

# OHIO RURAL WATER ASSOCIATION

## EMPLOYMENT POLICY MANUAL

THE CONTENTS OF THIS HANDBOOK ARE PROVIDED SOLELY AS A MATTER OF INFORMATION. THIS HANDBOOK IS NOT INTENDED TO CREATE A CONTRACT, EXPRESSED OR IMPLIED, BETWEEN THE OHIO RURAL WATER ASSOCIATION AND AN EMPLOYEE FOR EMPLOYMENT OR BENEFITS. THE OHIO RURAL WATER ASSOCIATION RESERVES THE RIGHT TO AMEND, CHANGE, ELIMINATE OR SUBSTITUTE ANY AND ALL BENEFITS, PLANS, OR POLICIES, TO INTERPRET THE BENEFITS, PLANS, OR POLICIES IN THIS HANDBOOK, AND TO TAKE SUCH ACTIONS WITH OR WITHOUT CAUSE OR WITHOUT NOTICE PRIOR TO TAKING SUCH ACTION. EMPLOYMENT AT OHIO RURAL WATER ASSOCIATION IS ON AN AT-WILL EMPLOYMENT RELATIONSHIP BASIS CONSISTENT WITH FEDERAL LAWS AND THE LAWS OF THE STATE OF OHIO, AND THE EMPLOYMENT RELATIONSHIP BETWEEN THE EMPLOYEE AND THE OHIO RURAL WATER ASSOCIATION MAY BE TERMINATED BY EITHER THE EMPLOYEE OR OHIO RURAL WATER ASSOCIATION AT ANY TIME.

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## **PURPOSE OF POLICY MANUAL**

The purpose of Ohio Rural Water Association's Personnel Manual is to provide each individual with information about his employment with Ohio Rural Water Association, hereafter referred to as "Rural Water".

For convenience and readability, the use of "he" or "his" throughout the Employee Manual refers to all employees, both male and female.

This Employee Manual is not intended to be all-inclusive, but rather is to provide a working guide for the day-to-day administration of our personnel program. Certain questions may not be answered in the Employee Manual. Situations will arise which will require administrative interpretation. Other questions may not be answered in this Manual. Your best source of information to other questions is your supervisor.

This Employee Manual does not constitute an expressed or implied contract of employment. Rural Water employees are employees at will. This means that either the employee or Rural Water can terminate the employment relationship at any time for any reason or no reason at all. No representative of Rural Water has the authority to enter into an employment agreement with an individual that is contrary to the foregoing.

As conditions change over time, revisions of these policies may be necessary. Rural Water reserves the right, at any time with or without notice, to terminate or make any changes in the policies, procedures, benefits and practices set forth in this Manual. Employees are encouraged to make suggestions which contribute to clearer understanding of information contained in the Employee Manual. Rural Water has the final authority over all matters.

## **EQUAL EMPLOYMENT OPPORTUNITY**

Ohio Rural Water Association does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

## **SMOKING POLICY**

All areas which are accessible to the public are designated as "non-smoking".

## **POLICY OF NON-DISCRIMINATION ON THE BASIS OF DISABILITY**

Ohio Rural Water Association does not discriminate on the admission or access to, or treatment or employment in, its programs or activities.

Kevin Strang, the Executive Director, is also the Public Information Officer, and has been designated to coordinate compliance with the non-discrimination requirements contained in section 35.107 of the Department of Justice regulations. Information concerning the provisions

of the American with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

### **ADA GRIEVANCE PROCEDURE/POLICY**

Ohio Rural Water Association has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination: in programs or activities sponsored by a public entity.”

Complaints should be addressed to Kevin Strang, Public Information Officer, who has been designated to coordinate ADA compliance efforts.

1. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within ten (10) days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by Kevin Strang, Public Information Officer. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by Kevin Strang, Public Information Officer and a copy forwarded to the complainant no later than ten (10) days after its filing.
5. The ADA coordinator shall maintain the files and records of Ohio Rural Water Association relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within ten (10) day to Kevin Strang, Executive Director.

7. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
  
8. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that Rural Water complies with the ADA and implementing regulations.

### **AFFIRMATIVE ACTION PROGRAM**

#### **Preface**

Ohio Rural Water Association is an association organized under the laws of the State of Ohio organized for the purpose of providing technical assistance to rural water and waste water service providers throughout Ohio. Rural Water offices are located in Zanesville, Ohio.

#### **Policy Statement**

It is the policy of Ohio Rural Water Association to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, handicap or veteran status, and to base all employment decisions so as to further this principle of equal employment opportunity. To this end, Ohio Rural Water Association will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, handicap, age or veteran status, and will take affirmative action to ensure that applicants are employed and employees are treated during employment without regard to these characteristics.

Rural Water affirms that the above policy reflects the attitude of Rural Water toward the principle of equal employment opportunity and that it is the obligation of each officer, director, manager and supervisor of Rural Water to conduct himself or herself in conformity with the principle of equal employment opportunity at all times. All employment activities, including but not limited to hiring, promotion, demotion, transfer, recruitment, advertising, layoff, discharge, rate of pay, and religion, sex, national origin, age or veteran status.

In furtherance of the objective of equal employment opportunity, we have appointed the Administrative Services Manager to serve as Equal Employment Opportunity Administrator. In this capacity, the Administrative Services Manager (Samantha Hydell) is charged with directing and implementing Rural Water's affirmative action program in conformity with the principle of equal employment opportunity. Any employee or applicant for employment who believes that he or she has not been accorded treatment conforming to the policy of equal employment opportunity is urged to contact the Administrative Services Manager.

When Ohio Rural Water Association advertises for prospective employees, the advertisement and circulation will be expanded to include media specializing in minority recruitment.

Ohio Rural Water Association will contact agencies specializing in placement of minorities regarding prospective employment.

Notification of construction contracts will also be expanded to include the County's minority bidders list.

Ohio Rural Water Association will continue to expand recruitment of seasonal employees in all Equal Employment Opportunity classifications.

Finally, it should be noted that Rural Water, in compliance with Ohio and Federal law, maintains a written affirmative action program, portions of which are available to employees upon request.

### **FAMILY AND MEDICAL LEAVE POLICY**

Ohio Rural Water Association employees may request leave under the Family and Medical Leave Act of 1993. Leave requests will be reviewed according to the provisions of the Act. All approved leaves will be without pay.

Maternity and Paternity leave is treated in the same manner as any other extended illness or temporary disability and is available for both male and female employees. Upon approval of the Executive Director, female employees may be granted up to ninety days maternity leave without pay, and male employees up to ninety days paternity leave without pay.

### **INFECTIOUS DISEASES POLICY**

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

Rural Water recognizes that employees with infectious diseases may wish to continue to engage in as many of their normal pursuits as their condition allows, including work. An employee's suitability to work should be based on the individual's capability to perform the job duties of this position. As long as these employees are able to meet acceptable performance standards, and medical evidence indicates that their conditions do not pose a risk to others, they will be treated consistently with other employees.

At the same time, Rural Water has an obligation to provide a safe work environment for all employees and visitors. Every precaution should be taken to ensure that an employee's

condition does not present a health and/or safety risk to other employees or visitors. Accordingly, Rural Water has the right to require a statement from the employee's attending physician that continued presence at work will pose no risk to the employee, co-workers or the public. Additionally, Rural Water reserves the right to require an examination by a medical doctor appointed and paid for by Rural Water to determine that this individual is able to work and poses no threat to him or others.

