Hardin County Board of Developmental Disabilities
POLICY

Policy Number: P-5	Page: 1	Of: 13
Title: Personnel – Compensation & Hours of Work		
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Reviewer/Job Title: Superintendent or designee		

PERSONNEL
COMPENSATION & HOURS OF WORK

(A) CLASSIFICATION PLAN POLICY

(1) The HCBDD has the right to create and maintain an agency class plan and the discretion to assign job duties and responsibilities to each employee and to assign a working title to each employee's position when necessary.

(2) A job classification includes one (1) or more positions within the HCBDD's organization that are so similar they can be described by a common job classification title, even though each position within a job classification may have its own working title and its own job description. Classifications are used for order of layoff and for carrying certified status.

(3) When creating or changing jobs, the HCBDD will draft job descriptions based on an analysis of the duties, responsibilities, essential functions, and qualifications of the positions affected.

(B) CLASSIFICATION PLAN PROCEDURE

(1) The HCBDD has the responsibility to make changes in requirements of positions under its jurisdiction. This is necessary to ensure that the classification plan properly reflects the duties, knowledge, skills, and abilities required for each position. Factors which may necessitate the HCBDD to make revisions in a position description include:

(a) An addition of a new function or responsibility to the organization;

(b) An abolishment or elimination of a current function or responsibility of the organization;

(c) A reorganization of a function resulting in the consolidation of various work activities;

(d) A gradual growth of a position by addition, deletion, or change in duties and responsibilities; and

(e) A new or revised licensure or certification requirement.

(2) Whenever such a change occurs in a position, a position description shall be created and submitted to the Superintendent. Once approved by the Superintendent the job description will be presented to the "Board" for creation of the position. Upon each occasion where a department or division is reorganized, position descriptions for all affected employees shall be developed and maintained electronically. Additionally, whenever there is change in reporting relationships, a current table of organization for the restructured department or division shall be maintained.

(a) All employees shall be made aware of and given a copy of their classification title and job requirements specified in their class specifications. A copy of an employee's class specification shall be maintained in the employee's personnel file. An employee may request that his or her position be reviewed for proper classification.

(b) Any changes which are made in position descriptions, class specifications, or tables of organization should be communicated in writing to all affected employees, no later than 14 calendar days after such change was made.

Approved classification title changes, reclassifications, and any other related changes must be reflected on all applicable payroll, personnel, and operational records.

(C) COMPENSATION

1. Definitions

a. ~~"Merit Pay Increase" is defined as an annual increase in pay for anyone without a disciplinary action in the previous program year. Merit pay increases will typically take effect on the first day of the program year.~~

a. "Annual Pay Increase" is the amount granted by the board for having been employed by HCBDD an additional year. Employees in good standing and/or not in probation are eligible for the increase.

b. "New Employee" is an employee working in their probationary period.

c. "Salary Schedule Adjustment" is defined as an increase in all pay bands within the Salary Schedule.

2. Pay Structure

The purpose of the pay structure is to create fair hourly rates for all positions in comparison to positions similar in scope, responsibility and geographical location. There is an art to determining placement on a schedule for new employees based on experience, market demand and other factors present in any situation. Every effort will be made to maintain consistency across employees and positions. HCBDD believes it is important to move competent employees as quickly as possible to the midpoint salary for the position in which they are employed. To this end, employees earning an hourly rate less than the midpoint of the salary schedule may receive greater ~~merit~~ annual pay increases than employees earning at or above the midpoint of the salary schedule.

The pay structure will be based on the midpoint salary of similar positions as determined by geography, responsibility, and position description. Minimums for a salary schedule will be 15% less than the midpoint. Maximums for a salary schedule will be 15% more than the midpoint for that schedule.

3. Pay Increases

a. The Board will make adjustments to the salary structure when it determines the current minimum, maximum or midpoint for a salary schedule is not consistent with comparable positions. Adjustments may be made to the salary structure without changing individual hourly rates.

b. Employees eligible for ~~a merit~~an annual increase and who are not at or above the maximum for their salary schedule will receive the Board approved increase for that program year on the first day of the program year. Any pay increase approved mid-program year will take effect on the day prescribed by the Board.

a. Employees at or above the max for their position's salary schedule will not receive an approved annual increase to their base pay. The Board may approve a lump sum payment for employees at or above the max for their position to be paid on the first day of the program year. ~~based on merit at the beginning of a program year.~~

c.

