide Web is provided by Eastgate to assist employees in obtaining work-related data, technology and information. The following guidelines have been established to help ensure responsible and productive Internet usage. Internet usage is limited to job-related activities.

All internet data that is composed, transmitted, and/or received via Eastgate Regional Council of Governments' computer communications systems is part of the official records of Eastgate and, as such, is NOT private and is subject to disclosure to law enforcement or other third parties in the sole discretion of Eastgate. Consequently, employees should always ensure that the business information contained in internet email messages and other transmissions is accurate, appropriate, ethical, and lawful. Agency systems shall not be used to post information, comments or opinions onto any internet or other forum without authorization from the Executive Director.

The equipment, services, and technology provided to access the internet remain at all times the property of Eastgate. As such, Eastgate reserves the right to monitor internet traffic, and retrieve and read any data composed, sent, or received through our online connections and/or stored in Eastgate computer systems.

Data that is composed, transmitted, accessed, or received via Eastgate's information systems including, but not limited to, voice mail, e-mail, communication systems, the internet, etc., must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, inappropriate, intimidating, and/or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial and/or ethnic slurs, sexually explicit images and/or messages, off-color jokes, offensive comments, and/or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, and/or any other characteristic protected by law. Also prohibited is any communication that may be detrimental to employee morale.

Email or other systems may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters or to represent views as those of the Agency or to participate in political causes or activities, gambling activities, etc.

Eastgate purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, Eastgate does not have the right to reproduce such software for use on more than one computer. Any unauthorized use, installation, copying, and/or distribution of copyrighted, trademarked, or patented material via Eastgate communication systems, computers and the internet is expressly prohibited. If an employee did not create material, does not own the rights to it, and/or has not gotten authorization for its use, such material should not be sent via Eastgate communication systems, should not be present on Eastgate computers and should not be transmitted via the internet. Employees are also responsible for ensuring that the person sending

any material over the internet has the appropriate distribution rights. Employees may only use software on local area networks or on multiple machines according to the software license agreement. Eastgate prohibits the illegal duplication of software and its related documentation.

Employees may also be considered in violation of this policy for actions including, but not limited to the following:

- Using Eastgate time and resources for personal gain
- Stealing, using, or disclosing someone else's code or password without authorization
- Copying, pirating, or downloading software and electronic files without permission
- Sending or posting confidential material, trade secrets, or proprietary information outside of the organization
- Violating copyright law
- Engaging in unauthorized transactions that may incur a cost to Eastgate or initiate unwanted internet services and transmissions
- Sending or posting messages or material that could damage Eastgate's image or reputation
- Participating in the viewing or exchange of material that is prohibited as provided above.
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- Jeopardizing the security of Eastgate electronic communications systems
- Passing off personal views as representing those of Eastgate
- Sending anonymous email messages

Employees should notify their immediate Department Director or any member of management upon learning of any violation(s) of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

D. Laptop/Tablet Security Policy

(1) Purpose

This policy addresses the actions that must be taken by Eastgate personnel who have an agency-issued laptop or tablet, or who are temporarily using a shared company laptop or tablet, or the laptop or tablet of another employee.

(2) Requirements

All laptops and tablets acquired for the agency shall be deemed agency property. Each employee issued a laptop, or a tablet is responsible for the security of that device, regardless of whether the device is used in the office, at the employee's place of residence, or in any other location.

Each employee issued a laptop, or a tablet must agree to take responsibility as well for the security of the information stored in the device and must take all precautions to protect against installation of any malicious unlicensed software on the device.

Where possible, employees must avoid leaving their device unattended in an automobile. If they must do so temporarily, the device must be placed in the trunk.

When taking the laptop or tablet out of the office for meetings, Eastgate personnel must keep the device with them and use common sense to prevent its theft.

Eastgate's Communication Systems Use Policy, which addresses personnel's usage of Agency equipment, also applies to Agency issued devices.

(3) *Violations and Penalties*

Violations of this policy may be grounds for disciplinary action, up to and including termination of employment.

If an employee's laptop or tablet is stolen while in their custody, the employee shall be held responsible for the cost of replacing the device.