### **NO SOLICITATION POLICY**

To facilitate the operations of Ohio Rural Water Association and to avoid interference with the operation and responsibilities of its employees, employees of Rural Water and non-employees of any agency, organization or company, be it charitable or non-charitable, shall not be allowed to solicit for funds, membership, or any other activity not related to the operations of Rural Water during working hours on the property of Rural Water or at Rural Water's work sites, except as otherwise hereinafter provided.

This policy shall not be applicable during any of the employees' lunch period, except that any person entering a Rural Water work site or property shall secure the prior permission of Rural Water through its Executive Director and shall comply with all federal, state and municipal regulations relating to health and safety.

### **SEXUAL HARASSMENT AND VIOLENCE POLICY**

It is the policy of Ohio Rural Water Association to provide and maintain a working environment that is free of sexual harassment, intimidation and violence. Therefore, in order to carry out this policy and comply with the mandates of the State of Ohio and the EEOC guidelines pertaining to the prevention of sexual harassment, this regulation is promulgated. As with other forms of discrimination, Rural Water is opposed to sexual harassment by one employee of another, sexual harassment by an employee of a visitor/participant, sexual harassment by a visitor/participant of an employee or sexual harassment of a visitor/participant by a visitor/participant whether initiated by a female or a male.

#### 1. Definition of Sexual Harassment and Violence.

1.1 Sexual harassment; definition. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

1.1.1 Submission to that conduct or communication is made a term or condition, either explicitly or implicitly of obtaining or retaining employment, or of obtaining a benefit; or

1.1.2 Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or benefit; or

1.1.3 That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or benefit, or creating an intimidating, hostile or offensive employment or environment.

1.1.4 Sexual harassment may include, but is not limited to:

- a. Unwelcome verbal harassment or abuse;
- b. Unwelcome pressure for sexual activity;
- c. Unwelcome, sexually motivated or inappropriate patting, pinching or physical contact, other than necessary restraint of individual(s) by personnel to avoid physical harm to persons or property;
- d. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or status;
- e. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or status; or
- f. Unwelcome behavior or words directed at an individual because of gender.

1.2 Sexual violence; definition. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in ORC Chapter 2907, et seq. include the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas. Sexual violence may include, but is not limited to:

- 1.2.1 Touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or opposite sex;
- 1.2.2 Coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
- 1.2.3 Coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or

1.2.4 Threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

1.3 Assault; definition. Assault is:

1.3.1 An act done with intent to cause fear in another of immediate bodily harm or death;

1.3.2 The intentional infliction of or attempt to inflict bodily harm upon another; or

1.3.3 The threat to do bodily harm to another with present ability to carry out the threat.

2. Reporting and Investigating Incidents of Sexual Harassment.

2.1 Reporting Procedures

Any person who believes he or she has been the victim of sexual Harassment or violence by a visitor/participant or employee of Rural Water, or any person with Knowledge or belief of conduct which may constitute sexual harassment or violence toward a Visitor/participant or personnel should report the alleged acts immediately to an appropriate Rural Water official designated by these regulations. Rural Water encourages the reporting Party or complainant to use the report form available from the immediate supervisor or available From the Affirmative Action office, but verbal reports shall be considered complaints as well. Nothing in these regulations shall prevent any person from reporting harassment or violence Directly to Rural Water Affirmative Action Officer or the Executive Director.

2.1.1 At Each Department Level. The Supervisor is the person responsible for receiving verbal or written reports of sexual harassment or violence at the Departmental level. Any adult Rural Water personnel who receives a report of sexual harassment or violence shall inform his/her supervisor immediately.

Upon receipt of a report, the supervisor must notify Rural Water's Affirmative Action Officer immediately, without screening or investigating the report. The supervisor may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the supervisor to the Affirmative Action Officer. If the report was given verbally, the supervisor shall personally reduce it to written form within 24 hours and forward it to the Affirmative Action Officer. Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the

supervisor. If the complaint involves the supervisor, the complaint shall be made or filed directly with the Executive Director or Rural Water Affirmative Action Officer by the reporting party or complainant.

- 2.1.2 Administration. The Executive Director hereby designates the Public Information Officer as Rural Water 's Affirmative Action Officer to receive reports or complaints of sexual harassment or violence. If the complaint involves the Affirmative Action Officer, the complaint shall be filed directly with the Executive Director.

Rural Water shall conspicuously post the name of the Affirmative Action Officer(s), including mailing addresses and telephone numbers.

- 2.1.3 Submission of a good faith complaint or report of sexual harassment or violence will not affect the complainant or reporter's future employment, benefits or work assignments.

- 2.1.4 Use of formal reporting forms is not mandatory.

- 2.1.5 Rural Water will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with Rural Water 's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

## 2.2 Investigation

By authority of Rural Water , the Affirmative Action Officer, upon receipt of a report or complaint alleging sexual harassment or violence, shall immediately undertake or authorize an investigation. The investigation may be conducted by Rural Water staff or by a third party designated by the Executive Director.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In determining whether alleged conduct constitutes a violation of these regulations, Rural Water should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of

behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of these regulations requires a determination based on all of the facts and surrounding circumstances.

In addition, Rural Water may take immediate steps, at its discretion, to protect the complainant or personnel pending completion of an investigation of alleged sexual harassment or violence.

The investigation will be completed as soon as practicable. Rural Water Affirmative Action Officer shall make a written report to the Executive Director upon completion of the investigation.

### 2.3 Rural Water Action

2.3.1 Upon receipt of a report, Rural Water will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, discharge or criminal referral. Rural Water action taken for violation(s) of Rural Water policy will be consistent with requirements of applicable State and federal law and Rural Water policies.

### 2.4 Reprisal

2.4.1 Rural Water will discipline or take appropriate action against any visitor/participant or Rural Water personnel (including the Executive Director) who retaliates against any person who reports alleged sexual harassment or violence or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

### 2.5 Right to Alternative Complaint Procedures

2.5.1 These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Ohio Civil Rights Commission and/or initiating civil action or seeking redress under state criminal statutes and/or federal law.

### 2.6 Harassment or Violence as Abuse

2.6.1 Under certain circumstances, alleged harassment or violence may also be possible abuse under Ohio law. If so, the duties of

mandatory reporting under ORC Section 2151.421 may be applicable.

Nothing in these regulations will prohibit Rural Water from taking immediate action to protect victims of alleged harassment, violence or abuse.

3. Dissemination of regulations and training
  - 3.1 These regulations shall be posted in appropriate Rural Water locations.
  - 3.2 Rural Water will develop a method of discussing these regulations with visitor/participants and employees; as well as appropriate training.
  - 3.3 These regulations shall be reviewed at least annually for compliance with State and Federal laws.

**Ohio Rural Water Association  
SEXUAL HARASSMENT AND VIOLENCE REPORT FORM**

General State of Policy Prohibiting  
Sexual Harassment

Ohio Rural Water Association maintains a firm policy prohibiting all forms of discrimination. Sexual harassment or violence against visitors/participants or employees is discrimination. All persons are to be treated with respect and dignity. Sexual violence, sexual advances or sexual harassment by Rural Water personnel and/or visitors/participants, which create an intimidating, hostile or offensive environment will not be tolerated under any circumstances.

Complainant \_\_\_\_\_

Home Address \_\_\_\_\_

Work Address \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

Date of Alleged Incident(s) \_\_\_\_\_

Name of person you believe harassed or was violent toward you or another person \_\_\_\_\_

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used: any verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved, etc. (Attach additional pages if necessary.)