~~d~~) New employees who have completed their agency orientation and probationary period will be eligible for board-approved increases that take effect on July 1. If the new employee has not completed their probationary period or agency orientation by the first day of the program year, the employee will not be eligible for the increase. ~~The new employee will receive the increase for the current program year on the first business day after their probationary period ends.~~ If an employee is not ~~been hired by~~employed on the first day of the program year, they are not eligible for an increase until the next board-approved increase on the next July 1 date. HCBDD program years are from July 1 to June 30th.

4. Promotions: Employees accepting a promotion as indicated by moving up a layer in the Table of Organization (i.e. moving from a non-management to management or moving up a layer in management) will start the new position at the minimum pay for the salary schedule or a 10% increase on the current salary, whichever is greater.

(D) WORK SCHEDULING/OVERTIME

(1) **Work scheduling:** The HCBDD shall establish the standard workday, workweek, and starting and quitting times for their employees and their offices in consideration of current and anticipated work load, public service needs, and other factors. No established schedule shall be construed as a guarantee of work hours or as a restriction on the HCBDD's right to restructure the workday or workweek.

There are many different jobs in the HCBDD requiring different hours of work. An employee's work schedule will depend upon the department to which they are assigned

and their particular classification within the department. The Superintendent or designee may publish a schedule showing the working hours of each employee in the department. Employees are expected to work their designated work schedule unless they receive prior authorization from their supervisor.

(2) **Starting time, lunch period, quitting time:** Nonexempt employees are not expected to perform assignments prior to the beginning or after the end of the regular scheduled workday unless previously approved by the employee's supervisor.

(3) **Employee classifications qualifying for overtime pay:** The overtime compensation provisions of the Fair Labor Standards Act only apply to hourly employees and those salaried employees who have been determined to be "nonexempt." Certain administrative, executive, professional, and other employees are exempt or non-covered from the FLSA and are not entitled to overtime compensation.

Any questions regarding an employee's status concerning overtime should be directed to the Human Resources staff.

(4) **Overtime hours computation:** The HCBDD has elected to compute eligibility for overtime (including compensatory time) based upon all hours actually worked. Hours actually worked does not include any form of paid leave or compensatory time. Example: An employee who actually works four (4) eight (8) hour shifts with an eight (8) hour shift of sick leave during the workweek will only have 32 hours towards computing overtime.

(a) Employees whose regular scheduled workweek is less than 40 hours per week shall receive straight time pay for all hours worked between their scheduled hours and up to 40 hours per week.

(b) Any non-exempt employee who actually works in excess of 40 hours per week shall receive compensation at one and one-half (1½) times his regular hourly rate or shall receive compensatory time off at one and one-half (1½) hours for each hour worked in excess of 40 hours per week.

Examples: A non-exempt employee who actually works five (5) eight (8) hour shifts and also uses eight (8) hours of vacation during the workweek will earn 48 hours at straight time because they did not actually work in excess of 40 hours. An employee who actually works 44 hours during the workweek will receive 40 hours at straight time and four (4) hours at one and one-half (1½) times his regular hourly rate, or may choose compensatory time off at the rate of one and one-half (1½) hours for each of the four (4) hours worked in excess of 40 hours.

(5) **Overtime authorization:** Overtime and compensatory time shall usually be authorized by the Department Manager/Director or designee prior to being worked. The method of compensation for overtime worked in unusual or emergency circumstances without prior authorization, shall be at the discretion of the Superintendent or designee.

(6) **Flex time:** All HCBDD employees eligible for flex time must use it within the 40 hour week in which it was incurred, contingent upon staffing needs of the department and supervisor approval.

(7) **Compensatory time:** With the approval of the department manager/director a nonexempt employee shall be entitled to earn compensatory time pursuant to FLSA rules. The department Manager/Director may limit the total number of hours of compensatory time which may be accumulated.

Compensatory time must be used within 30 days unless the Superintendent has, by rule or resolution, adopted a different standard. If a different standard is adopted, the Superintendent's or designee must provide written notice to each employee 10 days prior to the effective date pursuant to the Ohio Revised Code. Compensatory time must be used at a time mutually convenient to the employee and the department, in not less than 30 minute increments. All compensatory time will be managed within each department and will require written approval prior to utilization. If an employee transfers to a new/different department any earned compensatory is not transferrable.

