

Berlin Township

Employee Handbook

ADOPTED BY RESOLUTION
AND EFFECTIVE

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CHAPTER I – INTRODUCTION

Section 1.01 Purpose and Scope

This Handbook applies to all Berlin Township (herein “The Township”) employees and officials. The purpose of this Handbook is to communicate basic employment terms and policies of Township employment and what is expected of employees. Employees are expected to acquaint themselves fully with, and abide by, the contents of this Handbook.

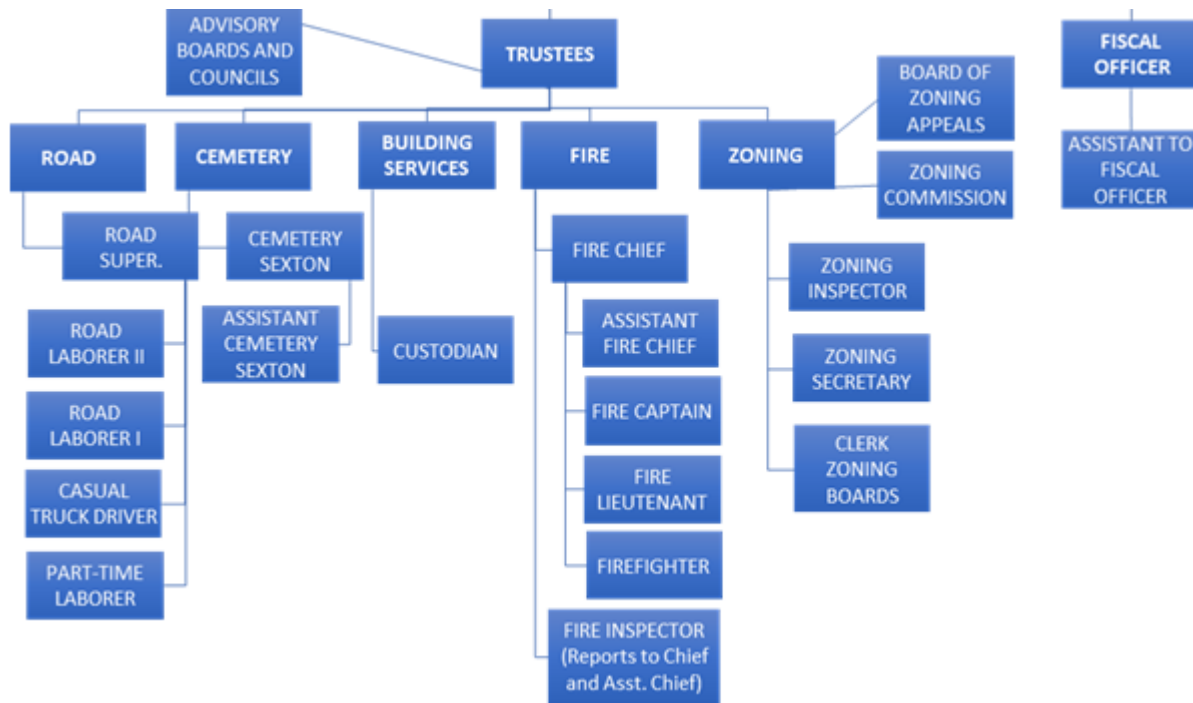
A Handbook cannot possibly anticipate every employment situation. As such, the Township reserves the right to deviate from these policies, if in its sole judgment, the deviation is warranted in any situation. The Township, from time to time, may delete from, add to, or revise this Handbook. Employees will normally be notified of any such changes before they become effective.

This Handbook supersedes all previous Resolutions, employment policies and/or handbooks, and all written and unwritten personnel policies or operational guidelines that directly conflict with this Handbook. The Berlin Township Departments may, at their discretion, develop additional operational policies, orders, or directives to be applied to their respective Departments. Such policies are supplemental to, and shall not conflict with, any of the policies set forth in this Handbook. If there is a conflict that the Trustees did not expressly ratify, the policies set forth herein shall govern. Employees must immediately report to their supervisor or Department Head any perceived conflict between this Handbook and a Departmental policy or operational guideline.

This Handbook is intended to be construed in such a manner as to comply with all applicable federal and/or State laws, as well as any contracts and collective bargaining agreements between the Township and any employee or group of employees. If any provision of this Handbook is determined to conflict with the law, contract or collective bargaining agreement, the conflicting provision in the law, contract or collective bargaining agreement shall apply and the remainder of this Handbook will continue in full force and effect.

Section 1.02 Chain of Command

The following represents the general Organizational Chart, which may be amended from time-to-time by the Board of Trustees consistent with law. Employees should acquaint themselves with this Organizational Chart, specifically with respect to their chain of supervision.



CHAPTER II – GENERAL PERSONNEL POLICIES

Section 2.01 Employment Status and Definitions

Unless otherwise provided by law, all employees of this township are employees at will and serve at the pleasure of the Board of Trustees. This Handbook is not a contract of employment or a promise or guarantee of employment or of any rights, benefits, or processes of employment. All Township employees are required to follow all rules, regulations and conditions adopted by the Board of Trustees that relate to the capacity in which they are employed as well as all rules designed to protect property and lives and all federal, state and local laws and regulations. Violators of the policies and procedures contained in this Handbook may lead to discipline up to and including termination of employment.

DEFINITIONS

The following terms may be referenced within this Handbook:

1. **Board of Trustees:** The Board of Township Trustees, Berlin Township, Delaware County, Ohio; the appointing and legislative authority of Berlin Township.
2. **Trustee:** A Berlin Township Trustee; Township Trustees are elected or appointed individuals serving in the role of Berlin Township Trustee.
3. **Fiscal Officer:** The Fiscal Officer of Berlin Township; the Fiscal Officer is an elected or appointed individual who keeps all Township records and oversees and safeguards Township funds and performs other duties as specified in the Ohio Revised Code.
4. **Township Administrator:** The Board of Trustees may from time-to-time appoint a Township Administrator. The Administrator shall assist in the administration, enforcement and execution of the policies and resolutions of the Board of Trustees, supervise and direct the activities and affairs of the divisions of Township government and perform other duties.
5. **Department Head:** A Department Head is a person charged with the management and supervision of persons assigned to his/her department. The Department Heads are normally the Zoning Inspector, Fire Chief, Cemetery Sexton, and Road Superintendent.
6. **Employee:** An employee is a person who is hired by the Township and works for the Township on an hourly wage or salary basis. Employees are ultimately subject to the direction and control of the Township Board of Trustees and Department Head in the performance of their duties.
7. **Exempt Employee:** Exempt employees are not covered by the Fair Labor Standards Act (FLSA) overtime provisions and do not receive either overtime pay or compensatory time in lieu of overtime pay. Exempt employees are paid on a salary basis, regardless of the quality or quantity of work performed within a workweek, except there may be deductions to their weekly salary as allowed by law. The Board of Trustees may, in its discretion, approve non-FLSA comp time for these employees.
8. **Full-Time:** Full-time employees will generally be scheduled to work, and expected to work, at least forty (40) hours per week.
9. **Part-Time:** Part-Time employees are all employees not regularly scheduled to work at least forty (40) hours per week. For availability of health insurance, however, a part-time employee means a township employee who is hired with the expectation that the employee will work not more than one thousand five hundred hours (1,500)

in any year; a part-time employee who actually works more than 1,500 hours in a given year does not automatically become a full-time employee.