Where and when did the incident(s) occur? \_\_\_\_\_

List any witnesses who were present: \_\_\_\_\_

This complaint is filed based on my honest belief that \_\_\_\_\_  
has harassed or has been violent to me or to another person. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Complainant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received by

\_\_\_\_\_  
Date

**SEXUAL AND OTHER FORMS OF HARASSMENT**

It is the policy of Rural Water that all employees be able to enjoy a work environment free from any form of harassment, including harassment based on race, color, religion, national

origin or sex. Rural Water prohibits any form of harassment of its employees, and appropriate disciplinary action will be taken against any employee engaging in unlawful harassment.

Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. No employee, male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal, non-verbal and/or physical. Sexual harassment refers to behavior that is unwelcome and that is offensive.

If you experience any job-related harassment, promptly report the incident to your supervisor, who will investigate the matter and take appropriate action, including reporting it to the Executive Director. If you believe it would be inappropriate to discuss the matter with your supervisor, report it directly to the Executive Director.

### **SUBSTANCE ABUSE**

Substance abuse will not be tolerated by Rural Water . Rural Water is concerned with the health and safety of its employees, the efficient operation of its facilities, and providing a safe environment for the public. To this end, Rural Water has the following policy:

Rural Water is a drug free workplace. Rural Water shall utilize random drug testing of all employees. All employees of Rural Water shall, as a condition of continued employment, consent to such testing. Failure to submit to such testing is subject to immediate termination of employment. The use, possession, sale, receipt or distribution of alcohol and/or controlled substances while on duty or while on Rural Water property is prohibited. In addition, employees are prohibited from being under the influence of alcohol or controlled substances while on duty or while on Rural Water property. An employee under the influence of alcohol means an employee with a blood alcohol content of .03% or higher. Employees undergoing prescribed medical treatment with a legal drug or controlled substance that might impair behavior or work performance must report this fact to the director of personnel. Otherwise, the presence of any controlled substance or drug as detected by any drug screening test or exam is prohibited. Rural Water retains the right to require a medical release that such employee's ability to work efficiently and safely is not impaired by taking such prescribed drugs. Any employee who violates these rules shall be subject to discipline, up to and including discharge.

Employees convicted of any drug-related crime, whether felony or misdemeanor, shall be subject to discipline, up to and including discharge.

If Rural Water has reason to believe that any employee has violated this policy, Rural Water may require the employee to submit to medical testing for alcohol and/or drug use. Additionally, Rural Water may require employees who are involved in work-related accidents or who receive work-related injuries to submit to testing for alcohol and/or drug use.

### **WEATHER EMERGENCY**

The Executive Director may declare a weather emergency. Employees will be entitled to pay for hours they would have otherwise worked during a period declared a weather emergency.

Tardiness, leaving work early, or failure to report for work on days when weather conditions interfere, but when no emergency has been declared, will be charged to compensatory time, vacation time or as leave without pay at the discretion of the employee's supervisor. Inclement weather cannot be considered as a valid reason for use of sick leave.

### **SAFE WORK ENVIRONMENT POLICY**

Rural Water has an obligation to provide a safe work environment for all employees, guests, and visitors. Every precaution should be taken to ensure that an employee's physical or mental impairment does not pose a threat to the health or safety of other individuals, including employees, guests, and visitors in the work place. It is also the responsibility of the employee to present written documentation from the employee's physician regarding the nature of the illness or injury, the suggested medical protocol, and that the employee's continued presence at work does not pose a health and safety threat to the employee or others. Rural Water may require the employee to see another physician, of Rural Water's choice and at its cost, to confirm that the nature of the employee's illness and medical protocol does not pose a threat to the health and safety of the employee and others.

### **VIOLENCE IN THE WORKPLACE**

Ohio Rural Water Association is committed to maintaining a workplace that is free from violence or threat of violence. Any violent behavior or behavior that creates a climate of violence, hostility or intimidation will not be tolerated, regardless of its origin.

Any form of violence or threat of violence, actual or perceived, by a Rural Water employee, a vendor, or a member of the public, that threatens a Rural Water employee or family member, must be reported. Violent behavior by any employee may result in discipline, including termination. Violence, threats or intimidation from persons outside Rural Water directed at Rural Water employees will be met with an immediate response, including legal action, designed to protect the employee and prevent further incidences.

This policy includes the following behaviors and situations:

1. Violent or threatening physical contact (e.g., fights, pushing, physical intimidation);
2. Direct or indirect threats;
3. Threatening, abusive or harassing phone calls;

4. Possession of a weapon on Rural Water property or on a job site;
5. Destructive or sabotaging actions against Rural Water property;
6. Stalking;
7. Violation of a restraining order;
8. High levels of conflict or tension within a work unit;
9. Threats of suicide.
10. Constant and bickering, friction among employees, disruptive behavior, other actions which undermine moral, discipline or efficiency of operation.

#### Procedure

Any employee can and is encouraged to report concerns or incidents to his or her supervisor, or any supervisor. The incident will be immediately investigated and an incident report completed. The employee may be disciplined in accordance with the employee's behavior and the severity of the incident.

This policy prohibits retaliation in any form against an employee who brings a complaint of violence, intimidation or harassment.

Rural Water supervisors will receive training on recognizing and dealing with violence in the workplace. Rural Water will conduct periodic safety meetings dealing with workplace violence, communication and stress management for all employees.

**COMPLIANCE WITH**  
**IMMIGRATION REFORM AND CONTROL ACT OF 1986**

Determining eligibility for employment under the Immigration Reform and Control Act of 1986.

1. All employees hired after May 31, 1987 must complete and sign an Employment Eligibility Verification form and must submit proof of eligibility for employment by presenting for copy any of the following within three (3) business days of hire:
  - a. U.S. Passport
  - b. U.S. Immigration and Naturalization Service Certificate of Citizenship or Naturalization
  - c. Resident Alien Cards with photographs
  - d. Unexpired foreign passports with valid work authorizations

or any two of the following:

- a. Birth Certificate
- b. Driver's License
- c. Social Security Card
- d. State Identification Card
- e. Any other appropriate identification issued by a government agency

All Employment Eligibility Verification forms and eligibility documentation will be retained in individual personnel records.

In order to comply with Federal law, the following verification of employment eligibility procedures will apply:

**Completion of Form I-9**

The Executive Director or his designee will require persons employed to complete Form I-9's:

1. Persons hired after May 31, 1987 - Form I-9 must be completed within three (3) business days of the date of the hire. If an individual is employed for less than three (3) days, the form must be completed before the end of the employee's first working day.
2. Persons hired between November 7, 1986 and May 31, 1987, Form I-9 must have been completed before September 1, 1987.

The following individuals do not need to complete Form I-9:

1. persons hired before November 7, 1986;
2. persons hired after November 6, 1986, who left your employment before June 1, 1987;

3. persons who provide labor to the District and who are employed by a contractor providing contract services; and
4. persons who are independent contractors.

The Executive Director or his designee is also responsible for re-verifying employment eligibility of employees whose employment eligibility documents carry an expiration date.

