

**RESOLUTION P2017-05**

**RESOLUTION REVISING SYMMES TOWNSHIP PERSONNEL POLICY  
MANUAL ARTICLE IV EMPLOYEE BENEFITS**

**WHEREAS**, Article IV of the Symmes Township Personnel Manual states all of the employee benefits for full-time and part-time regular employees of the Township; and

**WHEREAS**, the Township Administrator is recommending changes to the existing policies to make Symmes Township more competitive and on an equal playing field as all the other Townships and the Board of Trustees have reviewed and discussed these changes in a work session; and

**WHEREAS**, the Board of Township Trustees of Symmes Township, Hamilton, County, Ohio wishes to revise Section A Health Related Insurance, Section B Short-Term Disability and Life Insurance, Section C Physical Examinations, Section D Paid Vacation, Section E Personal Days, Section F Sick Leave, Section I Parental/Adoption Leave, Section H Family Medical Leave, Section I Military Leave, Section J Absence Without Leave, Section K Unpaid Leave of Absence, Section L Jury Duty & Witness in Court Leave, Section N Retirement Benefits, Section O Expense Reimbursement, Section P Uniforms/Shoes, Section O Park Shelter Privileges, and Section R Longevity Pay.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Symmes Township, Hamilton County, Ohio:

**Section 1.** That all other sections that have been previously adopted are hereby revised.

**Section 2.** That the Symmes Township Personnel Policy Manual shall be adjusted to reflect the change adopted herein per Attachment A.

**Section 3.** That Section A Health Related Insurances, Section E Paid Vacation, and Section F Personal Days be effective retroactively to January 1, 2017 and that all employees eligible receive the additional one week of vacation (for all employees who have 15 years or more of government service) and two personal days. If any employees have already used a personal day, then only 1 additional day will be given for 2017.

**Section 4.** That all office personnel shall receive reimbursement for their purchases made for pants to comply with the new uniform policy up to \$150.00 the first year.

**Section 5.** Upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.

**Section 6.** This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

**Section 7.** Finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and any of its committee that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without limitation) Ohio Revised Code §121.22, except as otherwise permitted thereby.

**ADOPTED AUGUST 1, 2017 – RESOLUTION P2017-05**

Vote Record: Mr. Beck \_\_\_\_ Mr. Bryant \_\_\_\_ Mrs. Leis \_\_\_\_

**BOARD OF TRUSTEES:**

\_\_\_\_\_  
Jodie L. Leis, President

\_\_\_\_\_  
Kenneth N. Bryant, Vice-President

\_\_\_\_\_  
Philip J. Beck, Trustee

**ATTEST:**

\_\_\_\_\_  
Carol A. Sims, Fiscal Officer

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kevin McDonough, Law Director

**ARTICLE IV: EMPLOYEE BENEFITS**  
**SECTION A: HEALTH RELATED INSURANCE**  
**EFFECTIVE DATE: 4/92**  
**REVISION DATE: 10/01, 9/10, 4/11, 8/1/2017**

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**PURPOSE:**

To state what health related insurance plans are available to regular full-time and part-time regular employees of the Township.

**POLICY:**

The Township shall provide, ~~at no cost,~~ to regular full-time and part-time regular employees medical and dental insurance programs selected by the Township. All enrollments are subject to the rules of the health and dental insurance companies. For a complete description of medical and/or dental insurance benefits, please review your policies. Insurance is to be applied for at the time of hire and it is the employee's responsibility to obtain all necessary forms from and return them to the Township Administrator.

Full-time ~~and part-time regular~~ employees may enroll in any plan provided by the Township on ~~their first day of work, first day of the month following their date of hire.~~ Information and enrollment forms may be obtained from the Township Administrator.

The Township shall not be required to provide any medical, dental or other insurance policy to a part-time regular employee if the part-time regular employee does not meet the required standards set forth by the insurance policy, such as number of hours worked.

Who Is Covered

An "individual" contract covers only the employee. An "employee spouse" contract covers the employee plus their spouse. An "employee child" contract covers the employee and their child or children. A "family" contract covers the employee, spouse and all eligible dependents. To determine who is an eligible dependent, review your policies.

Coverage for Adult Child Dependent

Adult Child Dependent – Adult dependent children are permitted by Ohio Law to remain on their parent's health care plan in accordance with Ohio Law. A child of an employee who is no longer eligible for health insurance because of reaching the age of 19 or no longer in an accepted educational program up to the age of 24. As of, July 1, 2010 new Ohio legislation allows adult children up to the age of 28 to be added to an employee's health plan if the adult child is:

- A natural child, stepchild or adopted child of the employee,

- ~~A resident of the state of Ohio OR a full-time student at an accredited public or private institution of higher education;~~
- ~~Unmarried;~~
- ~~If employed, not offered any health insurance by their employer;~~
- ~~And not eligible for Medicaid or Medicare~~

~~If you wish to cover an adult child, please check with the Township Administrator. An additional premium may be required.~~

~~If there is an additional cost for the adult dependent child to join the employee's policy, the employee will be subject to a payroll deduction for that amount to ensure timely payment to the insurance company.~~

~~If the employee is in a high deductible insurance program, the Township will not pay any increase in the deductible caused by a change in classification as a result of the adult dependent child joining the employee's policy.~~

#### Reporting Changes in Status

Changes in eligibility may occur if there is a marriage, separation, divorce, birth, adoption, or death in the family or if a child reaches the age on which they are no longer covered by the group health policy. It is the responsibility of the employee to submit, in writing to the Township Administrator, all changes in eligibility, as well as changes in name, address or other information necessary to keep insurance records accurate.