10. **Temporary/Seasonal Employee:** Employees hired to fulfill temporary work needs, or on a seasonal basis, are temporary/seasonal employees and will be paid an hourly wage but will generally not be eligible for benefits provided by the Township. Temporary/seasonal appointments include, but are not limited to, college interns or students, seasonal workers, interim and intermittent employees.

Section 2.02 Equal Opportunity Employment

Berlin Township is an equal opportunity Township and does not discriminate on the basis of race, color, religion, sex, national origin, age, ancestry, disability, genetic information, or military status, or other protected characteristics or protected activities of an individual, except when such a factor constitutes a bona fide occupational qualification (“BFOQ”). All personnel decisions and practices including, but not limited to, hiring, suspension, termination, other disciplinary action, layoff, demotion, promotion, transfer, and evaluation, shall be made without regard to the above listed categories. The Township intends for all its policies to comply with federal and state equal employment opportunity principles and other related laws.

The Township condemns and will not tolerate any conduct that bullies, intimidates, harasses, or otherwise discriminates against any employee or applicant for employment on the grounds listed above. Anyone who feels that their rights have been violated under this policy should submit a written complaint under the Unlawful Discrimination, Harassment or Retaliation Policy in Section 2.04 of this Handbook. Employees can raise concerns and make good faith reports without fear of retaliation.

Section 2.03 Reasonable Accommodation

The Township provides equal employment opportunities to qualified individuals with respect to hiring, retention, promotion, transfer, or any benefit or privilege of employment, of any qualified individual. To be considered a qualified individual, the person must satisfy the requisite skills, experience, education and other job-related requirements of the position the person holds or desires and must be able to perform the essential functions of the position, with or without a reasonable accommodation.

The Township will reasonably accommodate qualified individuals with disabilities, who are pregnant or who have pregnancy-related conditions, or who need an accommodation due to their sincerely held religious practices, unless doing so causes undue hardship upon the Township or a direct threat of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by a reasonable accommodation.

All employees are required to comply with safety standards. Applicants and employees who pose a direct threat to their own health or safety or that of others, in which the threat cannot be eliminated by reasonable accommodation, will not be hired or retained.

Employees requesting accommodations, having questions regarding this policy, or who feel their rights have been violated under this policy, shall notify their Department Head or a Trustee Liaison. The Department Head or Trustee Liaison must bring the request or complaint to the Board of Trustees without delay so that it can be evaluated and processed. Requests for accommodation should be in writing to avoid confusion; however, verbal requests will be considered. The Township and employee will ordinarily meet and discuss whether an accommodation is appropriate and, if applicable, the type of accommodation to be given. Decisions as to accommodation requests are made on a case-by-case basis by the Township.

Ultimately, the Board of Trustees is responsible for implementing this policy, including accommodation requests, safety, and undue hardship issues, or directing the employee to the appropriate procedures.

Section 2.04 Reporting Discrimination, Harassment or Retaliation

Berlin Township is committed to providing a workplace that is safe and free from unlawful discrimination, harassment, and retaliation. The Township will not tolerate behavior of the types outlined in this policy, whether that behavior is on-duty or off-duty or which violates Policy Section 2.02. This policy covers all employees, supervisors, department heads and elected officials. Additionally, the Township expects all suppliers, subcontractors, residents, visitors, clients, volunteers and any other individual who enters Township property, conducts business on Township property, or who is served by Township personnel, to adhere to this standard.

DEFINITIONS

Unlawful discrimination or harassment is behavior directed toward an employee because of his/her membership in a protected class such as: race, color, religion, sex, pregnancy, national origin, age, ancestry, disability, genetic information, or military status. Unlawful discrimination and harassment are inappropriate and illegal and will not be tolerated. All forms of unlawful discrimination and harassment are governed by this policy and must be reported and addressed in accordance with this policy, by anyone who observes such conduct.

1. **Unlawful Discrimination:** Unlawful discrimination occurs when individuals are treated less favorably in their employment because of their membership in a protected class. An employer may not discriminate against an individual with respect to the terms and conditions of employment, based upon that individual's membership in that protected class.
2. **Unlawful Harassment:** Harassment is a form of discrimination. Harassment may be generally defined as unwelcome conduct based upon a protected characteristic. However, harassment becomes unlawful when:
 - A. Enduring the offensive conduct becomes a condition of continued employment.
 - B. The conduct is severe or pervasive enough to create a work environment that

a reasonable person would consider intimidating, hostile, or abusive.

By way of example, sexual harassment is one type of unlawful harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

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

Harassment on the basis of an employee's membership in any protected class (as set forth above) is unlawful, will not be tolerated, and must be reported by anyone who is a victim of or observes the same.

Unlawful discrimination and harassment may or may not encompass conduct of a socially acceptable nature. Some conduct that is acceptable in a social setting may be inappropriate in the workplace. A victim's perceived acquiescence in the behavior does not negate the existence of unlawful discrimination or harassment.

Unlawful discrimination or harassment that affects an individual's employment may extend beyond the confines of the workplace. Conduct that occurs off duty and off premises may also be subject to this policy, including conduct or behavior directed at another through social media.

3. **Workplace Romances:** To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are required to inform their Department Head and/or Trustee liaison, if they currently are, or if they intend to become, romantically involved with a co-worker. Such relationships are not necessarily prohibited but must be appropriately addressed. Should the Township determine that a conflict exists between an employee's employment and a personal relationship with a co-worker, the Township will attempt to work with the employees to resolve the conflict. Should operational needs prevent resolution, the relationship must cease or one or both of the parties must separate from Township employment. Supervisors are expressly prohibited from engaging in romantic or sexual relationships with any employee they directly, or indirectly, supervise.
4. **Unlawful Retaliation:** Unlawful retaliation is the act of punishing an employee or job applicant for asserting their rights to be free from employment discrimination or harassment, or for engaging in other protected activity. Anti-discrimination laws prohibit retaliatory conduct against individuals who file a discrimination charge,

testify, or participate in any way in an investigation, proceeding, or lawsuit under these laws, or who oppose employment practices that they reasonably believe discriminate against protected individuals, in violation of these laws. The law may also prevent retaliatory conduct against individuals who are close personal friends or family members with an individual who engaged in protected conduct. The Township and its supervisors and employees shall not in any way retaliate against an individual for in good faith filing a complaint, reporting harassment, participating in an investigation, or engaging in any other protected activity.

Any employee who feels he or she has been subjected to retaliatory conduct as a result of actions taken under this policy, or as a result of his or her relationship with someone who took action under this policy, shall report the conduct as provided in this Policy. Disciplinary action for filing a false complaint is not a retaliatory act.