(7) **Compensation for holidays:** Employees required to work on one (1) of the recognized holidays will receive time and one-half (1½) their regular rate of pay for all hours worked on a holiday in addition to receiving their holiday pay.

(8) **Long Term Substitute Compensation**: Substitutes working more than the twelve (12) consecutive scheduled work weeks in the same position for the same employee shall be eligible for an increase in hourly compensation equal to the entry level full time hourly rate for that position. This rate may remain in effect for the duration of the assignment to the original substitute position. The rate of pay will revert back to the substitute position hourly rate when the substitute employee is assigned to a different position or to a position for which a different full time employee is assigned.

(9) **Recordkeeping required:** Each nonexempt employee who is governed by this overtime policy is required to execute a biweekly time sheet. At the end of each biweekly work period, such employee is required to sign his or her own time sheet indicating that the hours reflected on the time sheet are the actual hours worked by the employee. This time record must indicate the actual times the employee started work and stopped work each day. Upon completion and signature of the time sheet, each employee must submit an electronic and/or paper original timesheet to his or her immediate supervisor for approval.

(10) **Overtime application to exempt positions:** Employees in positions designated as exempt are not governed by this policy.

(11) **Compensatory time for exempt positions:** Exempt employees are paid a salary and therefore are not eligible for compensatory time. However, each manager/director may allow exempt employees hour-for-hour compensatory time for all hours worked beyond 40 hours per workweek with the advanced written approval of the Supervisor and/or designee.

(12) Public accountability for exempt employees: For purposes of public accountability, exempt employees will be required to maintain a record of the hours they work and any paid leave utilized. **(E) INCLEMENT WEATHER**

(1) Whenever HCBDD offices are officially closed due to weather or other emergency conditions, employees will be paid for those hours they were scheduled to work.

(2) Employees who are tardy, leave work early, or fail to report for work on days when HCBDD offices are not officially closed due to weather or other emergency conditions, shall be required to notify the Director of Operations and will not receive compensation for the duration of the unexcused absence. Upon the approval of the Supervisor or Director of Operations, such absences may be charged to the employee's available vacation, personal or compensatory time.

(3) If it is determined that due to excessive time off due to inclement weather that there is insufficient work to be performed then the Superintendent or designee may excuse individuals from work. This excuse of work will not affect the employees leave (sick, personal or vacation) balances.

(4) Employees not scheduled to work, and employees on extended leave of absence, more than 3 consecutive days, are not entitled to be paid for the hours HCBDD offices are closed due to weather or other emergency conditions. The employees on sick leave will be paid from accrued sick leave.

(5) Employees with scheduled paid time off will not be charged for the time off.

(6) Pursuant to Attorney General Opinion 86-023, the sheriff of a county may declare a snow emergency and temporarily close county and township roads. Ohio sheriffs have adopted guidelines for the purpose of issuing such declarations. The policy is:

> **Level 1:** Roadways are hazardous with blowing and drifting snow. Roads are also icy. Drive very cautiously.
>
> **Level 2** Roadways are hazardous with blowing and drifting snow. Only those who feel it is necessary to drive should be out on the roadways. Contact the Director of Operations to see if you should report to work.
>
> **Level 3:** All roadways are closed to non-emergency personnel. No one should be out during these conditions unless it is absolutely necessary to travel. All employees should contact HCBDD to see if they should report to or work remotely. Those traveling on the roadways may subject themselves to arrest.

(7) **Level 3:** When the sheriff issues a Level 3 emergency before 8:00 a.m., all HCBDD office buildings will be closed and employees are not to report to work in person. Remote work expectations will be determined by position

If the Level 3 Emergency is changed during the course of the work day, the superintendent or designee will make the decision on whether employees are to report to work.

If Hardin County is not at a Level 3 and the county that an employee lives in declares a Level 3, the employee should not report and may work remotely or use vacation or personal leave to cover their absence.

(8) **Level 2: Discretionary:** Decision must be made on a case-by-case basis by employee and HCBDD.

(F) PAY PERIOD

(1) There are normally 26 pay periods per year. All employees are to be paid every other Friday for the two (2) week pay period immediately preceding payday.