E. *Social Media*

(1) *Purpose*

Social media networks provide the framework and opportunity for Eastgate to deliver highly accessible information through a variety of channels and networks (Twitter, Facebook, YouTube, LinkedIn) to our member communities and the public. It allows for and encourages an exchange of information, greater public participation, while building awareness of agency plans and programs.

(2) *Participation*

Eastgate social media content will be created and posted by representatives designated by the Executive Director utilizing official Eastgate accounts.

The designated representatives shall follow professional etiquette and adhere to the guidelines listed in this handbook.

VIII. MISCELLANEOUS POLICIES

A. *Safety*

To assist in providing a safe work environment for employees, vendors and visitors, Eastgate has established a workplace safety program. This program is a top priority for Eastgate. Its success depends on the alertness and personal commitment of all.

Eastgate provides information to employees about workplace safety and health issues through regular internal communication channels such as training, Department Director employee meetings, bulletin board postings, memos, or other written communications.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to forward them to their Department Director or the Office Administrator. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

Each employee is required to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate Department Director. Employees who violate safety standards, who cause hazardous or dangerous situations, and/or who fail to report or, where appropriate, remedy such situations, will be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify a Department Director, and assist with the completion of the First Report of Injury form. Additional reports may be necessary to comply with applicable law and to initiate insurance and workers' compensation benefits claims.

B. Solicitation Policy

It is the policy of Eastgate not to permit solicitation on Eastgate premises of any employee during any regular working hours. This policy is intended to ensure that employees are not distracted from their jobs while they are or should be working. No employee is to engage in solicitation for subscriptions, memberships or other outside activities during working time or with another employee during that employee's working time.

Solicitation of any kind or distribution of printed or written materials by non-employees on Eastgate premises is prohibited. As part of our commitment to being good citizens in the community where Eastgate operates, Eastgate will occasionally permit solicitations for recognized charities that have a benefit to the community and its citizens. Requests for solicitations of this nature should be forwarded to a member of management for prior authorization.

C. Distribution of Literature

In the interest of keeping the workplace of Eastgate clean, neat and orderly, the distribution of any type of literature or documentation not otherwise authorized by Eastgate or distributed in the normal course of Eastgate's business operations, is prohibited in any work area.

D. Public Statements

No employee of Eastgate shall make any public statement or commentary that may in any way be construed as representing the position of Eastgate, without first being authorized to do so by the Executive Director of Eastgate.

E. Smoking

In keeping with Eastgate's intent to provide a safe and healthful work environment and in accordance with Ohio law, smoking in the workplace is prohibited. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail. This policy applies equally to all employees and visitors.

F. Eastgate Property and Personal Property

Equipment represents an expensive capital investment that must be properly used and maintained for effective and safe performance. Well-maintained, reliable equipment makes for a safe and productive work environment. Equipment for which planned equipment maintenance procedures are in place must be properly maintained according to these procedures. Please refer to the relevant maintenance manual for further information.

If an employee has been careless, unsafe, illegal or improper in the employee's use of Eastgate's equipment, the employee will be subject to disciplinary action up to and including termination.

Employees are required to report malfunctioning, broken or unsafe equipment and/or any unsafe circumstance to their immediate Department Director as soon as possible. An incident report must be completed if an injury has resulted. Failure to so report may result in disciplinary action.

When property, materials and/or manuals are issued to an employee or are under the employee's care, custody and control, this property must be returned to Eastgate upon request. In the case of termination, whether voluntary or involuntary, the property materials and/or manuals must be returned before the employee leaves. Failure to so return property upon termination may result in legal action being taken against the former employee.

The content of any desk, filing cabinet, folder, computer, office, or any other property located on the premises of Eastgate is NOT private and is deemed to be the property of Eastgate and available for inspection. Items an employee considers to be personal should not be kept on Eastgate premises.

G. Emergency Closings

At times, emergencies such as power failures, severe weather, fires, or other acts of nature, can disrupt Eastgate Regional Council of Governments' operations. In extreme cases, these circumstances may require the closing of the facility. Such periods of closure are classified as administrative time off.

It is important that employees report to work as scheduled when possible, but safety should not be jeopardized.