Reporting Unlawful Discrimination, Harassment, or Retaliation

The Township provides employees the opportunity to make good faith reports of discrimination, harassment or retaliation. The Township can only help solve a problem if it is made aware of its existence. Employees who feel they have been subject to unlawful discrimination, harassment, or retaliation by a fellow employee, supervisor, or other individual otherwise affiliated with the Township shall immediately report the conduct, in writing, to their Department Head and/or Trustee Liaison, each of whom shall have the authority and responsibility to investigate and direct appropriate action concerning the complaint. Similarly, employees who feel they have knowledge of discrimination, harassment or retaliation, or who have questions or concerns regarding this policy, shall immediately contact a Department Head and/or Trustee Liaison. Should an employee perceive unlawful discrimination, harassment or retaliation by an individual in the reporting chain, the employee may bypass that individual and make a report to the next higher level, or to a Trustee.

Late reporting of complaints and verbal reporting of complaints will not preclude the Township from taking action. However, so that a thorough and accurate investigation may be conducted, employees are encouraged to submit complaints in writing and in an expedient manner following the offensive incident or behavior. All supervisors are required to follow up on all claims or concerns, whether written or verbal, by communicating the same to the Board of Trustees immediately.

In harassment situations, although employees may confront the alleged harasser at their discretion, they are also required to submit a written report of any incidents as set forth above. When the Township is notified of the alleged harassment, it will investigate the complaint in a timely manner. The investigation may include private interviews of the employee allegedly harassed, the employee committing the alleged harassment and any and all witnesses. Information will be kept as confidential as practicable, although confidentiality cannot be guaranteed. All employees are required to cooperate in any investigation. Determinations of harassment shall be made on a case- by-case basis. If the investigation reveals the complaint is valid, prompt attention and corrective action designed to stop the harassment and prevent its recurrence will be taken.

Complaints made in good faith under this policy are strongly encouraged; however, false complaints or complaints made in bad faith will not be tolerated. Failure to prove unlawful discrimination, harassment or retaliation will not constitute a false complaint without further evidence of bad faith. False complaints are considered to be a violation of this policy.

Corrective Action

If the Township determines a violation of this policy, such as unlawful discrimination, harassment, or retaliation, has taken place, appropriate corrective action will be taken, up to and including termination. If appropriate, law enforcement agencies or other licensing bodies will be notified. Any individual exhibiting discriminatory, retaliatory or harassing behavior will be subject to discipline up to and including discharge, as will any employee who has knowledge of unlawful conduct and allows that conduct to go unreported or unaddressed.

Section 2.05 Bond Requirements

Township employees shall be bonded or insured as required by law. The Township will incur the cost of such bonding and will obtain such bonds on behalf of the employee.

Section 2.06 Probationary Period (Firefighters Only)

Upon appointment, each firefighter hired by the Township will be required to successfully complete a one year (365 day) probationary period. During the Employee's initial one-year probationary period, such Employee shall, for purposes of Ohio Revised Code § 505.38, be deemed to be appointed as a probationary, non-permanent, member of the Berlin Township Fire Department. The probationary period will begin on the first day for which a firefighter receives compensation from the Township. Notwithstanding Ohio Revised Code Sections 505.38 and 733.35 et seq., a probationary firefighter will serve at the pleasure of the Township and may be terminated at any time during this probationary period at will and without a hearing. Any firefighter so terminated shall have no right to appeal or otherwise challenge such termination in court.

Following the satisfactory completion of the one-year probationary period, the Employee shall be subject to termination as described hereafter. The Board shall be the sole authority empowered to determine whether the Employee has completed his/her probationary period in a satisfactory manner, and shall notify the Employee, in writing, if the probationary period has not been satisfactorily completed prior to the expiration of the one-year period.

The Township, through the Board of Trustees, may extend a firefighter's promotional probationary period, as set forth above, for an additional period not to exceed six (6) months. On the occasion that the Employee may be promoted to a higher classification, the Employee shall be required to successfully complete a one-year probationary period in the Employee's newly appointed position. The probationary period for the newly promoted Employee shall begin on the effective date of the promotion. If service at any point during this time is deemed unsatisfactory, the Employee, subject to the probationary promotional period, may, at the Board's option, be returned to the Employee's former rank and salary, with full credit for service during the promotional probationary period. If so returned, the member shall have no recourse to contest the return and resultant demotion through the

court system or collective bargaining agreement concerning probationary demotion. This provision shall not be construed as a guarantee for continued employment or future promotion.

Section 2.07 Personnel Records

It is the Township's policy to maintain certain records on each employee which are directly related to the employee's job with the Township. At all times, the Township will balance the employee's right to privacy with the Township's need to collect and use information.

Employees are responsible for notifying the Fiscal Officer upon any changes in the following:

- Name;
- Street address and mailing address;
- Telephone Number;
- Marital Status (for benefits, insurance and tax withholding purposes);
- Number of dependents;
- Address and telephone numbers of dependents and spouse or former spouse (for insurance purposes);
- Beneficiary designations for any Township provided insurance or retirement plans; and
- Persons to be notified in case of an emergency.

The Fiscal Officer is responsible for appropriately maintaining each employee's personnel file. Further, the Fiscal Officer is responsible for periodically reviewing and updating each employee's personnel file to maintain file completeness. Employees are to notify the Fiscal Officer within seven (7) calendar days of any change in the employee's address or contact information. If the employee does not timely provide written documentation of a change of address, the Fiscal Officer will have no obligation to make retroactive changes regarding withholdings or reimbursements except as otherwise provided by law.

Employees are permitted to inspect their own personnel records. A written request to do so must be directed to the Fiscal Officer who will schedule a time for inspection of the employee's record. Any access to a personnel file will be verified, recorded and kept as a permanent part of the file.

The personnel file of an employee who has resigned and/or been terminated shall be "closed out" and maintained in accordance with the Township's Public Records Policy.

The Township will maintain employees' medical information in a separate medical file and will treat the information in a confidential manner. Employees who are concerned that their medical

information is not being treated in a confidential manner should report such concerns to the Fiscal Officer or Department Head.

Section 2.08 Outside Employment

The Township recognizes that some full-time Township employees may hold positions of employment outside of their Township employment. In these situations, the Township considers itself to be the primary employer and requires that the employee notify the Board of the secondary employment immediately. Employees may hold outside jobs as long as the employees meet the performance standards of their job with the Township and the outside employment does not pose a conflict of interest. Any negative effects that the Township concludes has resulted from the outside employment (e.g. absenteeism, loss of productivity, refusal of mandatory overtime, etc.) may result in discipline, up to and including termination. Employees shall not use Township owned equipment for employment outside of Berlin Township employment purposes or for personal reasons. If the Board determines that an employee's outside work interferes with performance or the ability to meet the requirements of the Township, the employee may be required to terminate the outside employment if the employee wishes to remain with the Township.

Section 2.09 Dual Position Employment

Any Township employee occupying more than one position of employment with the Township shall carefully monitor his/her time to ensure that the aggregate time that the full-time employee spends working for the Township does not exceed forty (40) hours in a work week. If the aggregate time that the employee spends working for the Township is likely to exceed forty (40) hours in a work week, the employee shall immediately notify either the employee's supervisor or a Board member, with respect to each of the employee's positions and obtain their approval before working any overtime. Supervisors of such employees shall consult one another when preparing work schedules to reduce overtime to the extent possible.