(2) All employees are strongly encouraged to participate in direct deposit. Employees electing to receive a paper check shall make arrangements with the Director of Operations to obtain paycheck when a holiday.

(3) Director of Operations is to receive any questions regarding an employee's pay and are responsible for making the necessary explanations or inquiries to resolve the matter.

(G) PAYROLL DEDUCTIONS

(4) Certain deductions are made from an employee's paycheck as required by law, in accordance with employee benefit plans or as requested by the employee. All deductions must be approved by the HCBDD Administration – Human Resources and the county auditor. These deductions are itemized on the employee's pay statement which accompanies his or her biweekly paycheck. Deductions include:

(a) **Ohio Pension Systems:** All employees must contribute to the Ohio Public Employees Retirement (OPERS), the State Teachers Retirement System (STRS) or State Employee Retirement System (SERS) rather than Social Security. The HCBDD shall also make contributions as required by law. Reduced salary and/or fringe benefit pick-up may be implemented by the Superintendent in conjunction with OPERS< STRS< or SERS.

(b) **Income taxes:** Federal, state, and city governments, and some school districts may require that income taxes be withheld from each salary payment. The amount of tax to be withheld is determined from tables furnished by the treasury department and the Ohio Department of Taxation and may vary according to the amount of salary and number of dependency exemptions. Employees are required to complete withholding tax certificates upon initial employment and to inform the HCBDD Human Resource personnel of any dependency change whenever such change occurs.

(c) **Medicare health insurance:** A deduction equal to amount required by the Federal government will be required from each employee who is hired after April 1, 1986. The required pay-in will be contributed to Medicare along with the HCBDD's share of an equal amount.

(d) **Miscellaneous deductions:** Examples include garnishments, deferred compensation, health insurance, and other approved deductions. The auditor may refuse to make deductions below certain prescribed minimum amounts, or at regular intervals, or for other cause.

(H) EXPENSE REIMBURSEMENT, TRAVEL, AND MEAL POLICY

(1) HCBDD employees are to receive reimbursement for allowable expenditures made for a proper public purpose that are incurred while traveling on official agency business. Employees are eligible for expense reimbursement only when travel has been authorized in writing prior to the trip by the Superintendent or designee and with appropriate receipts documenting claimed expenses. Overnight travel expense reimbursement requires the advance approval of the Superintendent or designee.

(2) The following items are reimbursable, subject to the regulations contained herein and compliance with the procedures:

(a) **Commercial air flights:** Reimbursement is available for air flight expenses only when the automobile mileage reimbursement would be more costly than the airfare, or where travel time is of significance;

(b) **Bus, limousine, or taxi:** Employees are to use the most economical means available when traveling on agency business;

(c) **Automobile:** If the employee is required to use his or her privately-owned vehicle, he or she shall be reimbursed at a rate determined by the Internal Revenue Service. Such payment is considered to be total reimbursement for all vehicle-related expenses (e.g., gas, oil, depreciation, insurance, etc.). Mileage reimbursement is payable to only one (1) of two or more employees traveling on the same trip, in the same vehicle. Rental of a vehicle is not reimbursable without prior approval of the Superintendent or designee.

(d) **Meals:** Expenses incurred for meals while on official business will be reimbursed at actual cost with the approval of the Superintendent or designee. Such approval must be granted prior to the employee incurring the expense. An employee is eligible for such reimbursement only when travel has been authorized in writing by the Superintendent or designee,.

(e) Employees will generally not be reimbursed for meals if the employee is not traveling overnight, away from Hardin County, unless:

(i) The meal qualifies pursuant to IRS Regulations). Examples of such meals are:

A meal where the main purpose is the active conduct of business, business is actually conducted, and there is more than a general expectation of income or some other specific business benefit in the future.

Meals at a hospitality room sponsored by the county at a convention.

A meal that is associated with the active conduct of the agency's business, and occurs directly before or after a substantial business discussion.

(ii) Occasional meals that meet the *de minimis* exclusion pursuant to IRS Regulations, such as infrequently providing coffee, donuts, or soft drinks. Also occasional parties or picnics, such as Christmas luncheon.

Any meal provided to employees that is not excluded from taxable income herein will be reported to the auditor's office by the HCBDD as a taxable meal. This notification will include the fair market value of such meal (may not be the actual cost) and will be included on the first payroll after approval of the expenditure.