#### Health Savings *Reimbursement* Account Contributions

For employees participating in a Symmes Township sponsored high deductible health insurance plan, the Township shall ~~deposit into each employee's Health Savings Account (HSA) an amount equivalent to the annual deductible for that employee's plan, subject to the established contribution limits for "Adult Child Dependents"~~ ***provide a health reimbursement account for each employee and their family. Those amounts shall be determined by the Township Trustees each year based on the deductible.***

~~The deposit into the employee's HSA account shall occur on a quarterly basis during each quarter during their employment.~~

The ~~deposit~~ ***reimbursement account*** may be subject to modification by the Board of Trustees and limits that may be imposed by the plan administrator.

~~The Township Administrator in his/her discretion may accelerate up to one year of HSA contributions annually upon a demonstration of hardship and a showing of need by an employee.~~

**ARTICLE IV.**

**EMPLOYEE BENEFITS**

**SECTION B:**

**SHORT-TERM DISABILITY & LIFE INSURANCE**

**EFFECTIVE DATE:**

**4/92**

**REVISION DATE:**

**10/01, 8/1/17**

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**PURPOSE:**

To state what disability and life insurance is available to regular full-time employees of the Township.

**POLICY:**

Full-time ~~and part-time, regular~~ employees are eligible for short-term disability and life insurance. **Short Term Disability** Coverage is for non-occupational disabilities only. **Employees must exhaust their sick leave and other accrued leave before receiving short term disability benefits.** Benefits begin on the first day **thereafter in case of an** ~~for~~ accident and **on the** eighth day **thereafter in case of** ~~for~~ sickness.

These benefits are subject to policy limitations and may not exceed the amount in the schedule or two-thirds of the employee's regular weekly base salary, whichever is less. Benefits are payable up to 26 weeks. Benefits terminate at retirement. ~~Maternity~~ **Disability based on the birth of a child** is included. The cost of this insurance is fully paid by the Township.

An eligible employee must provide us with written notice including a doctor's certificate stating the nature of the disability and the expected date of return to work. Disability insurance information may be obtained from the Township Administrator.

~~We will continue to provide~~ **All Full-Time employees are eligible for COBRA benefits during the disability period and the township will continue to pay for** medical insurance coverage for employees on authorized disability leave for the month during which the leave begins. When the above period expires, you may continue your medical insurance coverage by making arrangements with the Township Administrator to pay the appropriate monthly premium in advance each month.

You must inform us when you are able to return to work. Upon return, you must bring a doctor's certificate stating that you are physically able to return to your normal duties. We reserve the right to require a physical examination by a physician of our own choosing prior to your resumption of duties.

We will make reasonable efforts to return you to the same or similar job as held prior to the leave of absence, subject to our staffing and business requirements. Your continued absence from work beyond your disability, as determined by your physician, will be deemed a voluntary termination of your employment.

**ARTICLE IV. ~~EMPLOYEE BENEFITS~~**

**SECTION C: ~~PHYSICAL EXAMINATIONS~~**

**EFFECTIVE DATE: ~~4/92~~**

**REVISION DATE: ~~10/01~~**

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**PURPOSE:**

~~To state what benefit an employee is entitled to in relation to physical examinations.~~

**POLICY:**

~~All full-time employees are eligible to receive one complete physical examination each year. The Township shall reimburse any costs incurred that are not covered by the employee's health insurance. This benefit is fully paid by the Township.~~

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION C: PAID HOLIDAYS**

**EFFECTIVE DATE: 10/01**

**REVISION DATE: 12/03**

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**PURPOSE:**

To state what days are approved paid holidays for Township employees.

**POLICY:**

Below is a list of paid holidays for Symmes Township:

January 1	New Year's Day
January, 3 <sup>rd</sup> Monday	Martin Luther King's Birthday
February, 3 <sup>rd</sup> Monday	Presidents' Day
May, last Monday	Memorial Day*
July 4 <sup>th</sup>	Independence Day*
September, 1 <sup>st</sup> Monday	Labor Day*
October, 2 <sup>nd</sup> Monday	Columbus Day
November 11	Veterans' Day
November, 4 <sup>th</sup> Thursday	Thanksgiving Day*
November, 4 <sup>th</sup> Friday	Day after Thanksgiving
December 25 <sup>th</sup>	Christmas Day*

*\*Family holidays*

If the holiday falls on a Saturday, it will be observed on Friday; if a holiday falls on a Sunday, it will be observed on Monday.

Full-time and part-time regular employees are eligible for paid holidays immediately upon hire.

Part-time regular employees are eligible for holiday pay in proportion to the number of hours they normally would be scheduled to work.

Holidays listed above marked by the asterisk (\*), are considered family holidays. When a non-exempt (hourly) employee is required to work any of the above days that are not designated as a family holiday, the employee shall receive holiday premium pay for each hour worked in addition to any regular rate pay the employee was due for the holiday. Holiday premium

pay shall be at a rate of one and one half (1½) times the employee's hourly rate; family holiday pay shall be at a rate of two (2) times the employee's hourly rate.

Illness occurring during a holiday counts as a holiday and cannot be charged against sick leave.

Premium time, holiday premium pay, family holiday pay and overtime may not be pyramided.

**ARTICLE IV: EMPLOYEE BENEFITS**

**SECTION D: PAID VACATION**

**EFFECTIVE DATE: 4/92**

**REVISION DATE: 12/00, 3/01, 10/01, 11/13, 8/1/17**

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**PURPOSE:**

To state the amount of paid vacation that may be earned by a regular full-time employee and a part-time regular employee (non-seasonal).