Section 2.10 Temporary Assignments

All Township employees shall be required to perform any and all temporarily assigned duties of which they are capable regardless of their usual or customary duties or job assignments. When an employee is temporarily assigned to substitute in another job classification for a period of one continuous week or more, the Board will determine at what rate of pay the employee will be compensated for the duration of the temporarily assigned position. No temporary assignment shall exceed one hundred twenty (120) calendar days without review and renewal by the Board and no temporary assignment shall exceed one hundred eighty (180) calendar days.

Section 2.11 Performance Evaluations

All Township employees, other than firefighters serving an initial probationary period, may, from time to time, have their performance reviewed by the Board and/or their supervisor. Such evaluations are intended to identify the strengths of an employee's performance as well as to determine whether an employee is maintaining an overall acceptable level of performance. Performance evaluations should encourage communications between the Board and/or the supervisor and the employee, and provide

all involved with a better understanding of the other's expectations and goals. Employees found to not be meeting expectations of their role may be given a written warning, placed on probation, and/or any other actions deemed necessary by the Board up to and including termination. See Appendix A for more information on the current performance evaluation process for non-collective bargaining employees.

Section 2.12 Resignation

In the event that a Township employee voluntarily decides to leave the employment of the Township, **written notification should be given to the appropriate Trustee Liaison at least two (2) weeks in advance** of the last day that the employee intends to report to work. During this two-week period an exit interview with the Board may be conducted, and all Township property in the employee's possession must be returned. Failure to return all Township property may result in criminal prosecution.

Fire Department

A member is requested to provide at least two (2) weeks' notice of intent to resign from the department to allow ample time to process the notice. The Fire Chief may waive the notice requirement and allow the resignation to become effective immediately on receipt of a member's intention to resign.

Notice of resignation should be written and delivered to the Fire Chief directly. The Fire Chief shall promptly forward the notice to the Assistant Chief for processing.

It is the member's responsibility to contact the Township Fiscal Officer for information about benefits options.

Section 2.13 Reference Checks & Employment Verification

Providing information regarding the employment history of an employee or former employee is a delicate matter that should only be attempted by those appropriately trained and experienced. Only the Fiscal Officer, or other persons authorized by the Board of Trustees, or a Trustee Liaison are authorized to provide employment information or references on behalf of Berlin Township. The only information that the Fiscal Officer will provide is verification of dates of employment and job title, and responses to public records requests.

Section 2.14 Media Inquiries and Responses

Only a Trustee or another person directly authorized by the Board of Trustees shall respond to media inquiries of the Township. An employee contacted by news media for information about Township operations shall refer the media to their Department Head, who will notify a Trustee. This policy is designed to avoid duplication, ensure accuracy and protect employees and the Township from dissemination of misstatements and misinformation.

Fire Department Media Relations

Statements to the media, news release and media campaigns must be approved by the Department Head, Trustee Liaison, or other authorized person prior to release, except as provided.

For Fire or EMS scenes, an Incident Commander is authorized to provide the media with general details concerning an incident.

The Fire Inspector/PIO are authorized to provide the media with general details concerning an incident and matters pertaining to department relations.

On duty firefighters are authorized to provide the media with a list of incidents. This information shall be limited to dates, times and location of incident.

Information pertaining to the cause and origin of an incident may be released by the Incident Commander unless the incident has been turned over to a Fire Investigation team or State Fire Marshal Office. In this case, only the Chief, Assistant Chief, or Fire Marshal may release details of the incident.

Information relating to any personnel matter, department policy, department litigation or other sensitive matters shall be released only by the Department Head or Trustee Liaison.

Section 2.15 Concealed Carry

No employee, contractor, client or other individual may carry, possess, convey or attempt to convey a deadly weapon, handgun, or ordnance onto Township property, including Township vehicles, while working. Law enforcement officers specifically authorized to carry a firearm are exempted from this provision and may be permitted to carry a concealed weapon.

Township employees are prohibited from carrying firearms any time they are working for the Township or acting within the course and scope of employment. These situations include but are not limited to: attending training sessions or seminars, or while wearing a Township identification badge, uniform, or other Township issued paraphernalia that an employee is required to wear relative to their employment.

This policy does not prohibit employees, from transporting and/or storing a firearm or ammunition in their personal vehicle at work locations where their personal vehicle is otherwise permitted to be (e.g. Township Parking Lot). However, the employee must leave the firearm and ammunition in their personal vehicle. Employees are neither permitted to remove their firearm or ammunition from their personal vehicles while at work locations nor are they permitted to bring a concealed firearm or ammunition into a Township owned building. The employee's firearm and ammunition must be stored in their personal vehicle in accordance with the storage provisions of the law. The firearm and ammunition must be in a locked vehicle either in the glove compartment, a lock box or the trunk.

Employees shall immediately contact a supervisor if they suspect an employee is carrying a concealed weapon, firearm, or ammunition on Township premises. Employees are required to immediately contact a supervisor if they suspect an employee to be carrying a concealed weapon or firearm in violation of this policy at any time while they are working for the Township, acting within the course and scope of employment, or acting as a representative of the Township.

Section 2.16 Severe Weather and Other Emergencies

Purpose

The intent of this Policy is to establish a policy for the operation of the Township in the event of a Severe Weather Event or an Emergency.

Scope

This Policy applies to all Employees.

Definitions

1. **Board**: Board means the current Board of Trustees of the Township.
2. **County**: County means Delaware County, Ohio.
3. **Emergency**: Emergency means a state resulting from an unexpected and/or usually dangerous event. Examples of an Emergency are a fire, flood, tornado, earthquake, severe weather, power outage and/or other unusual and/or unexpected severe event. This list of examples is not exhaustive or exclusive.
4. **Employee**: Employee means an employee of the Township.
5. **Essential Employee**: Essential Employee means an employee assigned to a position that is necessary to everyday operations and/or functions of the Township. Essential Employees include, but are not limited to, all fire department personnel, all emergency communications personnel, all maintenance personnel, and all road department personnel. Essential Employee includes zoning personnel required for a zoning hearing if a zoning hearing is scheduled and the hearing is not rescheduled or cancelled. Essential Employee also includes cemetery personnel required for a funeral if a funeral is scheduled and the funeral is not rescheduled. The Board, in its sole discretion, may designate any other employee as an Essential Employee as a matter of policy or on an as needed basis.
6. **Fiscal Officer**: Fiscal Officer means the current Fiscal Officer of the Township.
7. **Leave**: Leave means vacation leave or compensatory time accrued and unused by the Employee and available for use by the employee.

8. **Non-Essential Employee:** Non-Essential Employee means an employee assigned to a position not designated by this Policy or the Board as an Essential Employee.
9. **Policy:** Policy means this Severe Weather and Emergency Policy.
10. **Severe Weather Event:** Severe Weather Event means a weather event that results in the Sheriff declaring a weather-related Emergency.
11. **Sheriff:** Means the elected or appointed County Sheriff or his or her designee.
12. **Snow Emergency:** Snow Emergency means a Level 1, Level 2, or a Level 3 Snow Emergency declared by the Sheriff in accordance with the laws of the State of Ohio.
13. **Township:** Township means Berlin Township, Delaware County, Ohio.
14. **Township Offices:** Township Offices means all offices and departments operated by the Township.