Acceptable Documents for Verifying Employment Eligibility

All employees hired after November 6, 1986 will need to provide a document or documents which establish identity and employment eligibility. The following lists identify acceptable documents:

**LIST A**

Documents Which Establish Identity and Employment Eligibility

1. United States passport
2. Certificate of United States Citizenship (INS Form N-560 or N-561)
3. Certificate of Naturalization (INS Form N-550 or N-570)
4. Unexpired foreign passport which:
  - a. contains an unexpired stamp which reads "Processed for I-551. Temporary Evidence of Lawful Admission for permanent residence.
  - b. has attached thereto Form I-94 bearing the same name as the passport and contains an employment authorization stamp, provided that the period of endorsement has not expired and the proposed employment is not in conflict with any restrictions or limitations identified on Form I-94.
5. Alien Registration Receipt Card (INS Form I-151) or Resident Alien Card (INS Form I-551), provided that it contains a photograph of the bearer
6. Temporary Resident Card (INS Form I-688A)
7. Employment Authorization Card (INS Form I-688A)

**LIST B**

Documents Which Establish Identity

1. For individuals 16 years of age or older:
  - a. State-issued driver's license or State-issued identification card containing a photograph; (if the driver's license or identification card does not

- contain a photograph, identifying information should be included, such as name, date of birth, sex, height, color of eyes and address.)
- b. school identification card with a photograph;
  - c. voter's registration card;
  - d. United States military card or draft record;
  - e. identification card issued by Federal, State or local government agencies;
  - f. military dependent's identification card;
  - g. native American tribal documents;
  - h. United States Coast Guard Merchant Mariner card; or
  - i. driver's license issued by a Canadian government authority.

- 2. For individuals under age 16 who are unable to produce one of the documents listed above:
  - a. school record or report card;
  - b. clinic doctor or hospital record; or
  - c. day-care or nursery school record.

#### LIST C

##### Documents Which Establish Eligibility:

- 1. Social Security number card, other than one which has printed on its face "not valid for employment purposes";  
Note: This must be a card issued by the Social Security Administration; a facsimile (such as a metal or plastic reproduction that people can buy) is not acceptable.
- 2. an original or certified copy of a birth certificate issued by a State, county or municipal authority bearing an official seal;
- 3. unexpired INS employment authorization;
- 4. unexpired re-entry permit (INS Form I-327);
- 5. unexpired Refugee Travel Document (INS Form I-571);
- 6. certification of birth issued by the Department of State (Form FS-545);
- 7. certification of birth abroad issued by the Department of State (Form DS-1350);
- 8. United States Citizen Identification card (INS Form I-197);
- 9. native American tribal document; or

10. identification card for use of Resident Citizen in the United States (INS Form I-179).

#### Retention of Employment Eligibility Verification Form (Form I-9)

The Executive Director or his designee must retain Form I-9 for three (3) years or for one year past the end of the employment of the individual, whichever is later. Such forms will be retained in a separate file and shall be considered to be confidential and used only for employment eligibility verification purposes.

#### Preparation of Documents for Inspection

U.S. Immigration and Naturalization Service (INS) or Department of Labor (DOL) officers are required to give employers three days advance notice before an inspection. The Executive Director or his designee will assemble the I-9 forms in preparation for the inspection. Failure to provide the I-9 forms could result in civil money penalties for each employee for whom the form was not completed, retained or presented.

### **ORIENTATION PERIOD**

It is the policy of Rural Water that all new employees shall serve an orientation period of 90 calendar days, commencing with the first day of employment. The purpose of the orientation period is to allow sufficient time to assess the employee's suitability to the position for which hired.

Upon completion of his/her 90 days of employment, an employee will receive, from their direct supervisor, an evaluation. This evaluation will be used to make an employee aware of any deficiencies in performance. Upon completion of 90 calendar days the "end of orientation" evaluation will be completed and reviewed with the employee.

Should an employee's performance be found unsatisfactory at any time during the orientation period, that employee may be removed at any time during the orientation period regardless of whether that employee has received his/her 90 day evaluation.

Similarly, every employee shall serve an orientation period of 90 calendar days upon promotion to a higher position in order to assess the employee's suitability for the higher level. If the employee's performance is considered unsatisfactory, the Rural Water, in its sole discretion, may reduce the employee to the position formerly held if that position is still available, may offer the employee an alternative position or may terminate the employee from the Rural Water.

Notwithstanding anything to the contrary, at all times during and after the orientation period, the employment relationship between the employee and the agency is on an at-will basis consistent with federal laws and the laws of the State of Ohio and the employment relationship

between the employee and the Rural Water may be terminated by either the employee or Rural Water at any time.

### **WORK WEEK**

Generally, the standard work week for full-time employees is forty (40) hours, five (5) days of eight (8) hours. However, the Executive Director, through his department supervisors, may assign an irregular work schedule because of the work the unit performs or because of weather conditions.

The payroll week begins on Sunday at 12:01 a.m. and ends on Saturday at 12:00 midnight for all employees.

The standard work week for temporary employees is less than 40 hours.

### **HOURS OF WORK**

In general, the hours of work are from 8:00 a.m. until 4:00 p.m. with one-half hour for lunch. However, daily starting times may vary from department to department upon the approval of the Executive Director. Employees are informed by their supervisors as to the details of their hours of work.

### **OVERTIME**

- (a) On occasion an employee may be required to work more than the normal number of working hours in the official work period.
- (b) For employees who are covered by the overtime provisions of the Fair Labor Standards Act (FLSA), the policy of the Association is to grant equal time off during the same forty hour work week for the authorized hours worked in excess of the normal numbers of working hours.
- (c) All overtime services by employees covered under FLSA must be authorized in advance by the Executive Director and approved by the employee's supervisor. The Association's official policy pursuant to FLSA, for compensating eligible, authorized overtime hours worked is as follows.

In the event it is not possible to grant equivalent time off during the same work week in which the overtime was worked, the supervisor will make every effort to give the employee equivalent time off within the same pay period; and only if neither of these methods of compensation is possible will the Association pay the employee one and one-half times the number of overtime hours worked at the employee's regular hourly rate.

Executive, administrative, and professional employees who are exempt from the overtime provisions of the Fair Labor Standards act (FLSA) are expected to render necessary and reasonable overtime services with no additional compensation. This overtime may be used as a factor in granting or denying paid leave other than vacation or sick leave.

Casual labor employees and salaried non-exempt employees are subject to the overtime provisions of FLSA, and must be compensated for all work over forty hours per week. Each Association job description shall designate whether that employee is hired in a classification that is covered by or is exempt from the overtime provisions of FLSA.

### **ATTENDANCE**

Employees' jobs are important to the day-to-day operations of Ohio Rural Water Association. Thus, punctuality and regular attendance are essential for efficient operation. Employees are aware of their assigned work schedules and are expected to be at their working area in plenty of time to go to work as scheduled. Absence or tardiness without permission will not be condoned, and will subject employees to disciplinary action.

If employees must be absent because of illness or some other legitimate reason, they are required to call the office and notify the receptionist or office manager or other supervisory personnel before the start of work on the day of absence. Unless otherwise stipulated by their department supervisor, field employees shall give such notification before 7:45 a.m.; for office personnel and all other employees, such notification shall be made before 8:15 a.m.. See also Sick Leave.

It is also very important that employees be on time for work (including reporting back to work on time after lunch and breaks). Lateness can disrupt the work of a department and place an added burden on fellow workers.

### **DAILY LOGS AND LEAVE FORMS**

Employees should be certain that their daily logs and leave forms are properly filled in, and should remember that an improperly completed time card can only delay proper payment. Daily logs and leave forms can only be completed by each respective employee. Under no circumstances can a time card or leave form be filled out or otherwise marked by anyone other than the respective employee.

A summary time sheet maintained by the Administrative Department shows cumulative figures of compensatory time, earned sick leave and vacation days balances. Every full-time employee will be appraised of his status at the close of each quarter.