**POLICY:**

Full-time and part-time, regular employees are eligible for paid vacation time in accordance with the following schedule:

- After six months, five days of vacation;
- After one year, five additional days of vacation;
- After two years, 10 days of vacation;
- After five years, 15 days of vacation;
- After ten years, 20 days of vacation;
- After fifteen years, 25 days of vacation.

Credit for years of prior service with another government for purposes of determining the number of vacation days available per annum to employees will be given. ~~This credit will only be used to determine up to 15 days of an employee's vacation.~~

~~Full time regular employees will be eligible for 20 days of vacation after 10 years of continuous employment with Symmes Township.~~

Part-time regular employees will receive vacation pay in proportion to the number of hours they normally would be scheduled to work.

Vacation is calculated according to the employee's anniversary date. After the first six months of employment, vacation time will ~~accrue~~ be available to each employee on the employee's anniversary date per the above schedule.

Requests for vacation should be submitted in writing at least two weeks in advance to the supervisor. When possible, vacation periods will be assigned in accordance with employee requests, taking operating requirements into account. Generally speaking, length of employment determines priority when scheduling vacation times if vacation is submitted at the same time, but all employees shall work together to provide the proper coverage needed at the time.

Up to two weeks of vacation time may be carried over into the New Year. No more than two weeks of vacation may be taken at one time. Employees should be aware of special working

situations where their absence would be detrimental and attempt to avoid vacation requests for those times.

Employees will be paid for any earned but unused vacation upon termination.

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION E: PERSONAL DAY**

**EFFECTIVE DATE:** 4/92

**REVISION DATE:** 10/01, 01/02, 12/05, 8/1/17

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**PURPOSE:**

To state the guidelines for earning and using personal days.

**PRE JANUARY 1, 2002 POLICY:**

Full-time and part-time, regular employees are eligible for ~~one~~ two (2) paid personal days each year after one year of service with the Township.

The two (2) personal days ~~is calculated according to your anniversary date~~ will be available to each employee on January 1 of each year thereafter.

Part-time, regular employees are eligible for the personal day in proportion to the number of hours they normally would be scheduled to work.

Requests for a personal day must be given to your supervisor for approval at least five working days prior to the requested day off. Requests for time off given to the supervisor less than five days prior to the date requested may be turned down.

The personal day may not be carried over to the following year.

Employees will not be paid for an earned but unused personal day upon termination.

**POST JANUARY 1, 2002 POLICY:**

~~Full time and part time, regular employees hired after January 1, 2002 will earn and use personal days as outlined below:~~

~~Full time and part time, regular employees shall be allowed to earn personal days for good attendance. An employee who does not use sick leave or who is not on unpaid leave of absence, in any four month period, will be granted eight hours extra time off for each four month period, not to exceed 16 hours or two personal days per calendar year. Each four month period begins with the first day of the month and ends with the last day of the fourth month.~~

~~Each earned personal day must be used within 12 months from the date earned and may be taken at any time, after earning such day, with reasonable notice in writing (use "Leave Request forms), and approval of the employee's department head. Any earned personal days, not used within 12 months from the date~~

~~earned, will not be carried over and will be considered, for all intents and purposes, used by the employee. Unused personal days shall not be paid upon separation.~~

~~Full time and part time, regular employees earning a personal day as outlined in the “Pre January 1, 2002 Policy” may choose to switch to the “Post January 1, 2000 Policy.” Once an employee chooses to switch to the “Post January 1, 2000 Policy” they may not switch back. A request for switch policies must be done in writing, addressed to the Township Administrator.~~

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION F: SICK LEAVE**

**EFFECTIVE DATE: 4/92**

**REVISION DATE: 10/01, 11/3/15, 12/16**

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**PURPOSE:**

To state the method of accumulating sick leave and leave of absence days for regular full-time and part-time regular employees of the Township.

**POLICY:**

Full-time and part-time, regular employees will receive 12 days per year; said days to incrementally accrue at the rate of one day per month in active pay status, including paid vacations and sick leave, but not during a leave of absence without pay, lay-off, disciplinary suspension, or while in overtime status.

Part-time, regular employees are eligible for sick days in proportion to the number of hours they normally would be scheduled to work.

Employees will not be paid for any unused sick days. However, if you do not use your sick days during the year, you may carry them into the following year. The total accrual of sick days may not exceed 180 days, with a Board buy-back of 50% of accumulated days upon an employee's retirement from Township service after a period of 10 years of employment with the Township. An employee is deemed to have retired if approved for a payment under a qualified retirement plan in accordance with the provisions of the Ohio Public Employees Retirement System. The rate of payment of unused sick leave is to be at the rate of pay in effect at the time of retirement and such payment shall only be made once to any employee.

A regular full-time or regular part-time employee may use sick leave for the following purposes:

1. In case of the employee's own illness, injury, or exposure to contagious disease.
2. To attend to members of the employee's immediate family, whose illness or injury requires the care of the Employee.
3. Medical, dental or optical examination or treatment of employee or a member of his immediate family, which requires the presence of the employee, and which cannot be scheduled during non-working hours.

Sick leave may not be used for routine childcare that does not fall into the guidelines of sick leave usage.

The term “immediate family” shall include mother, father, brother, sister, child, spouse, grandparent, grandchild, mother-in-law, father-in-law, legal guardian, or other person who stands in the place of a parent (loco parentis), or other relative residing in the same household as the employee. An employee who takes sick leave because of the illness of a family member(s) may be required to submit a doctor’s certificate.