Severe Weather Policy

In the event of any Severe Weather Event in the County that results in the Delaware County Sheriff declaring a Snow Emergency, the Township shall operate, based on the level of the declared Snow Emergency, in accordance with the following policy:

- **Level 1 Snow Emergency:**

The Township will be open. All Employees, unless otherwise excused, are expected to be at work.

- **Level 2 Snow Emergency:**

Overnight Severe Weather Event

If a Severe Weather Event occurs overnight, the following applies:

All Essential Employees, unless otherwise excused, are expected to be at work at the Essential Employee's scheduled shift start time or as otherwise ordered and are expected to remain at work until the end of the Essential Employee's scheduled shift or as otherwise directed.

The Board, in its sole discretion, may determine that conditions warrant a delay in the opening of the Township Offices or closure of the Township. In which case, the Board may order such delay or closure. Any such order shall be communicated to Employees by telephone call or text message from the Fiscal Officer. Employees should not expect any such order to be communicated by any other method or means.

Workday Severe Weather Event

If a Severe Weather Event occurs during the workday, the Board, in its sole discretion, may determine that conditions warrant closure of the Township Offices. In which case, the Board may order that the Township Offices be closed. Any such order shall be communicated to Employees via telephone, text message, email, verbal communication, or other appropriate means of communication as determined by the Board.

At the time designated for closure all Non-Essential Employees are excused.

All Essential Employees, despite any closure of Township Offices and unless otherwise excused, are expected to remain at work until the end of the Essential Employee's scheduled shift or as otherwise directed.

- **Level 3 Snow Emergency:**

Township Offices are closed.

All Essential Employees, unless otherwise excused, are expected to be at work at the Essential Employee's scheduled shift start time and are expected to remain at work until the end of the Essential Employee's scheduled shift or as otherwise directed.

Non-Essential Employees should not report to work.

Employee Determination that Conditions are Unsafe or Prevent Attendance at Work

In the event of a Severe Weather Event where the Township Offices are open and/or the employee is expected to report to work consistent with this Policy, an employee shall use his or her discretion as to whether to report to work. In the event an employee determines that the conditions in the employee's neighborhood and/or the employee's route to work is/are unsafe or prevent the employee's attendance at work, the employee shall contact the Fiscal Officer and advise him or her that due to the Severe Weather Event he or she is unable to report to work. The employee must use and be approved by the Board to use Leave for the hours that the employee is absent from work. If the employee has no Leave or Leave is not approved, the employee must use unpaid leave. An employee using unpaid leave under the circumstances described in this Policy shall not be in any way penalized for his or her absence.

Severe Weather Event in Another County

Employees living or located in another county shall follow the above Severe Weather Policy in accordance with any Severe Weather Event and the level of any Snow Emergency declared by the Sheriff for the county in which the employee lives or is located or is required to pass through on his or her route to work.

In the event a Snow Emergency declared in another county affects an employee, the effected employee shall contact the Fiscal Officer and advise him or her of the existence of and level of such Snow Emergency.

In the event of an absence caused by a Level 2 Snow Emergency in another county, a Non-Essential Employee must use and be approved by the Board to use leave for the hours that the employee is absent from work. If the employee has no leave or leave is not approved, the employee must use unpaid leave. An employee using unpaid leave under the circumstances described in this Severe Weather Policy shall not be in any way penalized for his or her absence.

In the event of an absence caused by a Level 3 Snow Emergency in another county, a Non-Essential Employee shall record the hours of his or her absence due to the Level 3 Snow Emergency in his or her time records as "Other." Under such circumstances, Non-Essential Employees will not be required to use leave.

Emergency Policy

The Board, in its sole discretion, may determine that an Emergency exists and which conditions warrant closure of the Township Offices. In which case, the Board may order that the Township Offices be closed until, as determined by the Board in its sole discretion, a set date and time or until further order of the Board. Any such order shall be communicated to employees via telephone, text message, email, verbal communication, or other appropriate means of communication as determined by the Board.

If the Emergency occurs outside of work hours and the Board orders the Township Offices closed, Non-Essential Employees shall not report to work until the Township Offices are once again open or until further ordered. If the Emergency occurs during work hours and the Board orders the Township Offices closed, at the time designated for closure all Non-Essential Employees are excused until the Township Offices are once again open or until further ordered.

In the event of an Emergency as a result of which the Board orders the Township Offices closed, all Essential Employees, unless otherwise excused, are expected to be at work at the Essential Employee's scheduled shift start time or as otherwise ordered and are expected to remain at work until the end of the Essential Employee's scheduled shift or as otherwise directed.

Recording of Time

In the event the opening of Township Offices is delayed, or the Township is closed, Non-Essential Employees who are excused should record the hours of the delay or closure in their time records as "Other." Non-Essential Employees who are excused due to a delay or closure will not be required to use Leave.

CHAPTER III – PAY & BENEFITS

Section 3.01 Employee Compensation, Withholdings, and Deductions

Employee salaries and benefits are determined by Resolution of the Board of Trustees or applicable collective bargaining agreement. Payment of employee compensation will be administered by the Fiscal Officer. Standard withholdings, as dictated by federal and state law, including retirement systems, will be deducted from employees' paychecks. In addition, the Township is required by law to comply with court orders, liens, and garnishments. The Township cannot stop garnishments without a court order or statement of expiration.

Section 3.02 Payroll

Township employees are paid either bi-weekly or monthly. Bi-weekly paychecks are issued every other Tuesday for time worked during the two-week period commencing three weeks prior. There are generally twenty-six (26) bi-weekly payroll periods per year. Monthly paychecks for time worked during the month are issued by the fifth (5th) day of the following month. There are twelve (12) monthly payroll periods per year. No payroll advances are permitted.

In the unlikely event that there is an error in the amount of an employee's paycheck, the employee should promptly bring the discrepancy to the attention of the Fiscal Officer so that corrections can be made. Generally, any such corrections will be made on the next scheduled paycheck.

Section 3.03 Timekeeping

Accurately recording time worked is the responsibility of every non-exempt employee. Time worked is the time actually spent on a job performing assigned Township duties. The Township does not pay for extended breaks or time spent on personal matters.

The Township requires all Non-Exempt Employees, including Supervisors, to complete and sign a timesheet verifying the amount of hours worked. All timesheets shall be forwarded to the employee's supervisor at the end of the last scheduled work day of each pay period. Supervisor's shall review and sign an employee's timesheet prior to forwarding the same to the Fiscal Officer. In the event a supervisor is absent, a Board member may review and sign an employee's timesheet. Supervisors shall forward their timesheets to a Board member for review and signature by the Board member. All timesheets shall contain two signatures. Non-Exempt Employees should record the time work commenced and ended. Any approved leave or absence from work due to personal reasons must be filed with the Fiscal Officer at the time the leave or absence is requested by the employee. Approved leave or absence from work must be reflected on the timesheet and each Non- Exempt Employee has the responsibility to attach the approved leave form to the timesheet in the pay period in which the leave occurred.