### **REST PERIODS**

Ohio Rural Water Association realizes that it may be important for job efficiency that certain employees take a rest period during their working day, one in the morning and one in the

afternoon. The times of the rest periods will vary, depending on the employee's work location and job responsibilities. Employees having questions should ask their supervisors about rest periods and their times.

### **RESIGNATION/EXIT INTERVIEW**

Two weeks' notice is requested from any employee who decides to terminate employment. This notice should be submitted in writing to the employee's supervisor, with a copy to the Executive Director.

### **VOLUNTARY RESIGNATION**

When an employee of Rural Water is absent without approved leave for three (3) consecutive work days and fails to give proper excuse or notice of the reasons for such absence, it shall be construed as a voluntary resignation. Notification of a voluntary resignation will be sent to said employee by certified mail.

### **REHIRING OF EMPLOYEES**

No person will be hired who has been previously employed by Rural Water until the department head where the person worked has been notified. The former department head and the potential department head will discuss the issue and determine whether rehire is in the best interests of Rural Water .

### **GRIEVANCE PROCEDURE**

In an effort to establish the smoothest possible working relationship among the employees of Rural Water , the following guidelines are established for settling grievances.

Basically, we feel that a grievance is the dissatisfaction which an employee feels when he believes, rightly or wrongly, that he has not been treated fairly concerning his seniority, hours of work, vacation and holiday eligibility and other related terms or conditions of employment, or when he believes a mistake has been made in the administration of a rule, plan or a policy. This procedure is not intended and is not applicable where an employee has been discharged from employment, regardless of cause.

If you have a grievance, discuss it first with your immediate supervisor on an informal basis; if you cannot solve your problem, request your supervisor to make an arrangement to discuss this with the Executive Director. Every effort will be made among these persons to settle the problem satisfactorily. The administration is committed to the following step by step procedure if the informal one suggested here has not resolved the problem or complaint.

### **PROBLEM RESOLUTION PROCEDURES**

Personnel problems and grievances should be resolved at the supervisor level as discussed above whenever possible. In the event an employee feels he/she has received unfair or

questionable treatment in any aspect of personnel administration, he/she may also follow these procedures for resolution of the problem:

1. The employee shall discuss the problem with his/her immediate supervisor. Unresolved problems shall be submitted in writing to the next level of supervision by both the supervisor and employee within three (3) working days of initial supervisor conference.
2. If an acceptable solution cannot be reached at the next level of supervision, the reviewer shall submit the written materials to the Executive Director. The Executive Director shall provide a written decision resolving the issue to all parties within ten (10) days of its receipt.
3. Decision's of the Executive Director in matters of personnel administration, including termination of employment, shall be final.

Nothing herein shall be interpreted as preempting Rural Water's right to invoke disciplinary action without delay.

Nothing herein shall preclude an employee from exercising his/her Federal or State statutory rights.

### **PERSONNEL RECORDS**

Personnel files shall be maintained for all employees of the agency and shall include:

1. Applications for employment, to include:
  - a. any letters of reference and related documentation
  - b. written results of interviews
  - c. results of any tests given the applicant
  - d. related correspondence
2. Resume.
3. Verification of credentials, educational history and professional experience if required for the position.
4. Written job offering letter (including signed acceptance).
5. Certification or licenser information.
6. Signed job description form.
7. Copies of all payroll forms, to include:

- a. medical and health insurance deductions form for full-time employees
  - b. life insurance deduction form for full-time employees taking optional insurance
  - c. United Way deduction form
  - d. State tax forms
  - e. Federal tax forms
  - f. garnishments and related materials
  - g. copy of retirement system application (if applicable)
  - h. job salary form
8. Performance evaluations, to include special evaluations and incident reports and notations.
  9. Signed letters of commendation or complaint.
  10. Documentation of disciplinary actions.
  11. All status and position changes, and accompanying materials.
  12. Verification of newly-obtained degrees and licenses.
  13. Personnel history form.
  14. Written materials related to termination, and letters of references to prospective employers.
  15. A confidentiality statement signed by the employee.

Access to personnel records.

1. Requests for access to personnel records should be directed to the Executive Director.
2. Employees are not allowed access to another employee's personnel file except in the following circumstances:
  - a. The payroll officer has access to any payroll-related information in the employee file.
  - b. The employee's supervisor has access to previous evaluations when completing an employee's performance evaluation.
  - c. The Executive Director has access to all materials in personnel files for purposes of determining such things as compensation, changes in an employee's status or position, or any other matter relating to personnel administration.

- d. Human Resources personnel shall have access to all materials in personnel files necessary for the completion of their duties.
3. Consultants and agents of governing or accreditation bodies shall have access to files as needed, but only after appropriate "release of information" forms have been signed.

It shall be the responsibility of each employee to notify Rural Water of required changes to his/her personal records. Example of such changes are: change of name, change in number of tax withholding exemptions, changes in highest level of education attained, etc.

Anonymous letters or materials shall not be placed in an employee's file or become a matter of record.

No part of any personnel file may be removed from the file.

Personnel records and the information therein shall be treated as confidential. Any employee making unauthorized disclosure of any information contained within personnel files may be discharged immediately.

#### **DISCIPLINARY ACTION**

**THIS POLICY SHALL NOT BE CONSTRUED OR INTERPRETED AS LIMITING RURAL WATER'S RIGHT TO TERMINATE AN EMPLOYEE CONSISTENT WITH THE AT-WILL EMPLOYMENT RELATIONSHIP. THIS POLICY SHALL NOT BE CONSTRUED OR INTERPRETED AS REQUIRING PROGRESSIVE DISCIPLINARY STEPS PRIOR TO TERMINATION. NOTHING CONTAINED HEREIN SHALL CONFER ANY RIGHT TO EMPLOYMENT OR RIGHT TO A PARTICULAR DISCIPLINARY PROCESS.**

Formal disciplinary action for unacceptable behavior or action **may** include, but is not limited to, nor bound by, written warnings, recorded conferences, suspension with or without pay, or termination of employment. Formal disciplinary action is discretionary with the Executive Director. Any form of disciplinary action shall be made a part of the employee's permanent personnel record.

Termination means a permanent separation from employment with Rural Water. The Executive Director shall have sole authority to terminate an employee's employment. The Executive Director may delegate the issuance of a termination notice to the employee's supervisor.

Suspension is an involuntary and temporary separation from active service with the agency. Suspension may be with or without pay as circumstances warrant and as determined by the Executive Director. A suspended employee shall not be allowed on Rural Water premises

without the approval of the Executive Director. Rural Water shall not be obligated to return a suspended employee to work prior to termination.

**Examples of Unacceptable Behavior.** (Not to be considered an exhaustive list.)

1. Incompetency.
2. Inefficiency.
3. Discourteous, abusive, malicious, threatening or intimidating treatment of others.
4. Reporting for work under the influence of alcohol or drugs.
5. Neglect of the duties of the position.
6. Un-excused tardiness or absences without reasonable cause.
7. Immoral or illegal conduct on Rural Water property.
8. Insubordination.
9. Deliberate unauthorized destruction of property.
10. Falsification of any records or information required by Rural Water or by the job.
11. Theft of property (accomplished or attempted).
12. Possession of firearms on Rural Water property.
13. Assault or other physical confrontations.
14. Unapproved and non work related activities on Rural Water premises.
15. Any breach of professional ethics including the unauthorized release of confidential information.
16. Any other acts of misfeasance, malfeasance, or non-feasance.
17. Conviction of a crime involving moral turpitude.
18. Act committed against the best interest of the agency.
19. Client abuse or neglect including, but not limited to, violations of appropriate standards of care, breaches of client rights, acts jeopardizing client care and inappropriate personal relationships with clients.