Exempt employees unable to report to work on a day when the facility is open for business may opt to use personal days or vacation days in lieu of losing a day's pay with Department Director approval. Exempt employees who work a partial day receive compensation for the entire day in the event of the closing of the facility. Non-exempt employees may use available personal days or vacation days if the facility is officially closed or when unable to report to work due to inclement weather with Executive Director approval. Non-exempt employees who report to work and are later sent home due to facility closing are paid actual hours worked. Reporting pay and benefit time are not included in calculating overtime.

H. Personal Appearance

Dress, grooming, and personal hygiene standards contribute to the morale of all employees and affect the business image Eastgate presents to the public, vendors and visitors. The way we dress and present ourselves reflects on how we are perceived by our members and the community.

During business hours or when representing Eastgate, you are expected to present a clean, neat, and refined appearance. You should dress and groom yourself according to the requirements of your position and to accepted business and social standards. This is particularly true if your job involves direct contact with members and/or visitors.

If your Department Director feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under this circumstance, non-exempt employees will not be compensated for the time away from work. Consult with your Department Director if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation will be made to individuals with a disability.

Without unduly restricting individual tastes, the following personal appearance guidelines are to be followed:

Standard Business Attire (Male)

- Shirt and tie, dress slacks, dress shoes, suit or sport coat.

Standard Business Attire (Female)

- Dress or skirt or blouse with the skirt no shorter than three inches above the knee, pant suits with slacks, dress shoes.

Business Casual Attire (Male)

- Collared shirts without advertisements, slogans or any offensive messages.
- Casual shoes, dress slacks or khakis.

Business Casual Attire (Female)

- Shirts or sweaters without advertisements or words as described above, skirts, slacks or khakis, casual shoes.

Inappropriate attire includes, but is not limited to:

- Shorts or skorts
- Lycra, spandex, yoga or sweat pants, midriff tops, bathing suits, exercise or bike shorts
- T-shirts and sweatshirts advertising alcoholic beverages, controlled substances, and/or with any offensive messages and/or slogans
- "Flip flops" or shower shoes
- Visible body piercing other than ears
- Heavily frayed and/or torn denim or chambray fabric clothing
- Visible foundation garments (e.g. bras, underwear, etc.)
- Backless, see-through, extremely short or low-cut blouses, tops, dresses or skirts

When work of a physical nature may be required, blue jeans, tennis shoes and/or work boots may be necessary. At all other times, these items are not acceptable work attire.

Department Directors are responsible for the interpretation and enforcement of dress standards in their respective departments. Violation of the dress code will result in disciplinary action.

I. Parking

Employee parking is provided in the parking deck immediately south of the Agency's offices.

J. Weapons Policy

Eastgate prohibits the possession, transport and storage of all weapons on Eastgate's property and in any Eastgate programs, regardless of whether a person is otherwise licensed to carry the weapon. This policy does not apply to law enforcement or security personnel engaged in the execution of their official duties.

Eastgate Regional Council of Governments' property includes all Eastgate owned or leased premises and surrounding areas, including parking lots, sidewalks and lawns. Eastgate Regional Council of Governments' property also includes all vehicles owned or leased by Eastgate and at all locations upon which Eastgate business is being conducted, whether on Eastgate premises or

otherwise. Eastgate programs include sponsored activities including, but not limited to, Agency picnics, parties, meetings and any other Eastgate sponsored or arranged event.

Weapons include, but are not limited to, handguns, firearms, explosives, knives and other items defined as weapons under state, federal and/or local laws or regulations.

To properly monitor and enforce this policy, Eastgate Regional Council of Governments reserves the right to search all Eastgate owned or leased vehicles, and equipment and all other vehicles, packages, containers, briefcases, purses, backpacks, lockers and desks maintained or brought on to Eastgate property or into Eastgate programs.

Failure or refusal of an employee to comply with this policy may result in disciplinary action up to and including termination.

K. Fire, Disaster, Emergency and Safety Plans

Information on the fire, disaster, emergency and safety regulations that apply to Eastgate facility location is available in each work area. It is your responsibility to become familiar with these plans.