The Township Administrator may require reasonable evidence to support a claim for sick leave and may, in case of absence for more than three consecutive working days, require a doctor’s certificate to justify the absence.

When an employee is required to have a doctor’s certificate, it will be the responsibility of the employee to see that said certificate is submitted to the department head on the day the employee returns to work, but no later than the day following their return to work. Failure to submit such certificate may result in the employee not being paid for the sick days involved.

An employee shall request approval for all sick leave by submitting a Request for Time Off form either before the requested days when possible or immediately following his/her return to work.

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION G: FUNERAL LEAVE**

**EFFECTIVE DATE: 4/92**

**REVISION DATE: 10/01**

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**PURPOSE:**

To state the number of days allowed for an employee to take off in the case of a death of a family member.

**POLICY:**

Time off for funeral leave is granted separately. Full-time and part-time regular employees are eligible up to three working days of paid funeral leave in the event of the death of an immediate family member.

For purpose of this policy the “immediate family” is defined as only: mother, father, brother, sister, child, spouse, grandparent, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, sister-in-law, brother-in-law, legal guardian or other person who stands in place of the employee’s parent (loco parentis), or other relative residing in the same household as the employee.

Employees are required to make arrangements with their supervisor prior to taking the leave time as a requirement for compensation.

**ARTICLE IV. ~~EMPLOYEE BENEFITS~~**

**SECTION I: ~~PARENTAL/ADOPTION LEAVE~~**

**EFFECTIVE DATE: ~~10/01~~**

**REVISION DATE:**

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**PURPOSE:**

To state the length and conditions of parental/adoption leave for a permanent full-time employee.

**POLICY:**

Should a regular full-time employee of the Township require time off from work for the birth or adoption of a child/children, such leave shall be granted once per pregnancy or adoption. Said leave will be without compensation and may not exceed three months. Reinstatement of the employee shall be made if the employee desires to return to the employee's position with the Township.

Sick leave may only be used during or after a period of pregnancy when it is determined that the employee is unable to work due to illness, hospitalization, or other conditions which are determined by a doctor to be harmful to the employee. The employee may be required to provide written certification before sick leave is approved.

Approval of Parental/Adoption Leave and sick leave usage for pregnancy/adoption is at the discretion of the Board of Trustees.

Approved Parental/Adoption Leave shall be substituted for requested FMLA leave.

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION H: FAMILY MEDICAL LEAVE**

**EFFECTIVE DATE: 10/01**

**REVISION DATE: 8/1/17**

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**PURPOSE:**

To state the length and conditions of leave under the Family Medical Leave Act of 1993 for a regular full-time and part-time regular employees.

**POLICY:**

~~eligible employees are entitled to a total of 12 work weeks of leave during any 12-month period for one or more of the following reasons:~~

- ~~A. For the birth of a son or daughter of the employee during the child's first year of life.~~
- ~~B. For the placement of a son or daughter with the employee for the adoption or foster care during the first 12 months after placement and when the son or daughter is under 18 years of age or, if 18 years of age or older, is incapable of self care because of disability.~~
- ~~C. To care for the spouse, son or daughter, or parent of the employee, if such spouse, son, daughter or parent has an illness, injury impairment or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility, or that involves significant continuing treatment by a licensed medical doctor, osteopathic physician or other bona fide legitimate provider of recognized efficacious medical care.~~
- ~~D. Because of the inability of the employee to perform the functions of his or her position due to the employee's illness, injury, impairment or a physical or mental condition involving inpatient care in a hospital, hospice or residential medical care facility or that involves significant continuing treatment by a licensed medical doctor, osteopathic physician or other bona fide legitimate provider of recognized efficacious medical care.~~

~~In order for employees to be eligible for leave under the Family Medical Leave Act (FMLA), they must have:~~

- ~~• Worked for at least 12 months by the employer from whom leave is requested; and~~

- ~~Worked for at least 1,250 hours of service with that employer during the previous 12-month period.~~

### Substitution of Paid Leave

~~The 12 work weeks of leave allowed by the FMLA are unpaid leave days. An eligible employee may elect, or the employer may require the employee, to substitute any accrued paid vacation leave, personal leave, or parental/adoption leave for any part of the 12 weeks of leave if leave is requested for reasons A, B or C. If leave is requested under reasons C or D because of a serious health condition, the employee may elect to, or the employer may require the employee to substitute any accrued vacation leave, personal leave, injury leave or sick leave for the 12 weeks of leave. Symmes Township does require that all leave as defined above will be substituted for FMLA days first.~~

### Procedure for Requesting and Granting Leave

~~Employees are required to submit leave of absence requests as far in advance as possible. In case of leave-causing events that are foreseeable, the employee must provide the Township with a request for leave not less than 30 days in advance of the foreseeable event or occurrence.~~

~~When leave is requested for invalid care or employee illness as defined in A or B above, Symmes Township will require, as a condition of granting leave, adequate documentation of the medical facts claimed by the employee as the basis for requesting leave. The employee shall submit to Symmes Township, a completed Request for Time Off form and attach a legible report that provides:~~

- ~~1. The identity, specialty, address, telephone number, and state professional license number of the health care provider signing the report;~~
- ~~2. The exact medical diagnosis of the condition for which the leave of absence is requested;~~
- ~~3. The date of onset, progress summary of the condition, and the probable duration of the condition to the best of the physician's knowledge with reasonable medical certainty;~~
- ~~4. Medical facts of the condition, including the objective and subjective signs and symptoms, test results, and or X-ray findings which form the basis of the diagnosis and prognosis, medical condition, and in the case of illness of the employee, a description of the specific job functions of the employee which would be impaired by the medical condition;~~