## **DISCRIMINATION COMPLAINT PROCEDURES**

Any individual who believes he/she has been discriminated against because of race, color, sex, national origin, age, religion, disability, or handicap in any phase of job placement or employment provided by Ohio Rural Water Association, may bring his/her complaint to the Public Information Officer. If the individual has not submitted the complaint in writing, the Public Information Officer will assist the individual in writing the complaint.

The Public Information Officer will inform the complainant that he/she can also file the complaint with the Ohio Civil Rights Commission (OCRC) or the Equal Employment Opportunity Commission (EEOC). This will be done when the complaint is filed. The Public Information Officer will also explain the complaint procedure to the complainant.

Within twenty days of the complaint, the Public Information Officer will meet individually with each person involved in the complaint.

Within twenty-eight days of the complaint, the Public Information Officer will meet together with all persons involved and come to a resolution.

Within thirty days of the complaint, this resolution will be submitted in writing to the complainant and the Executive Director.

If the complainant is not satisfied with the resolution, the Public Information Officer will take the complaint to a Hearing Committee, which committee shall be made up of selected members of the Personnel Committee as designated by the President or Chairman of the Board.

Within forty days of the complaint, the Hearing Committee will meet with all individuals involved in the complaint individually to have a hearing and make resolution.

The Executive Director will maintain adequate records to indicate the determinations made and the actions taken as a result of the complaint. Employees may appeal to Ohio Civil Rights Commission or Equal Employment Opportunity Commission within 180 days.

The time lines established herein are an optimum, the Public Information Officer may extend said deadlines to more fully complete an investigation of the complaint.

Nothing herein shall preclude the Public Information Officer and Rural Water from involving outside consultants or legal counsel to assist in the completion of an investigation.

## PUBLIC RELATIONS

All publicity which is in any way associated with Rural Water shall be cleared with the Executive Director or his designee.

All press releases shall be submitted to the Executive Director for approval prior to their release.

All inquiries from the media with respect to Rural Water or its operations shall be directed to the Executive Director.

## TELECOMMUNICATION USAGE

Rural Water telephones, cellular telephone, email and other electronic communications are intended for official business only. Personal phone calls should be kept to a minimum.

## NETWORK INTERNET USE POLICY

### POLICIES

Information network resources are made available to the Rural Water's staff to improve communications and information exchange with employees, tenants and others and to provide a communication, information and research resource. While Rural Water encourages the use of information network resources to improve communications, certain restrictions are necessary to avoid improprieties and ensure that established standards are met. To reduce potential liability, the risk of inappropriate use, and possible adverse public perceptions, Rural Water personnel shall use the Rural Water provided, Network, Internet, and on-line services for ***official Rural Water business purposes only***. Rural Water information network resources, including email, are not to be used for entertainment, or for illegal, harassing, or libelous purposes.

All employees shall use the Internet system and E-Mail in a responsible manner. Use of this electronic information resource is a privilege, not a right.

All computer equipment are for business purposes only. The use of computer equipment for regular personal reasons shall be prohibited. Computer equipment may not be used for video games, private chat rooms or similar entertainment endeavors.

### PROCEDURE FOR USE

- (1) Ohio Rural Water Authority provides employees with access to the Internet for the purpose of fulfilling the Rural Water's mission of serving the Rural Water's clients. Uses are to be related to the operations of Rural Water.

- (2) The Rural Water E-Mail accounts are owned by Rural Water and therefore are not private. Rural Water retains the right to review, audit, intercept, access and disclose all messages created, received, or sent over this electronic mail system as necessary. Passwords and all other methods of restriction shall not be used or put in place without express written approval of the Executive Director and then only upon the filing of the password or other restriction with the Executive Director.

## RULES

- (1) Employees shall:

- Use computing equipment, software, and network access in a manner consistent with appropriate Rural Water policies.
- Be aware of and abide by copyright and licensing laws.
- Be sensitive to the security/safety issues related to publishing names, addresses and pictures on the Internet is critical.
- Log off the internet as soon as finished.

- (2) Employees shall not:

- Interfere with the ability of others to make effective use of Rural Water's computing and network resources.
- Allow anyone else, including family members, to use their accounts.
- Use any form of obscene, harassing, racist, sexist or abusive language or behavior online.
- Send messages using someone else's name.
- Use the Internet for personal gain or for more than occasional personal use including the sending of personal messages.
- Read mail or delete, copy, or modify files created by others without permission from your supervisor, or other person designated as being responsible by Rural Water.
- Intentionally access Internet sites containing hate materials.
- Forge or attempt to forge electronic mail messages.

## USER RESPONSIBILITY

The content and maintenance of a user's electronic mailbox is the user's responsibility.

- (1) Check E-Mail regularly.
- (2) Delete unwanted messages immediately because they take up storage space.
- (3) Keep messages remaining in your electronic mailbox to a minimum.

- (4) Never assume that your E-Mail is private. Others may be able to read or access your mail. Never send or keep anything that you would not mind seeing on the evening news.
- (5) Report any misuse of the E-Mail system to your supervisor immediately upon discovery.

PERSONAL USE OF THE INTERNET

As with telephones, photocopiers, fax machines, and other technology supplied by Ohio Rural Water Association, *use of the Internet is for business purposes only* and must be conducted in compliance with Rural Water’s policies.

HARASSMENT, DEFAMATION AND INVASION OF PRIVACY

Downloading and displaying or disseminating materials which may be considered by some people to be racist, sexist, defamatory or otherwise offensive, or which may invade another person’s privacy, may constitute harassment by creating a hostile work environment. This is no different from telling racial jokes or displaying a “pin-up” calendar in the office. Such actions are expressly forbidden. Moreover, they may subject both you and the Authority to legal action.

Downloading or viewing of materials of a racist, sexist, defamatory or otherwise offensive nature, or which constitute an invasion of another person’s privacy, is **STRICTLY PROHIBITED**. All such materials and actions are subject to Rural Water’s harassment policies.

VIOLATIONS OF POLICY

While all Rural Water employees serve on an “at will” basis, employees are expressly advised that violations of these procedures or rules will result in appropriate disciplinary action up to and including written reprimand, suspension without pay, and discharge.

This is to acknowledge that I have read and understand the above policies regarding the use of Rural Water’s Corporate Network and Internet systems. I understand that failure to follow such provisions could lead to severe disciplinary action including suspension and termination.

THIS DOCUMENT WILL BE PLACED IN YOUR PERSONNEL FILE.

By: \_\_\_\_\_

Date: \_\_\_\_\_

## **EMPLOYEE COMPENSATION**

It is the policy of Ohio Rural Water Association that employees be fairly and adequately compensated for work performed consistent with its budget and fiscal policies. To ensure this, the Executive Director shall review employee compensation annually using the following guidelines:

1. Each position will have a written job description which clearly state the range of compensation for that position.
2. Each position shall be classified as clerical, paraprofessional, professional, administrative or management.
3. Rural Water shall periodically obtain appropriate and current salary surveys for guidelines or consideration in establishing the various ranges of compensation.
4. Job descriptions and compensation ranges may be modified from time to time as warranted by market forces.

All individuals subject to the Fair Labor Standards Act shall be paid overtime in accordance with the Act. Overtime will be paid to eligible employees for work in excess of eight (8) hours per day, forty (40) hours per week.