Appendix A - Payroll Approval Policy

With the implementation of electronic time sheets, the following policy has been established to ensure that an accurate representation of each employee's work time and leave, is recorded, approved, and processed through payroll on a bi-weekly basis. This policy also outlines the approval procedures to be followed by Agency Directors (Executive and Department).

Payment to all employees will be based on the approved electronic time sheets. Each employee is to have their time sheet complete in the Eastgate Timesheet Software system by noon on the Monday following a payday. After completing time worked for a pay period, each employee shall "tag" each working day in the system which officially submits the hours worked to the appropriate Director. "Tagging" each day worked will represent the employee approval and shall serve as the signature of the employee.

The Directors will review and approve the time sheets by noon on the Tuesday following a payday. Once an employee's time sheet is approved, the Department Directors will send an email to the Executive Director and the Agency Accountant, stating the payroll number and employees that are approved by the Department Director. The Executive Director will also send an email to the Agency Accountant approving the payroll, stating the payroll number and employees that are approved by the Executive Director. Each employee will receive an email, from their Director, confirming the approval of their timesheet.

The Agency Accountant will prepare and submit the payroll by noon on Wednesday following a payday, to the Agency's independent payroll accountant.

This time frame aligns with the Protocol for Payroll Approval for Direct Deposit. The Direct Deposit Protocol will continue to be followed.

Appendix B - Media Relations Press Release Policy

Eastgate has established the following Media Relations Press Release Policy to ensure clear, factual communications with the public through various forms of media. This policy is designed with the primary purpose of providing staff the information and direction to inform the press of upcoming events, meetings, program deadlines and changes, and any other directives deemed necessary.

A. *Distribution*

All press releases shall be distributed by the Office Administrator to ensure consistency and professionalism in format, as well as providing consistency for recognition with media contacts. Staff shall inform the appropriate department director of the information contained in any release prior to submitting it to the Office Administrator.

Releases must be submitted to the Office Administrator for review/writing at least three (3) business days before announcement date. Staff should keep in mind that all releases should be provided to media outlets one week in advance and submit information accordingly. Releases are distributed by email.

B. *Format*

Include a date for the release, making sure to specify whether the release is intended for immediate publication or should be released at a later time. If it is for future release, state the date that it must be officially distributed.

Information should be emailed to the Office Administrator in a Word document using the Eastgate letterhead template. Please do not capitalize, underline, or use colored text. Some tips to remember: your headline should be concise and interesting to get the attention of the reader. A good example for the first paragraph is to cover who, what, why, where, and when. Any links to be embedded must be provided using the full link address to be included.

This Policy is to provide direction for submitting press releases to the media. It should be noted that each staff person shall remain the spokesperson for their individual programs with approval and direction from their department director.

Appendix C - Travel Reimbursement Policy

This policy is designed to assist employees in reporting expenses incurred while conducting Eastgate business activities.

Eastgate expects employees to act responsibly and professionally when incurring and submitting costs. The organization will reimburse employees for reasonable expenses on pre-approved business. This includes, for example, travel fares, accommodations, meals, and tips, made on behalf of the organization. Eastgate will not be responsible for fuel, maintenance, traffic or parking violations.

Eastgate does not pay for local travel to and from the office.

A. *Travel General Guidelines*

Each individual traveling for Eastgate business is expected to fill out a Travel Authorization Form and the appropriate Reimbursement Forms to be reimbursed. Receipts are required for all expenses. For all travelers, completed expense reports must be submitted by the last day of the month traveled, unless otherwise noted by Administration.

Completed travel forms shall be submitted to the Department Director for approval and will then be submitted to the Office Administrator. The Agency Accountant will issue final payment and keep the final travel forms for record. Detailed source documentation such as the conference agenda/schedule of activities shall be included in the travel form packet submitted to Department Director.

All conference registrations and hotel accommodations will be made by the Office Administrator. Employees may choose to book their own flight accommodations, coordinating with the Office Administrator.

Overnight lodging will be at the discretion of Department Director the night before a conference, and flex time will be utilized for travel, training, and conference seminars. Flex time shall be coordinated with Department Director.

When being reimbursed for mileage, mileage to and from the destination is required, and the cost of refueling is included and not separately reimbursed. Your starting and ending destination shall be calculated at the Eastgate office, 100 East Federal Street, Youngstown, Ohio 44503.