(f) **Lodging:** Employees will be reimbursed, as approved by the Superintendent or designee, for reasonable and necessary lodging expenses at the single room rate. Employees will request the government rate and obtain a sales tax exemption certification from the auditor's office prior to payment of the lodging. The HCBDD president will approve any superintendent request for lodging.

(g) **Phone calls:** Phone calls necessary for official HCBDD business are reimbursable. Each call must be documented with time, date, business reason and cost to be eligible for re-imbursement.

(h) **Parking and tolls:** Expenses for parking, highway, bridge, and tunnel tolls are reimbursable. Parking expenses incurred within and outside Hardin County are reimbursable providing the employee is on official agency business.

(i) **Frequent flier miles/credit card points:** Pursuant to the Ohio State Auditor's office, employees are prohibited from taking advantage of frequent flier miles or credit card points for personal use when scheduling flights or hotel accommodations related to agency business.

(j) Per diem meal reimbursement shall be established by the board of commissioners or as otherwise prescribed by the Superintendent.

(k) The following items are not subject to reimbursement:

(i) Tips in excess of 20% of the meal cost;

(ii) Alcoholic beverages;

(iii) Entertainment;

(iv) Laundry and dry cleaning;

(v) Room service charge;

(vi) Expenses of spouse traveling with employee; and

(vii) Any allowable expense where no receipt is provided as documentation by the employee.

(3) Expense reports shall be filed by employees detailing all costs with receipts within 45 days of the expenditure. Such detailed documentation will include the amount, date, time, place, and business purpose.

(I) RETIREMENT PLAN

(1) All employees are required by law to participate in the Ohio Public Employees Retirement System (OPERS), the State Employees Retirement System (SERS) or the State Teachers Retirement System (STRS). Both the employee and the HCBDD are required to contribute to OPERS, SERS or STRS, in amounts set by state law. The employee's contribution is paid by payroll deduction.

(a) Questions regarding STRS should be directed to the State Teachers Retirement System.

(b) Questions regarding SERS should be directed to the State Employees Retirement System.

(c) Questions regarding OPERS should be directed to the Ohio Public Employees Retirement System.

(2) RETIREMENT PICKUP:

(a) It is the HCBDD policy not to "pickup" or pay the employee's share on a "pretax" basis, it is understood that individuals with this benefit currently included in their compensation will not have this removed from their contract. For employees benefiting from this form of compensation, the HCBDD may decide to alter future compensation in a manner not to impact the current earnings of the employee.

(J) OHIO DEFERRED COMPENSATION PROGRAM

(1) Eligible HCBDD employees may join the deferred compensation programs at their option, and defer up to 25% of their income. Deferred income is not taxable for federal income tax purposes until the deferred money is received by the employee, therefore, possible tax benefits may result. Additionally, interest earned on deferred income is not taxable. Employees should contact Human Resources and the auditor's office should they choose to participate in this program.

(K) INSURANCE COVERAGE

Only full-time and part-time employees, as defined in HCBDD policy are eligible for participation in the HCBDD medical insurance coverage program (health, vision, dental, etc.). The HCBDD offers both single and family coverage for eligible employees. Employees electing to participate in the HCBDD medical insurance plans shall be required, through payroll deduction, to pay a portion of the monthly premium.

All employees may occasionally be required to complete an individual/family health assessment performed by an outside agency when the UCBDD is considering a change in carriers in order to obtain the best possible insurance coverage.

(2) The HCBDD offers paid life insurance coverage to each eligible employee. This policy is a term life insurance and is in effect only as long as the full-time employee is employed with the HCBDD. Employees will remain eligible for the remainder of any month in which the employee leaves employment.

(3) Employees are responsible for keeping the insurance carrier current on any changes affecting their coverage, by notifying Human Resources of such (e.g., marriages, divorces, births, etc.).

(4) Employees on an unpaid leave of absence that does not qualify as family medical leave, will not be covered by the HCBDD medical insurance or life insurance, effective the first day of leave. Such employee may, however, at his or her option, continue the coverage by assuming responsibility for 100% payment of the insurance premium.

(5) Employees interested in continuing coverage in this manner should notify Human Resources for details.

(6) Human Resources will initiate COBRA notices and continue coverage subject to the requirements of the law.