- ~~5. A competent opinion describing the nature of, frequency of and duration of the time required of the employee to provide necessary care for the invalid subject of the leave request;~~
- ~~6. If the leave request involves intermittent leave for planned medical treatment, an opinion setting forth the nature of the treatment, the dates upon which it will be rendered, the duration of the treatment, and the probable convalescent time after the treatment;~~
- ~~7. In the event that the employee is unable to obtain the above information within 10 days after the date of submission of the leave request, the employee may be granted leave temporarily upon execution by the employee of an authorization in favor of Symmes Township to obtain directly from the medical providers involved, the information set forth above.~~

### Second Opinions

~~If, upon receipt of the information set forth above in paragraph 7, Symmes Township has reason to doubt the validity of competency of the information provided, Symmes Township may require the employee to submit to an independent examination by a health care provider designated by Symmes Township and paid by Symmes Township.~~

~~In the event of disagreement between the employee's health care provided and the health care provider designated by Symmes Township, Symmes Township may require review by a third health care provider designated or approved jointly by Symmes Township and the employee. The cost of the third opinion will be borne by Symmes Township, and the third opinion will be final as to the facts known at the time of the review.~~

~~Symmes Township may require subsequent evaluation on a reasonable basis as the medical condition progresses or develops.~~

### Return from Leave

~~An eligible employee who takes leave of absence will be entitled, on return from such leave, and having complied with the requirements of Symmes Township as conditions of the leave, to be restored to the position held by the employee at the beginning of the unpaid leave or an equivalent position with equivalent benefits and pay.~~

~~Symmes Township will ordinarily require, in the case of an employee returning from leave due to his or her own illness, appropriate documentation from the employee's physician certifying that the employee is in fact capable of returning to full performance of the essential functions of his or her job.~~

### Benefits During Leave

Vacations do not accrue during the period of leave. However, during the period of leave, Symmes Township shall maintain the employee's group health coverage under the terms, conditions, contributions, and costs that would have applied had the employee not taken a leave of absence. In the event that Symmes Township changes insurance companies or plans during the period of leave, the employee on leave will be treated in the same manner as an employee actively at work having the same medical conditions and dependents.

In the event that an employee fails to return from leave after the period of leave to which the employee is entitled has expired and fails to return for a reason other than the continuation, reoccurrence or onset of a serious health condition entitling the employee to leave under items C & D, or for circumstances clearly beyond the control of the employee, Symmes Township may recover the premium paid by Symmes Township for maintaining health coverage for the employee during the period of unpaid leave.

### Family Medical Leave Act (FMLA) of 1993

A copy of the FMLA of 1993 is on file in your department and in the Personnel office. It is recommended that a thorough review of the FMLA of 1993 be made before requesting such leave by the requesting employee.

### *Family and Medical Leave Act Policy*

*Eligible employees who work for Employer can take up to 12 weeks of unpaid, job protected leave in a 12-month period under the Family and Medical Leave Act ("FMLA"). Symmes Township follows the FMLA and the applicable regulations promulgated by the U. S. Department of Labor in administering this leave. In brief, FMLA leave may be taken for the following reasons:*

- 1. The birth of a child or placement of a child for adoption or foster care;*
- 2. To bond with a child (leave must be taken within one year of the child's birth or placement);*
- 3. To care for the employee's spouse, child, or parent who has a qualifying serious health condition;*
- 4. For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job; or*
- 5. For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.*

An eligible employee who is a covered service member's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the service member with a serious injury or illness.

An employee does not need to use this leave in a single block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule basis.

Symmes Township calculates FMLA leave based on a rolling 12-month period, and not on a calendar year or other basis.

Employees are required to use any available accrued paid leave concurrently with their FMLA leave.

Symmes Township will continue an employee's health insurance coverage while they are on FMLA leave as if the employee was not on leave.

Upon return from FMLA leave, most employees will be restored to the same job, or one nearly identical to it with equivalent pay, benefits and other employment terms and conditions.

Symmes Township will not interfere with an individual's FMLA rights or retaliate against someone for using, or trying to use, FMLA leave. Employer will also not retaliate against anyone for opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

To be eligible for FMLA leave, an employee must have worked for Employer for at least 12 months, and have worked at least 1250 hours in the 12 months before taking leave.

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the Township as soon as possible and, generally, follow the Township's usual procedures with respect to taking leave.

To support a request for FMLA leave, employees do not have to share a medical diagnosis, but must provide enough information to the Township so it can determine if the leave qualifies for FMLA protection. Symmes Township utilizes Department of Labor forms for Certification of Healthcare Provider, Notice of Eligibility, Designation Notice, and the like. If a Certification of Healthcare Provider is incomplete, the Township will notify the employee in writing what additional information is required. Once the Township becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the Township will notify the employee if they are eligible for FMLA leave and, if eligible, provide a Notice of Rights and Responsibilities under the FMLA. If the employee is determined to not be eligible for FMLA leave, the Township will provide a reason for the ineligibility. Symmes Township will also notify

*employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.*

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION I: MILITARY TRAINING LEAVE**

**EFFECTIVE DATE: 10/01**

**REVISION DATE: 8/1/17**

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**PURPOSE:**

To state the regulations concerning a leave of absence for military training.