Failure to properly complete a timesheet may delay issuance of a Non-Exempt Employee's paycheck to the next scheduled pay period. Filling out another employee's timesheet, or the falsification of any timesheet, is prohibited and may be grounds for disciplinary action, up to and including termination.

Section 3.04 Off-the-clock Work is Prohibited

The Township intends to compensate employees for all hours worked. There shall be no “off the clock” work. Non-exempt employees are prohibited from signing in or beginning work before their scheduled starting time or signing out/stopping work past their scheduled quitting time except with supervisory approval or in emergency situations. Additionally, non-exempt employees who receive an unpaid lunch period are prohibited from working during their lunch period except with supervisory approval or in emergency situations. Non-exempt employees who work outside their regularly scheduled hours in contravention of this rule shall be paid for all hours actually worked, but may be disciplined accordingly.

No supervisor is vested with the authority to require “off the clock” work. An employee who believes they have been required to work off the clock will inform an individual next higher in the chain of the command immediately. If a dispute arises, the employee is to perform the work and submit the hours to their Department Head or Township Administrator for payment. The Township will promptly investigate the matter and issue appropriate compensation.

Section 3.05 Hours of Work & Overtime Pay

Work Hours and Overtime Generally

Except for certain Fire Department personnel discussed below, full-time non-exempt Township employees will be regularly scheduled to work forty (40) hours each workweek. A work week is defined as that period of time beginning at midnight on Sunday morning and continuing until midnight on the following Saturday evening and containing one hundred sixty-eight (168) consecutive hours. Full-time employees will ordinarily be scheduled to work eight (8) hours per work day, not including a half (1/2) hour unpaid lunch break and two (2) paid fifteen (15) minute breaks each day.

All non-exempt employees, except certain Fire Department Employees discussed below, who actually work more than forty (40) hours in a workweek shall be entitled to overtime pay compensation in conformance with the Fair Labor Standards Act. The overtime pay rate will be one and one-half (1 ½) times the employee’s regular rate for all hours actually worked beyond forty (40) hours per work week.

Notwithstanding anything to the contrary contained herein, a Township employee shall work at such times as may, from time to time, be directed by the employee’s supervisor and/or a Trustee. This authority includes, but is not limited to, the right to change the employee’s regular work schedule and hours and the right to require the employee to work overtime. Nothing in this Handbook shall be construed as a guarantee of a particular number of hours of work per week nor as a restriction on the Township’s right to require overtime. Regular, predictable attendance is an essential function of each job.

Work Cycle and Overtime for Non-Exempt Firefighters

Firefighters ordinarily assigned to the 3-platoon system, for purposes of calculating eligibility for overtime pay, utilize an annual year calculated to be two thousand seven hundred fifty-six (2,756) hours per year, one hundred six (106) hours per fourteen (14)-day work period, an average of fifty-three (53) hours per week. The regular workday for the 3-platoon members shall be twenty-four (24) hours beginning at 0800 and ending at 0800 the following calendar day followed by forty-eight (48) hours off during the work period.

The work period is hereby established to, and shall be understood to, refer to the regular recurring period of work consisting of fourteen (14) consecutive calendar days, one hundred six (106) hours, beginning at 12:01 a.m. and ending at 12:00 a.m. of the fourteenth (14th) consecutive calendar day next following that beginning morning. "Work period" is defined herein, pursuant to applicable provisions of the Fair Labor Standards Act codified at 29 USC § 207(k), as explained by 29 CFR §§ 553, *et seq.*

Forty (40) hour members will be entitled to overtime pay at time and one and one-half their regular rate for all hours worked in excess of forty (40) hours in a workweek. Platoon members will be paid overtime pay at one and one-half (1½) their regular rate for all hours worked in excess one hundred six (106) hours in the fourteen (14)-day work period. During fourteen (14)-day work periods in which a member is regularly scheduled to work ninety-six (96) hours, members will be paid overtime pay at one and one-half (1½) their regular rate for all hours worked in excess of ninety-six (96) hours.

For purposes of calculating eligibility for overtime pay of non-exempt firefighters, the firefighter's actual hours worked as well as time on vacation or compensatory time, will be counted.

Time spent overnight on official Township business during which an employee is able to use their time freely shall not be considered time worked for purposes of calculating overtime.

No employee may work overtime without prior express approval from their supervisor or Department Head. Unauthorized overtime will result in disciplinary action up to and including termination of employment.

Section 3.06 Compensatory Time Off (Fire Department Only)

Non-exempt full-time employees of the Fire Department may choose to receive compensatory time off ("comp time") in lieu of actual cash compensation for any overtime hours worked by the employee. Comp time is a substitute for cash overtime. Comp time will be credited at the rate of one and one-half (1 ½) hours for each overtime hour worked. The non-exempt full-time firefighter may accumulate, not more than four hundred eighty (480) hours of compensatory time in their bank. An employee who has accumulated compensatory time to his or her credit may elect to be paid for some or all of the hours in his or her comp time bank at the last pay period in November, paid at straight time at the hourly rate in effect at the time of payment, one (1) hour of pay for each one (1) hour deducted from the comp time bank, or may elect to carry-over the unused comp time to the

next year. In no event shall the total number of comp time hours in an employee's bank exceed four hundred eighty (480) hours.

The Township will permit use of comp time within a reasonable period after the employee makes the request, if such use does not unduly disrupt the operations of the Department. Comp time may be taken by forty (40) hour members in four (4) hour increments. Comp time may be taken in the following increments for fifty-three (53) hour members, and must be requested seventy-two (72) hours in advance, except as approved by the Fire Chief:

- 9-hour day shift (08:00hrs-17:00hrs)
- 15-hour night shift (17:00hrs-08:00hrs)
- 12-hour increments (08:00hrs-20:00hrs or 20:00-08:00)
- 24-hour duty day increments

For comp time greater than twenty-four (24) hours, the request must be submitted by the 10th day of the preceding month.

To prevent undue disruption of Department operations, no more than one (1) member may utilize comp time at the same time.

Upon termination of employment an employee will be paid for the unused compensatory time at the highest of the following two rates: (A) the average regular rate received by the employee during the last three (3) years of the Township employment, or (B) the final regular rate received by the employee.

Section 3.07 Exempt Employee Pay

Salaried-exempt employees receive their pre-determined full salary for any workweek in which work is performed. Their pay is not subject to deductions for variations in the quantity or quality of the work performed. Under federal law, exempt employee salaries are subject to certain deductions resulting in pay reductions in a workweek in which work was performed. Pay deductions in a workweek may include:

- Full day absences for personal reasons;
- Full day absences for sickness or disability;
- Full day suspensions for infractions of safety rules of major significance (including those that could cause serious harm to others);
- Family and Medical Leave absences (either full or partial day absences);
- To offset amounts received as payment for jury and witness fees or military pay;
- Unpaid suspensions of one or more full days for significant infractions of major workplace conduct rules set forth in written policies;
- The first or last week of employment in the event the employee works less than a full week.
- Any other deduction permitted by law.