(L) EMPLOYEE RECOGNITION/AWARDS

(1) The HCBDD and/or the superintendent may provide awards or recognize employees so long as their plan is a qualified plan and provides for the following:

(a) Their award plan is an established written plan; and

(b) The plan does not discriminate in favor of highly paid employees.

(2) The following awards are considered taxable to the employee and should be avoided in any plan:

(a) Any award given in cash or cash equivalents such as savings bonds or general merchandise gift certificates;

(b) Any recognition award for job performance unless they qualify as *de minimis* (see Item c below);

(c) Awards for outstanding customer service, employee of the month, highest productivity, etc.;

(d) Awards for length of service or safety achievement that exceed limitations or don't meet requirements; and

(e) Non-cash prizes (unless *de minimis*) won by employees from random drawings at HCBDD-sponsored events.

(3) ***De minimis* awards:** A prize or award that is of *nominal value* and is provided *infrequently* is excludable from an employee's wages as long as it is not cash or a cash equivalent. (No established amount for these awards — $25 will qualify, but $100 is too much.)

(4) **Reporting:** If any award given is considered taxable based on the above criteria, it must be added to the employee's wages in the same month it was received. It is the responsibility of the superintendent/department head and/or designee to make sure the fair market value (not cost) of any taxable award is included on the last payroll worksheet of each month. If the awards program is not a qualified plan, all awards will be taxable and must be added to the payroll worksheet of each month. If the awards program is not a qualified plan, all awards will be taxable and must be added to the payroll worksheet.

(M) PUBLIC RECORDS POLICY - EMPLOYEE

(1) **Self-help to records prohibited:**

(a) Employees may not copy or remove any record or writing, even those regarded as "public records", without first obtaining advanced written permission from their the Superintendent designee, or without going through the agency process for obtaining public records. This does not prohibit work related activity.

(b) No employee may copy or use any agency writing, document, or record in any grievance, appeal, or legal action without having first obtained the written permission of the superintendent designee or making a valid public records request. This particular policy does not apply to matters obtained through formal "discovery" under the Rules of Civil Procedure.

(c) In order to ensure confidentiality of certain issues and promote open communication between employees and management, no employee shall electronically record any meeting, hearing, or appeal involving the HCBDD or representative of the HCBDD without the advanced written permission of the Superintendent. This policy is not intended to prohibit protected activity.

(d) Penalty for breach of this policy: Any employee who is discovered to have violated any of the above enumerated policies will be subject to removal. Any former employee who is discovered to have obtained an unauthorized document or produced any unauthorized tape recording will be barred from reemployment by the county and/or HCBDD and may be subject to civil or criminal penalties.

(M) PERSONNEL FILES

(1) Human Resources shall maintain official personnel files for all employees. Such files may include, but are not limited to: individual employment records; payroll information; work item schedules; records of additions or deductions paid; application forms; records pertaining to hiring, promotion, demotion, transfer, layoff, discipline, termination, etc.

(2) Information determined by law to be confidential may not be used or divulged except for a lawful purpose when authorized by the Superintendent, or with the written consent of the affected employee. (Personnel files access is governed by the Ohio Revised Code).

(3) An employee has the right of reasonable inspection of his official personnel file as authorized by the Superintendent or designee. All records in the personnel files which are governed by law as not accessible to the public (adoption records, parole records, etc.) are to be removed prior to public inspection. The employee shall be permitted to review file and copy any reviewable document in the file and to attach letters of explanation to documents where the employee feels such explanation is necessary. The Superintendent or designee need not permit the inclusion of explanations which are defamatory or scurrilous attacks upon any employee, any supervisor, or the HCBDD.

(4) Employees must advise the Human Resources (Administration) in writing of any change in: name, address, marital status, telephone number, number of exemptions for tax purposes, citizenship, selective service classification, or association with any government military service organization. Failure to report a change of address or telephone number may be cause for disciplinary action.

(5) Each employee, following appointment, shall furnish his correct and legal birth date. If a birthdate is to be corrected for any reason other than clerical error, such change must be submitted by the employee by authorized affidavits. Any deliberate falsification of birth date shall be subject to appropriate disciplinary action. Submission of an incorrect birth date shall be subject to appropriate disciplinary action. Submission of an incorrect date may also jeopardize certain retirement system benefits.