**POLICY:**

~~An employee of the Township shall be granted a leave of absence to be inducted or otherwise enter military duty. If not accepted for such duty, the employee shall be reinstated to their current position. Regular full time employees not accepted for such duty shall be reinstated to their current position without loss of seniority, or reduction in their rate of pay. During such leave of absence, the employee shall, for all intents and purposes, be considered as having rendered service and as having received the current regular rate of pay.~~

~~The Township shall not refuse to employ nor shall it discharge any person because of membership with the Ohio National Guard, the Ohio Defense Corps, the Ohio Naval Militia, the Armed Services of the United States or their auxiliaries, or such other service as are specified in Section 124.29 of the Ohio Revised Code, or prevent the employee from performing any military service as the employee may be called upon to perform by proper authority.~~

**Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absences taken by members of the uniformed services, including Reservists, National Guard members for training, periods of active military service, and time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.**

**1. Procedures for Military Leave**

- a. Unless military necessity prevents it, or is otherwise impossible or unreasonable, an employee should provide the Township with notice of the need for leave as far in advance as is reasonable under the circumstances. Written notice is preferred, but not required.**
- b. Employees on temporary or extended military leave may, at their option, use any or all accrued paid vacation or personal leave during their absence.**

- 2. Health Insurance and Other Benefits While on Leave – If an employee is absent from work due to military service, health insurance coverage can be continued as follows:**
- a. An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins. The employee must pay, per pay period, the premium normally paid by the employee.**
  - b. After the initial 31 day period, the employee and covered dependents can continue group health insurance up to 24 months at 102% of the overall (both employer and employee) premium rate. Be sure to elect your coverage and make the required payments in a timely manner to continue your coverage.**
  - c. Employees do not accrue vacation, personal leave or sick leave while on military leave of absence status.**
- 3. Reemployment – Upon an employee’s prompt application for reemployment (as defined below), an employee will be reinstated to employment in the same or similar position in which the employee has been employed prior to military service. In order to be eligible for reemployment, employees who have engaged in military service must apply for reemployment in accordance with the following timeframes:**
- a. If service is less than 31 days – the employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the employee’s residence.**
  - b. If service is for 31 days or more but less than 181 days – the employee must apply for reemployment no later than 14 days following the completion of service.**
  - c. If service is over 180 days – the employee must apply for reemployment no later than 90 days following the completion of service.**

**Upon an employee’s application for reemployment , the Township may request that the employee provide military discharge documentation to establish the timeliness of the application for reemployment, the duration of the military service, and the honorable discharge from the military service.**

**Employees returning from military service may not be eligible for reemployment under any of the following circumstances:**

- a. Failure to apply for reemployment in a timely manner;**
- b. A change in the Township’s circumstances that would make**

reemployment impossible, unreasonable, or an undue hardship;

c. The employee's employment prior to military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period; or

d. The employee did not receive an honorable discharge from military service.

4. Benefits Upon Reemployment – Employees returning from military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed by the Township. An employee's time spent on active military duty will also be counted toward eligibility for FMLA leave.

5. No Discrimination or Retaliation – The Township is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the Township's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership or in obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or this policy. If any employee believes that he or she has been subjected to discrimination or retaliation in violation of this policy, the employee should immediately report such belief to the employee's supervisor or Human Resources.

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION J: ABSENCE WITHOUT LEAVE**

**EFFECTIVE DATE: 4/92**

**REVISION DATE: 10/01, 8/1/17**

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**PURPOSE:**

To state what actions will be taken by the Township when an employee is absent without leave.

**POLICY:**

Any Township employee, who is to be absent from work for any reason, should make every effort to contact their immediate supervisor, prior to such absence. If contact with the supervisor cannot be made, the employee should contact the office of the Township Administrator to make notification of their absence.

Failure to notify your supervisor or the Township Administrator of an absence and/or failure to provide timely notice or a legitimate excuse for tardiness may result in disciplinary action being taken against the employee. Such failures shall be considered unexcused absences.

An employee who is absent from work for a period of ~~more than~~ three days, without notifying the Township, shall be considered separated from the Township service **and will be terminated at the end of the 3<sup>rd</sup> business day**. If a reasonable excuse for such actions is presented after separation, the employee may be reinstated at the discretion of the Township Administrator.

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION K: UNPAID LEAVE OF ABSENCE**

**EFFECTIVE DATE: 10/01**

**REVISION DATE: 8/1/17**

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**PURPOSE:**

To state the rules concerning unpaid leaves of absence.

**POLICY:**

A regular full-time ***and regular part-time*** Township employee may be granted a leave of absence, without pay, for a period not to exceed 12 months. Such leaves may be granted for advanced study, or other purposes which will serve the interest of the Township. The Board of Trustees shall determine whether or not a request for such leave is in the interest of the Township.

The Board of Trustees upon recommendation from the Township Administrator may authorize leaves of absence without pay. An employee shall not earn vacation, personal or sick leave while on a leave of absence without pay.

~~Should an eligible employee request unpaid leave under the provisions of the Family Medical Leave Act (FMLA) of 1993, any earned paid leave and other requested unpaid leave will be substituted for the FMLA unpaid leave first.~~

**ARTICLE IV.**

**EMPLOYEE BENEFITS**

**SECTION L:**

**JURY DUTY & WITNESS IN COURT LEAVE**

**EFFECTIVE DATE:** 4/92

**REVISION DATE:** 10/01, 8/1/17

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**PURPOSE:**

To state the procedures for paying a regular full-time or regular part-time employee while on jury duty or while being a witness in court. ***This policy does not apply if you are the party involved in court (i.e. the one being sued or involved in an accident).***

**POLICY:**

Full-time and part-time regular employees, who are compelled to serve on, or testify before, a grand or petit jury shall be compensated the difference between the employee's regular pay and the court payment, if any, received by the employee for her/his services as a juror or witness (as a direct result of Township employment). Employees must provide the Township with a copy of the payment records from the court in order to be compensated.