In any workweek, an exempt employee's salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness or disability (however the employee's paid time off balances may be reduced by less than a full-day consistent with Township policy);
- Absence because the Township is closed on a scheduled work day;
- Absences for jury duty, attendance as a witness, or military leave in any week in which the exempt employee has performed any work;
- Any other deductions prohibited by state or federal law.

The Township adheres to the Fair Labor Standards Act and as such, does not intend to make improper deductions from exempt employees.

The Township may from time-to-time permit comp time for exempt employees, and set the parameters for comp time and whether unused comp time is paid-out. Exempt employees should check with their supervisor about whether they are eligible for exempt comp time.

Section 3.08 Payroll Errors

The Township intends to comply with all FLSA provisions. Improper deductions that are not in accordance with the FLSA are prohibited. Additionally, improperly classifying individuals as "exempt" from overtime is prohibited. Any deduction that is subsequently determined to be improper, or any exemption status later found to be improper, shall be reimbursed. Any employee who believes that he or she has had an improper deduction from his or her salary, or who believes he or she has been improperly classified under the FLSA, shall submit a complaint in writing to the employee's Department Head and the Fiscal Officer will investigate the matter. The Fiscal Officer will investigate and see that a written response is provided in a timely manner to ensure a good faith effort to comply with FLSA standards.

Section 3.09 Group Health Insurance

The Board of Trustees may procure insurance policies that provide for hospitalization, surgical care, major medical care, disability, dental care, eye care, medical care, hearing aids, prescription drugs, and/or sickness and accident or other policies. If the Board procures any such policies, the Board will offer coverage to all full-time Township employees and their immediate dependents. Employees may be required to contribute a percentage of the premium of such plan.

Unless governed by federal or state law, the Township reserves the right to alter, modify, change, or cancel any of the benefit plans it offers to its employees, or their coverages, as it deems appropriate, with or without notice.

For the purpose of this policy, a full-time employee is one who works an average of at least of thirty (30) or more hours per week. An hour of service is each hour for which an employee is paid, or entitled to payment, for the performance of duties for the employer, and each hour for which an employee is paid, or entitled to payment by the employer for a period of time during which no duties are performed due to vacation, holiday, illness, incapacity, layoff, jury duty, military duty or leave of

absence. The Township will make the determination of whether an employee is a full-time employee consistent with federal and state law.

It is the responsibility of employees to notify the Fiscal Officer of any change in family status, which may include birth of a child, death of a child or spouse, marriage, divorce, a spouse's change in employment status, as well as any beneficiaries, as these may affect benefit availability and/or coverage. Family status changes must be made in writing within thirty (30) calendar days of the event.

Employees should contact the Fiscal Officer for more information about the benefits offered.

The Township may offer an insurance opt-out payment to employees who decline to participate in the Township's health plan. See the Fiscal Officer about whether such benefits are available.

Section 3.10 Continuation of Group Health Insurance Coverage (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act ("COBRA") gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Township health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the Township's group rates plus an administration fee. The Township provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the Township's health insurance plan. The notice contains important information about the employee's rights and obligations.

Section 3.11 Deferred Compensation

The Ohio Public Employees Deferred Compensation Program is a mandatory retirement savings program that allows an eligible public employee to save for retirement by depositing a portion of his or her wages in the program. An employee pays no current federal or state tax on money deposited in the program, or on the income earned on such deposits, until the funds are withdrawn from the program. The program is administered by the Ohio Public Employee Deferred Compensation Program. A copy of the Township's Deferred Compensation Policy is available with the Fiscal Office. To learn more or to enroll in this program, contact the Fiscal Officer.

Section 3.12 Retirement

Unless exempted by applicable law, all Township employees shall participate in either the Public Employee Retirement System ("OPERS") or the Ohio Police and Firefighter Disability and Pension Fund ("OP&F"). OPERS and OP&F are mandated retirement withholdings that are taken from employees' paychecks at rates set by OPERS or OP&F, respectively. They are in lieu of Social

Security withholding. Upon reaching an age established by OPERS or OP&F, employees will receive retirement benefits according to established schedules. The Township will pay its portion of OPERS and OP&F withholding only and will not be responsible for picking up any part of the employee’s portion. Upon termination from employment with the Township, employees may have the option to cash out their withholdings, minus any taxes and penalties due according to applicable OPERS or OP&F rules.

Part-time and paid volunteer firefighting personnel pay Social Security Tax (“FICA”). With every contribution made by the employee, the Township contributes an amount set by the U.S. Government.

Section 3.13 Paid Holidays

The following ten (10) days and two (2) half-days (totaling eighty (88) hours) are recognized by the Township as paid holidays for which all full-time employees with at least six (6) months continuous Township service will receive the following hours of pay at the employee’s regular rate of pay:

Holiday	Date Observed
New Year’s Day	January 1 (8 hours)
Martin Luther King Day	Third Monday in January (8 hours)
Memorial Day	Last Monday in May (8 hours)
Juneteenth Day	June 19 (8 hours)
Independence Day	July 4 (8 hours)
Labor Day	First Monday in September (8 hours)
Veteran’s Day	November 11 (8 hours)
Thanksgiving	Fourth Thursday in November (8 hours)
Friday Following Thanksgiving*	Fourth Friday in November (8 hours)
Christmas Eve**	December 24 (4 hours)
Christmas Day	December 25 (8 hours)
New Year’s Eve**	December 31 (4 hours)

*In lieu of Presidents’ Day

**In lieu of Columbus Day

Saturday/Sunday Observance

Township holidays which fall on a Saturday will be observed on the preceding Friday. Township holidays which fall on a Sunday will be observed on the following Monday, with the exception of Christmas Eve and New Year’s Eve, which will instead be observed on the preceding Friday.

Holidays Occurring during an Employee’s Vacation/Sick Leave

A full-time employee shall receive holiday pay (i.e. eight (8) or four (4) hours of pay, whichever is appropriate, at the employee’s regular rate of pay), as opposed to paid sick leave or vacation pay, for any holiday that occurs during the employee’s scheduled vacation, or while the employee is absent on sick leave approved in advance by the Board.

Work on Holidays

Full-time employees may be required to work on a scheduled holiday. In such instances, full-time employees required to work on a scheduled holiday will be paid holiday pay as set forth above in addition to one and one-half times their regular rate of pay for hours worked on the holiday. Holiday pay shall not be considered hours worked for purposes of calculating overtime as employees required to work are already compensated at one and half times the regular pay in addition to receiving the holiday hours pay.

If an employee cannot work the required shift whether during required holiday hours, required hours outside of normal shifts on holiday weeks, or required normal shift hours taking place in the week of a holiday due to medical issues, documentation provided to the Board of Trustees and Fiscal Officer will be required.

It is the expectation that all full-time employees engage in an honest and professional manner and report for required work as assigned. The Board may implement disciplinary action, up to and including termination, for an employee's failure to work required holidays or other required hours during a holiday week, such as an employee's admitted unwillingness to work when required, falsification of sick leave, or failure to produce required documentation justifying the use of sick leave.

Holiday Leave and Pay (Firefighters)

Fifty-three (53) hour employees of the Fire Department shall be entitled holiday time and compensation for each of the holidays listed above, in accordance with the Fire Department's Holiday Compensation Schedule for a given year.