Compensation increases are not automatic. Compensation increases may be based on merit, performance, re-evaluation of existing duties or cost-of-living adjustments and will be subject to existing budgetary constraints. The Executive Director shall approve all compensation increases.

## **PAY PERIODS**

Field Staff employees are paid monthly. Office Staff employees are paid bi-weekly.

## **TRAVEL EXPENDITURES**

Reasonable expenses incurred by employees for meals and lodging on trips for Rural Water business are reimbursed by Rural Water . All such trips must be approved in advance by the Executive Director. Receipts are required for all expenditures. Meals other than overnight trips are not reimbursable unless a meal is a required part of authorized conference registration or has been approved in advance by the Executive Director. Each trip will be documented separately stating purpose of travel, and include the date and time of departure and return, and other required information for re-imbursement. No reimbursement shall be made without proper documentation of the expense. No purchases in excess of \$300.00 shall be made without a

formal requisition and management approval. All employees are given a company credit card for travel expenses; hotel, airfare, transportation, office supplies, and other needed items for the Association. No personal charges shall be incurred to the Association credit cards.

## **TRAINING AND CONTINUING EDUCATION**

### **GENERAL**

The employees of Rural Water are encouraged to continue their higher education efforts and recognizes the continuing education requirements of the professional staff.

Each division and/or program of the agency shall have an established budget to assist the staff in their training and continuing education efforts.

Training and continuing education programs should be provided on an in-house or in-system basis whenever possible; however, when in the best interest of Rural Water and consistent with identified needs, staff may participate in training education activities external to Rural Water. Participation by staff in such activities shall be consistent with the recognized need to supplement or develop their knowledge in a given area, and must be approved by the Executive Director.

All new employees shall be provided with sufficient orientation training by their supervisors with respect to the responsibilities and requirements of his/her position. All new employees shall be provided an introduction to the specific activities of this agency and to the general activities of the system.

The Executive Director shall monitor and assess the need for education and/or training activities consistent with the needs of Rural Water and its staff.

### **SEMINARS, CONFERENCES AND CONVENTIONS**

Within budgetary constraints, employees may be permitted to attend professional seminars, conferences and conventions related to their position and the operations of Rural Water and at the cost of Rural Water.

All requests to attend seminars, conferences and conventions shall be made at least two weeks in advance on a form approved by the Executive Director and submitted to the supervisor for approval. The request shall include the total anticipated cost of the request. The supervisor shall forward the request to the Executive Director. The Executive Director, after approval or disapproval, shall return the request to the supervisor, for further processing.

The requesting employee, after receiving approval of the requested program, shall be responsible for making any registration, travel and lodging arrangements for the requested program.

Reimbursement of expenses and payment of wages/salaries for seminars, conferences and conventions shall be governed by the following procedures:

1. If the employee's attendance has been requested by Rural Water or if attendance has been requested by the employee and it has been determined that attendance is in the best interests of the agency, as determined by the Executive Director, reimbursement of expenses shall be granted. Full-time employees shall be paid their hourly rate during the attendance of the program and will be paid their hourly rate for all necessary travel time outside of their normal working hours.
2. If the employee's attendance has been requested by the employee and it has been determined by the Executive Director to be for the personal/professional growth of the employee versus the needs of Rural Water the reimbursement of expenses shall be limited to the following:
  - a. Tuition and associated course material.
  - b. Travel and transportation costs.
  - c. Lodging if necessary.
  - d. Full-time employees will be required to use their accrued vacation time, if any, during the period of time requested to attend the program including travel days, if applicable. Part-time employees shall not be compensated during the period of time requested to attend the program including travel days, if applicable.

### **EXPENSE REIMBURSEMENT**

When necessary for an employee to use his personal vehicle for Rural Water business, an allowance of the current mileage rate shall be paid to the employee by Rural Water upon submission of a proper statement prescribed by Rural Water. No reimbursement shall be made without proper documentation of the expense.

Employee must have approval from supervisor before using personal vehicle for Rural Water business. No purchase in excess of \$300.00 shall be made without formal requisition and management approval.

### **EMPLOYEE PERFORMANCE EVALUATIONS**

Employees, after the satisfactory completion of his/her Orientation Period, shall receive a performance evaluation, on a form approved by the Executive Director, at least annually.

During an employee's Orientation Period, the employee shall receive a performance evaluation after 90 days. The final evaluation in an employee's Orientation Period shall indicate whether the employee is recommended for continued employment.

An employee's written performance evaluation shall be completed by the employee's direct supervisor. The Executive Director shall approve the written performance evaluation prior to its submission to the employee.

The supervisor shall discuss the performance evaluation with the employee and provide the employee with an opportunity to respond to the performance evaluation in writing.

Each performance evaluation will have clearly defined goals for the next performance period.

Any noted areas of deficient performance shall be discussed openly with the employee. The supervisor and employee shall develop a plan for performance improvement to be attached to the performance evaluation. Repeated or continued deficient performance may subject the employee to disciplinary action including, but not limited to, termination.

The original of the written evaluation will be retained in the employee's personnel file. A copy of the written evaluation will be provided to the employee by the supervisor.

### **HOLIDAYS**

Rural Water employees are entitled to 10 paid holidays annually. These holidays are:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
President's Day	Veterans' Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

Holidays falling on Sunday will be observed on the following Monday. Those falling on Saturday will be observed on the preceding Friday.

### **SICK LEAVE**

All full-time employees are entitled to sick leave. Sick leave is earned at a rate of 1 day (8 hours) for every Month (160 hours) paid.

Sick leave is an important benefit and must not be used for personal time off. It could assure you of continuing your income during a prolonged illness. It is a privilege and must not be abused.

So that Ohio Rural Water Association will be able to properly schedule an employee's work in his absence, notification must be made to the employee's: (1) immediate supervisor, or (2) division head, or (3) to the main receptionist (if the first two persons are not immediately available) by 8:15 a.m. each day that the employee is out ill.

Employees must complete a sick leave verification form immediately upon return to work and submit it with their time card at the end of the work week. If sick leave is taken for four (4) or more consecutive work days, a physician's statement is required.

Abuse of sick leave by patterned usage, failure to notify of intended use, fraudulent action, unauthorized use, and excessive use, failure to produce required medical statement or other abuses of the established policy will result in denial of sick leave and possible disciplinary action, including termination of employment.

Unused sick leave may be accumulated without limit. Employees will be paid for no more than 30 days unused sick leave upon retirement. Vacation and sick time are earned while an employee is on paid sick leave status. Holidays are not counted in the reporting of paid sick leave.

### **VACATIONS**

All full-time employees will be eligible for vacation after completing one year of service with Ohio Rural Water Association. Part-time employees are not eligible for vacation leave. Accrual of vacation is as follows:

After 6 months	1 week
After 1 year	2 weeks
After 5 years	3 weeks

Up to 10 vacation days (2 weeks) can be cumulative (carried over) to the next year, but must be used in that year or they will be lost. Employees are required to provide a carry over request for the days they wish to carry over to the Executive Director for approval and a copy of the request is to be placed in their personnel file. This request should be filed no later than February 1<sup>st</sup>.

### **RETIREMENT SYSTEM**

Each employee will receive retirement benefits as provided by the applicable State of Ohio retirement system.

### **HEALTH INSURANCE**

Ohio Rural Water Association provides group hospitalization and medical payment coverage for all full-time employees. Dental benefits or a dental benefit option shall be provided. Benefits are limited to coverage as outlined in the summary plan descriptions provided by the current health insurance provider(s). Personnel are not eligible for fringe benefits unless they are normally scheduled to work on average 20 hours per week.