Any employee required to provide such services shall, as soon as reasonably possible, provide his/her immediate supervisor with notice of the existence of the subpoena or summons and the date and nature of the required court appearances. In fairness to the Township, you are expected to return to work at the earliest reasonable time following the termination of judicial duties.

**ARTICLE IV.**

**EMPLOYEE BENEFITS**

**SECTION M:**

**EDUCATION/TRAINING**

**EFFECTIVE DATE:**

**4/92**

**REVISION DATE:**

**10/01, 7/05, 3/08**

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**PURPOSE:**

To provide the guidelines and regulations on continuing education and training for employees of the Township.

**POLICY:**

In order to encourage professional development, our Township offers a tuition assistance program to eligible employees who complete college or other educational courses with a passing grade or a certificate of completion if no grade is provided for the course.

To participate in this program you must be a full-time or part-time, regular employee who has completed one year of employment or who is approved or directed by the Board to participate in this program.

College or other educational tuition assistance must be submitted and approved prior to registration for the course. The employee, after presenting documentation to the Township Administrator demonstrating satisfactory completion of the course, will be reimbursed for fees or tuition costs as specified in this policy.

The Township shall not pay/reimburse for the costs of college textbooks or supplies. Educational tuition assistance reimbursement may not exceed \$5,000.00 per calendar year per employee. The Township shall only pay/reimburse for the cost of one course per semester/quarter. A part-time, regular employee will be reimbursed proportional to his/her percentage of regular hours scheduled during a normal work week of 40 hours. For example, a part-time, regular employee scheduled to work a 30-hour work week will be reimbursed 75% of their cost for tuition.

For job related education and/or training assisted by the Township Administrator or the Board of Trustees, the Township will pay for the following expenses:

- Registration/course fees
- Travel and meal expenses as set forth in Article IV, Section Q of this manual
- Manuals and supplies included in registration fees

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION N: RETIREMENT BENEFITS**

**EFFECTIVE DATE: 4/92**

**REVISION DATE: 10/01, 12/05, 8/1/17**

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**PURPOSE:**

To state the requirements of the retirement system employed by the Township.

**POLICY:**

An employee of the Township is required to become a member of the Ohio Public Employee's Retirement System (PERS).

State law shall establish the Township's and employee's contributions.

Benefit payments vary in amount, depending on a member's final average salary, length of public service and age at the time of retirement. Credits for service in the military and other public service will be allowed as mandated by the specific retirement systems.

Further information may be obtained from the Administrator's office or OPERS.

The Township participates in the "OPERS Pick-Up Plan". This plan permits the employee's PERS contribution to be excluded from gross income of each Township employee until these amounts are distributed or made available through the retirement program.

**ARTICLE IV.**

**EMPLOYEE BENEFITS**

**SECTION 0:**

**EXPENSE REIMBURSEMENT**

**EFFECTIVE DATE:**

**10/01**

**REVISION DATE:**

**8/1/17**

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**PURPOSE:**

To provide regulations and guidelines for reimbursement for Township employees incurred while conducting Township business and to provide regulations and guidelines for Expense Reimbursement while attending a seminar/conference as an employee of Symmes Township.

**POLICY:**

The Township will reimburse employees for authorized expenses incurred for Township business while on the job. You should check with your supervisor before incurring any out-of-pocket expenses.

Prior approval for all seminars/conferences is required. Attendants should submit a Conference/Travel Request form to the Township Administrator.

The Board of Trustees shall consider the following items for reimbursement:

Lodging

Lodging for a seminar/conference is usually specified in the registration information. The Township shall reimburse for the cost of lodging in the motel/hotel for the days of the conference only ***that are pre-approved***. Should extensive travel time be required to attend the seminar/conference, the Township will reimburse for the cost of the evening prior to the day of the meeting ***where the mileage to the seminar exceeds 75 miles***. Whenever the lodging is at the discretion of the attendant and a choice of hotels is given, the Township Administrator shall approve the lodging prior to registration.

Telephone Calls

Telephone calls shall be reimbursed as follows:

- Calls to attendant's home
- Call to the Township offices
- Calls approved by the Township Administrator

Meals

All meals shall be reimbursed ***up to the per diem rates set by the IRS each year. Alcohol shall be excluded from reimbursements.***

Travel Expenses

Travel expenses shall be reimbursed as follows:

- Personal automobile mileage shall be reimbursed at the prevailing Internal Revenue Service (IRS) rate **where odometer readings are provided (start/finish)**.
- When it is impractical for the attendant to drive, the cost of a single coach airline ticket shall be reimbursed. Every attempt should be made to obtain the least expensive fare while still arriving and departing at a reasonable time.

#### Miscellaneous

Other expenses shall be reimbursed as follows:

- The Township will reimburse all parking costs for the attendant's automobile, whether personal or rental.
- The attendant will be permitted to rent an automobile at the seminar/conference site provided reasonable justification can be given for the use of a rental car. All rental cars shall be pre-approved by the Township Administrator.
- **Any expenses incurred by any of the Township employees for Township business where the Township credit card was not available.**

Reimbursement requests for eligible expenses incurred during the seminar/conference must be submitted on an appropriate travel expense voucher along with receipts/vouchers for each expense.

The Fiscal Officer or his/her designee will review all ~~travel~~ expense receipts before reimbursement. **All reimbursements for expenses shall be made to the Township employees within a timely manner.**

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION P: UNIFORMS/SHOES**

**EFFECTIVE DATE: 4/92**

**REVISION DATE: 10/01, 4/17, 8/1/17**

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**PURPOSE:**

To state the policy for Township supplied uniforms to employees.