All travel related documentation is located on the S drive in an Excel file titled Travel Forms (located in the Travel folder.) The Travel Expense Reimbursement Form is to be used when incurring lodging and meal expenses along with mileage expenses. The Mileage Form is intended for expenses incurred on day-trips for mileage, parking, or toll expenses.

B. *Payment and Documentation*

Eastgate recognizes two types of travel: Overnight Travel and Day Trip Travel.

(1) Day Trip Travel

The Monthly Mileage Report is to be used when you have mileage, parking, or tolls incurred for day-trip travel. As stated under Travel General Guidelines, when calculating mileage, your destination will begin and end at Eastgate's office.

(2) Overnight Travel

The Travel Expense Reimbursement Form is to be used when your travel includes mileage plus lodging and meal reimbursement. When using the Travel Expense Reimbursement form for overnight travel, any mileage associated with the associated trip shall be included on the form.

Receipts must be submitted for all expenses.

Meal expenses must be itemized per meal on the Travel Expense Reimbursement Form.

Per Diem Rates for lodging and meals and incidental expenses can be found on the General Services Administration website: www.gsa.gov.

Appendix D - Public Records Policy

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

A. Defining Public Records

A "record" is defined to include the following: a document in any format – paper, electronic (including, but not limited to, business e-mail) – that is created, received by, or comes under the jurisdiction of Eastgate that documents the organization, functions, policies, decisions, procedures, operation, or other activities of the office.

A "public record" is a "record" that is being kept by this office at the time a public records request is made, subject to applicable exemptions from disclosure under Ohio or federal law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

B. Response Timeframe

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

It is the goal of Eastgate that all request for public records should be acknowledged in writing or, if feasible, satisfied within three business days following the office's receipt of the request.

C. Handling Requests

No specific language is required to make a request for public records. However, the requester must at least identify the records requested with sufficient clarity to allow the office to identify, retrieve, and review the records.

The requester does not have to put records request in writing and does not have to provide his or her identity or the intended use of the requested public record(s). It is this office's general policy that this information is not to be requested. However, the law does permit the office to ask for a written request, the requester's identity, and/or the intended use of the information requested, but only if (1) a written request or disclosure of identity or intended use would benefit the requester by enhancing the office's ability to identify, locate, or deliver the public records that been requested; and (2) the requesters first told that a written request is not required and that the requester may decline to reveal the requester's identity or intended use.

In processing a request, the office does not have an obligation to create new records or perform a search or research for information in the office's records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through the office's standard use of sorting, filtering, or querying features. Although not required by law, the office should consider generating new records when it makes sense and is practical under the circumstances.

In processing a request for inspection of a public record, and office employee may accompany the requester during inspection to make certain original records are not taken or altered.

A copy of the most recent edition of the Ohio Sunshine Laws Manual is available via the Attorney General's website (www.ohioattorneygeneral.gov/YellowBook) for the purpose of keeping employees of the office and the public educated as to the office's obligations under Ohio's Public Records Act, Ohio's Open Meeting Act, records retention laws, and Personal Information System Act.

D. Electronic Records

Records in the form of e-mail, text messaging, and instant messaging, including those sent and received via a hand-held communications device, are to be treated in the same fashion as records in other formats, such as paper or audiotape.

Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of this office are required to retain their e-mail records and other electronic records in accordance with applicable records retention schedules.

E. Denial and Redaction of Records

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

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

F. Copying and Mailing Costs

Upon request, copies of public records will be provided at the actual cost the copies, not labor.

A requester may be required to pay in advance for the actual costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium on which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the office's normal operations.

G. Managing Records

Eastgate's records are subject to records retention schedules. The office's current schedules are available at 100 E. Federal Street, Suite 1000, Youngstown, OH 44503, a location readily available to the public as required by Ohio Revised Code S149.43(B)(2).

Acknowledgement of Receipt and Understanding of Eastgate Handbook and Job Description

I have received my copy of the Eastgate Regional Council of Governments (Eastgate) Employee Handbook, including but not limited to, the ethics and conduct provisions, the provisions regarding the introductory work period, discipline and discharge, and recognize that it is my responsibility to familiarize myself with the information it contains and be guided by it. I have also received a copy of my job description and understand my duties and responsibilities related to the job for which I have been hired.