Premiums for said coverage are borne by the agency and employees and are subject to change without notice. The plan, premiums and employer/employee cost shall be reviewed at least annually.

***Rural Water reserves the right to change the provider of medical and dental coverage without notice to employees.***

Upon termination of employment or other qualifying event, all employees who have health care benefits have the right to continue identical health care coverage through COBRA for up to 18 months following the qualifying event.

The option to continue participation in their health care plan (COBRA) will be provided to all employees at the qualifying event. If the employee chooses not to continue health care, coverage will be canceled the last day of employment.

If a qualifying employee, or any specified beneficiary, elects this continuation option, he/she will assume the full monthly cost for hospitalization insurance plus a 2% administrative fee. It will be the employee's or beneficiary's responsibility to make the necessary arrangements for these monthly payments with the Human Resources department representative. If the required payment is not paid on the due date, the insurance will automatically be canceled without notice.

Qualifying events for an employee or beneficiary include termination of employment, death of the covered employee, a reduction in a covered employee's hours of employment, the divorce or legal separation of the covered employee becoming entitled to Medicare coverage, or the cessation of dependent child coverage under the terms of our health coverage plan.

With respect to widows/widowers, divorced spouses, spouses of Medicare - eligible employees, and dependent children who become ineligible for coverage under the plan, the continuation option applies for a thirty-six (36) month period. All other coverage must be provided only for an eighteen (18) month period.

Employees eligible for the agency health insurance plan who are already covered by another plan outside of the agency may elect to not participate in the agency-sponsored plan and receive a \$100.00 per month, payable quarterly, "opt-out payment." The employee shall provide the agency with proof of current health coverage at the time of the election.

Pursuant to the Health Insurance Portability Act of 1996 (HIPAA), a Certification of Credible Coverage will be sent to any employee and/or dependant that cancels or loses their medical insurance, as well as any employee that terminates employment.

### **WORKERS' COMPENSATION**

An employee sustaining a work-related injury or illness while working for Rural Water must notify his supervisor immediately to report an injury. If necessary, seek immediate medical

attention. Notify your immediate supervisor if you need to go to the hospital. Your supervisor, if necessary, can make arrangements to transport you to a hospital. Be sure to tell the hospital staff that your injury is work-related. They will probably have Workers' Compensation claim forms, which you must fill out completely. If you go to a doctor's office instead of a hospital and the doctor does not have workers' compensation claim forms, request same from the Administrative Service Manager at Rural Water headquarters.

After having previously given the verbal report to your supervisor, report your injury to the Administrative Services manager within 24 hours. Explain when, how and where the accident happened; include any important details and provide names of any witnesses, and the name of the hospital or doctor. Specify the type of injury (such as sprain, cut or broken bone) and the parts of the body affected. The forms required to be filled out are: Statement of Witness, Statement of Injured Employee, Accident Investigation Report and Authorization for Release of Medical Information.

The medical provider sends your claim form to Rural Water for completion. It may take six (6) to eight (8) weeks for the Ohio Bureau of Workers' Compensation to assign a claim number which will be sent to your home address and to Rural Water. Give this claim number to any hospital, doctor, ambulance service, radiologist, pharmacist, or anyone who administers medical aid to you for a work-related injury or illness. With this number, the medical personnel can send their bills directly to the Ohio Bureau of Workers' Compensation for payment. If you are receiving medical bills but have not received a claim number, contact the Administrative Services Manager for assistance.

The Ohio Bureau of Workers' Compensation may take up to 120 days to pay a bill. Most doctors and hospitals expect this delay in payment. The Bureau will notify you of payments made on your claim, and will send you a notice if a hearing is scheduled.

These procedures assist Rural Water in properly processing your workers' compensation claim as quickly and efficiently as possible. If you have any questions concerning Workers' Compensation, contact the Administrative Services Manager of Rural Water headquarters.

### **FUNERAL LEAVE - IMMEDIATE FAMILY**

A regular full-time employee shall be granted a leave of absence with pay in the event of the death of his immediate family:

1. If the funeral is within 100 miles of employee's residence – three (3) working days.
2. If the funeral is more than 100 miles from the employees residence – five (5) working days.

To be eligible for funeral leave, an employee must provide a written request to the Executive Director and must attend the funeral. The failure to do so or a misrepresentation of facts shall be proper cause for disciplinary action (including dismissal).

Immediate family includes the employee's spouse, children, mother, step-mother, mother-in-law, father, step-father, father-in-law, brother, step-brother, sister, step-sister, grandparents, legal guardians, foster parents, legal dependents, loco-parentis (persons who stand in the place of parents).

### **DISABILITY LEAVE**

After the completion of an employee's Orientation Period, a physically incapacitated employee may request a leave of absence, not to exceed six months inclusive of accrued sick and vacation time, provided that the employee is:

1. Hospitalized or institutionalized;
2. On a period of convalescence following hospitalization or institutionalization, authorized by a physician at the hospital or institution; or
3. Is declared incapacitated by a licensed physician, for the performance of the duties of their position. The cost of such examination shall be paid by the employee.

Any portion of this leave which does not utilize accrued sick and/or vacation time shall be unpaid. An employee on unpaid leave may exercise their COBRA rights.

At the discretion of Rural Water, the employee returning from disability leave may be returned to the position formally held or to a similar position if the employee's former position no longer exists or is no longer available. If no similar position exists the employee shall be terminated by the agency.

The provisions of the Americans with Disabilities Act of 1990, if applicable, shall supercede any provision in this Policy that is inconsistent with the requirements of that law.

### **MATERNITY LEAVE**

A three-month leave of absence will be granted to an employee upon birth of her baby. An employee may use any of her accrued sick leave and vacation leave before going on an unpaid leave of absence. This is the maximum leave allowed and includes paid and unpaid leave after the birth. If an employee desires time off prior to the baby's birth, she may take the maximum three months as noted above, but it will be without pay, unless her doctor requires her to be off for medical reasons.

While on unpaid leave of absence, all benefits cease. The employee's anniversary date will be adjusted forward to compensate for an unpaid leave of absence. An employee may request an extension of maternity leave from the Executive Director if unusual circumstances exist.

## **MILITARY LEAVE**

All employees of Rural Water who are members of the Ohio National Guard, the Ohio Defense Corps, the Naval Militia, or other reserve components of the Armed Forces of the United States are entitled to leave of absence from their respective duties with pay for such time as they are in the military service on field training or active duty. Supervisor must be notified at least two (2) weeks prior to military leave unless such leave is emergency in nature. There will be no compensation for weekend training.

## **COURT LEAVE OF ABSENCE**

Ohio Rural Water Association will grant court leave with full pay when an employee is summoned for jury duty by a court of competent jurisdiction, when an employee is subpoenaed to appear before any court, commission, board or other legally constituted body authorized by law to compel the attendance of witnesses, where the employee is not a party to the action, or when an employee is in an active pay status is an appellant in an action before the State Personnel Board of Review.

Any compensation or reimbursement received by an employee for jury duty or for court attendance compelled by subpoena, when such duty is performed during normal working hours, shall be submitted to the Administrative Department for transmittal to the General Fund of Rural Water.

February 25, 2021  
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**Adopted by the ORWA Board of Directors  
May 16, 2006  
Noted in Minutes**

***Policies reviewed and adopted with changes by the ORWA Board of Directors  
June 25, 2009  
Noted in Minutes***