**POLICY:**

The Township will provide appropriate uniforms to qualified employees at no charge. Proper care of these uniforms is required.

The Township will allow administrative employees to wear township uniforms with the proper slacks, capris or skirts that are khaki, black, grey, white or blue in color. A Symmes Township shirt, blazer or sweater must be worn at all times during the week. The Township will allow the administrative employees to wear denim jeans on Fridays as long as a Symmes Township shirt is worn with it. Prohibited pants materials shall include: leotards, yoga pants, stretch pants, leggings, jeggings, casual shorts or pants with any type of print material on them.

Uniforms, accessories and nametags issued by the Township must be returned in good condition upon leaving the Township. Full-time employees who voluntarily or involuntarily leave the employment of the Township within six months after being equipped with initial uniform apparel shall have the costs of that apparel deducted from their final payroll check(s), or shall be billed for such costs, at the discretion of the Township.

The Township will provide qualified employees the cost of one pair of safety shoes each year as needed up to an amount to be determined by the Township Administrator.

**The Township will provide a reimbursement up to \$150.00 to all employees who have purchased pants to comply with the new uniform policy.**

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION Q: PARK SHELTER PRIVILEGES**

**EFFECTIVE DATE: 10/01**

**REVISION DATE: 8/1/17**

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**PURPOSE:**

To define park shelter privileges for full-time and/or part-time regular employees and to encourage employees to exceed expectations in their efforts of maintaining the parks.

**POLICY:**

Non-resident full-time and/or part-time regular employees shall be permitted to reserve a shelter at one of the many Township parks in compliance with the following restrictions:

- Shelters may not be reserved before January 1<sup>st</sup> of each season;
- The employee may either post the required \$100 deposit or agree to have all cleaning and/or damage costs removed from their pay;
- This privilege may only be exercised one time a season;
- The employee must be present at the shelter;
- Any employee may not trade or give this shelter reservation privilege to any other employee.

An employee found to be abusing this shelter reservation privilege ~~might~~ **may** forfeit any and/or all future privileges **at the discretion of the Township Administrator.**

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION R: LONGEVITY PAY**

**EFFECTIVE DATE: 1/02**

**REVISION DATE: 12/04, 8/1/17**

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**PURPOSE:**

To state the conditions for and amounts of longevity pay to a full-time and part-time regular employee of the Township.

**POLICY:**

Longevity pay shall be established paid to regular full-time employee of the Township in the following manner:

- Employees who have completed five years uninterrupted service shall receive a payment of \$250.00;
- Employees with more than five years of uninterrupted service shall receive \$25.00 for each year in excess of five years, in addition to the \$250.00 base;
- Employees who have completed 10 years uninterrupted service shall receive a payment of \$500.00;
- Employees with more than 10 years of service shall receive \$25.00 for each year in excess of 10 years, in addition to the \$500.00 base;
- Employees who have completed 15 years uninterrupted service shall receive a payment of \$700.00;
- Employees who have completed more than 15 years uninterrupted service shall receive \$25.00 for each year in excess of 15 years in addition to the \$700.00 base.
- **Employees shall not exceed more than \$1,000.00 per year in a calendar year.**

Part-time regular employees shall be entitled to a pro rata share of longevity based on the percentage of the work week that they are normally scheduled to work. (A part-time regular employee that normally is scheduled to work a 30-hour work week will be entitled to 75% of the longevity that would have been paid to a full-time regular employee.)

Longevity payments shall be made in a lump sum amount on the first pay period following the employee's anniversary date of hire.

An employee who leaves the employment of the Township shall receive a pro rata share of his/her longevity entitlement.

Below is a schedule of longevity payments for employees:

**Anniversary Number**

**Longevity**

5	<b>\$250.00</b>
6	\$275.00
7	\$300.00
8	\$325.00
9	\$350.00
<b>10</b>	<b>\$500.00</b>
11	\$525.00
12	\$550.00
13	\$575.00
14	\$600.00
<b>15</b>	<b>\$700.00</b>
16	\$725.00
17	\$750.00
18	\$775.00
19	\$800.00
20	\$825.00
21	\$850.00
22	\$875.00
23	\$900.00
24	\$925.00
25+	\$1000.00

**ARTICLE IV. EMPLOYEE BENEFITS**

**SECTION 5: TWENTY YEAR BONUS**

**EFFECTIVE DATE: 4/09**

**REVISION DATE:**

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**PURPOSE:**

To state the requirements for and the amount of a one-time bonus to be paid to full-time and part-time regular employees of the Township.

**POLICY:**

A one-time bonus of \$500.00 shall be paid to regular full-time employees of the Township under the following conditions:

- Completing 20 years of consecutive employment in good standing with the Township
- This bonus is in addition to Longevity Pay due the employee under Article IV, Section T.

Part-time regular employees shall be entitled to a pro rate share of bonus pay upon completing 20 years of consecutive employment in good standing with the Township. Part-time regular employees pro rate share of this bonus will be equal to the percentage of the average number of hours worked weekly by the employee for the five-year period prior to their 20<sup>th</sup> anniversary. For example, if the employee worked an average of 24 hours a week, which is equal to 60% of a full-time employee's hours, the employee would be paid 60% of the \$500.00 bonus.

Bonus pay shall be made in a lump sum amount on the first pay period following the employee's anniversary date of hire.

An employee who leaves the employ of the Township before their 20<sup>th</sup> anniversary shall not be entitled to any portion of this bonus pay.