I have read and understand the Eastgate policy on harassment contained within the Employee Handbook.

I understand that the Employee Handbook reflects Eastgate's policies at the time of publication, and it is not intended to be and is not a binding commitment or employment contract.

I understand and acknowledge that as an at-will employee of Eastgate, I may terminate my employment at any time with or without notice or cause but, if I terminate my employment without two weeks' notice if I am a non-exempt employee or four weeks' notice if I am an exempt employee, I will forfeit any unused paid vacation eligibility available to me.

I understand that the information, policies, and benefits described in the Handbook are subject to change, except Eastgate's policy of employment at-will, and that such changes may supersede, modify or nullify existing information, policies and/or benefits. Only the Executive Director has the authority to render such changes.

I further understand that the Agency may terminate my employment at any time with or without notice or cause, subject to the rights of review provided elsewhere in this Handbook.

I acknowledge that I have had an opportunity to ask any questions of appropriate Eastgate management personnel that I may have regarding the Employee Handbook and the policies and procedures contained therein.

(PRINT EMPLOYEE NAME)

EMPLOYEE SIGNATURE

DATE

OFFICE ADMINISTRATOR, EASTGATE (SIGNATURE)

DATE

Eastgate Regional Council of Governments Background Check Release

Applicant's Name: _____

Potential Employer: EASTGATE REGIONAL COUNCIL OF GOVERNMENTS ("Eastgate")

I, _____, authorize Eastgate to conduct a comprehensive background check, which may include a criminal, consumer credit and motor vehicle record review. I authorize any agency or person contacted in pursuit of this background check to release any and all information requested. Furthermore, I will hold no person or agency liable for the release of this information, or for its use in conducting the above-mentioned background check. If hired by the above mentioned Eastgate, I agree that periodic background checks can be conducted during my term of employment as deemed necessary by my employer.

The above authorization and its implications shall end when I leave the employment of Eastgate.

A photocopy of this authorization form shall be as effective and binding as the original.

Applicant's Full Name (print): _____

Signature of Applicant: _____

Applicant's Social Security #: _____ Date of Birth: _____

Driver's License Number: _____ State Issued by: _____

Phone: _____

Signature of Eastgate's Office Administrator:

_____ Date: _____

Laptop/Tablet Custodian Agreement

I agree to take responsibility for the laptop or tablet and associated peripherals detailed below. I have read and agree to comply with the Eastgate Regional Council of Government's "Laptop/Tablet Security Policy."

This Agreement will remain in effect until I relinquish custodianship by returning the laptop or tablet and all peripherals and indicate such return below.

Custodian Information:

Name: _____ Department: _____

Equipment Information:

Make and Model: _____ Serial #: _____

Service Tag #: _____ Express Service Code #: _____

Peripherals: Bag Charger Other: _____

Sign-Off Information:

Date of Issue:	Date of Return:
Custodian Signature:	Custodian Signature:
Authorizing Signature:	Authorizing Signature:

Acknowledgment of Receipt of Auditor of State Fraud Reporting-System Information

Pursuant to Ohio Revised Code 117.103(B)(1), a public office shall provide information about the Ohio fraud reporting-system and the means of reporting fraud to each new employee upon employment with the public office.

Each new employee has thirty days after beginning employment to confirm receipt of this information.

By signing below, you are acknowledging Eastgate Regional Council of Governments provided you information included in the Employee Handbook, (Section G, page 8) about the fraud reporting-system as described by Section 117-103(A) of the Revised Code, and that you read and understand the information provided. You are also acknowledging you have received and read the information regarding Section 124.341 of the Revised Code and the protections you are provided as a classified or unclassified employee if you use the before-mentioned fraud reporting system.

I, _____, have read the information provided by my employer regarding the fraud reporting-system operated by the Ohio Auditor of State's office. I further state that the undersigned signature acknowledges receipt of this information.

PRINT NAME, TITLE AND DEPARTMENT

PLEASE SIGN NAME

DATE