Fifty-three (53) hour employees that actually work the holidays will receive holiday pay at one and one-half times (1.5x) their regular hourly rate for the hours actually worked on the holiday date starting at 00:00 hours until 23:59 hours, or may bank the holiday pay as paid time off, in accordance with the Fire Department's Holiday Compensation Schedule. The employee can carry over to the next calendar year up to fifty-six (56) hours of holiday time.

The use of banked holiday time shall be scheduled in the same manner provided for the scheduling of vacation time; provided, however, that holiday time may, with the approval of the Fire Chief, be scheduled by an employee upon seventy-two (72) hours prior notice.

If an employee is credited with holiday time and subsequently leaves the employ of the Township, then all holiday time representing those hours for holidays occurring after such break in service shall be forfeited without compensation or payment therefor. In the event the employee has used all or any portion of such time prior to his or her break in service, then the time so used may be deducted from the employee's wages and/or other monies owed to the employee, and the Township is hereby authorized to automatically make such deduction. If the Township requests, an employee shall sign an authorization in favor of the Township reflecting this deduction.

To ensure that coverage is provided and shared across all full-time employees on holidays, the Township will not ordinarily approve leave time requested for a holiday. Exceptions to this rule include leave necessary for Family Medical Leave, to reasonably accommodate a disability, jury

service, military leave and bona fide sick leave. Sick leave taken on a holiday will automatically require a doctor’s certification of the nature of the leave that it was needed for that day.

Section 3.14 Vacation

Full-time employees shall accrue paid vacation leave based upon hours in active pay status according to the following schedule:

Length of Continuous Township Service*	Annual Paid	Amount Accrued Per
	Vacation Leave Available	80 Hours in Active Pay Status
Less than eight (8) years of continuous service.	10 days (80 hours)	3.08 hours (bi- weekly)
Eight (8) to fourteen (14) years of continuous service.	15 days (120 hours)	4.62 hours bi-weekly)
Fifteen (15) to twenty-four (24) years of continuous service	20 days (160 hours)	6.15 hours (bi-weekly)
Twenty-five (25) or more years of continuous service	25 days (200 hours)	7.69 hours (bi-weekly)

* Approved paid and/or unpaid leave does not constitute interruptions in an employee’s period of service.

Prior Service

A full-time Township employee is entitled to have the employee’s prior full-time service with another Ohio township counted as service with the Township for the purpose of computing the amount of the employee’s vacation leave. The employee’s employment anniversary date for purposes of computing the amount of the employee’s vacation leave shall be the anniversary date of such prior service. No vacation accumulated at another Ohio township shall be transferable to Berlin Township.

An employee who has retired in accordance with the provisions of any retirement plan offered by the State and who become reemployed with the Township thereafter, shall not have prior service with Berlin Township or any other Township or entity counted for the purpose of computing vacation leave.

A full-time employee who later transitions to part-time status involuntarily and then returns to full-time status, shall have that time while employed part-time counted toward seniority for purposes of vacation accrual.

Accrued vacation leave is not available for use until it is credited to the employee. An employee may carryover a maximum of ten (10) days (eighty (80) hours) of vacation leave to the following year. Vacation leave in excess of ten (10) days (eighty (80) hours) not used at the close of the year in which it is credited, shall be forfeited without compensation or payment therefore. Upon an employee’s separation from employment with the Township, the employee shall be paid for all earned but unused vacation time to his/her credit at the time of separation.

Terms and Conditions of Use

With the approval of the Board, an employee may take vacation leave subject to the following terms and conditions:

- When vacation time is used, it shall be used in one (1) hour increments, and shall be deducted from the employee's credit on the basis of one (1) hour for every one (1) hour of absence from previously scheduled work;
- Should a Township paid holiday occur during an employee's scheduled vacation, the employee will receive holiday pay and the day will not count against the employee's vacation allowance; and
- Vacation schedules are subject to Board approval and shall be scheduled and submitted to the Fiscal Officer at least two (2) weeks in advance of requested time off; provided that vacation requests of eight (8) hours or less may be submitted with as little as one (1) day (24 hours) notice.

Vacation Leave (Full-Time Firefighters)

Full Time Fire Department Employee Vacation Accrual

Forty (40) hour members will accrue vacation at the annual rate set forth above, based on years of continuous active full-time service with the Township, and on the anniversary date of his/her employment.

Fifty-three (53) hour members will accrue vacation at the annual rate set forth below, based on years of continuous active full-time service with the Township, and on the anniversary date of his/her employment.

Years of Continuous Service	Hours of Vacation Earned (Per Year)	Shift Days of Vacation Earned (53 Hour Work Week)	Hours of Vacation Earned per Pay (26 pay periods)
Year 1 – Year 5	120	5 shift days	4.62 hours
Year 6 – Year 10	168	7 shift days	6.46 hours
Year 11 – Year 15	224	9 shift days	8.62 hours
Year 16 – Year 20	264	11 shift days	10.16 hours
Year 21 –	336	14 shift days	12.93 hours

Accrued vacation leave is not available for use until it is credited to the employee. No leave shall be

taken until approval has been received by the Fire Chief or designee. No member shall be allowed to take more vacation, compensatory, or holiday time than what they have accrued.

Notwithstanding the foregoing, upon a break in service no vacation time shall accrue or be credited unless and until the employee is in active service with the Township.

Use

Vacation time shall be taken at such time or times at the discretion of and as may be approved by the Fire Chief or designee. Vacation leave may be taken in one (1) hour increments for forty (40) hour members. Vacation leave may be taken in the following increments for fifty-three (53) hour members:

- 9-hour day shift (08:00hrs-17:00hrs)
- 15-hour night shift (17:00hrs-08:00hrs)
- 12-hour increments (08:00hrs-20:00hrs or 20:00-08:00)
- 24-hour duty day increments

The employee may only take a maximum of two (2) consecutive weeks (120 hours) of vacation at any one time.

Scheduling

For vacation leave less than and including eight (8) hours for forty (40) hours members, and twenty-four (24) hours for fifty-three (53) hour members, seventy-two (72) hour notice must be given. For vacation leave greater than twenty-four (24) hours, the request must be submitted by the 10th day of the preceding month. Scheduling of vacation for the upcoming year will begin to take place November 1, of the preceding year. Members may schedule vacation leave based on Department Seniority. By December 1 of the preceding year, each member must schedule at least two (2) consecutive shifts of vacation leave to be taken in the upcoming year.

Vacation Carry-Over

The employee shall have the option of carrying over up to one hundred sixty-eight (168) hours of vacation time into the next succeeding calendar year. The employee shall communicate this election to carry over one hundred sixty-eight (168) hours in writing, on a form approved by the Board of Trustees, to the Township Fiscal Officer no later than December 1 of the calendar year in which such time is accrued. Vacation that is not used or carried over by the end of the calendar year shall be forfeited.

Payout on Separation

A member who is to be separated from the Township service for any reason and who has accrued but unused vacation leave shall be paid in a lump sum for such unused vacation leave to the employee's credit. In the event of an employee's death, earned but unused vacation leave shall be paid to the employee's spouse, children, or parents in that order, or to the employee's estate.

CHAPTER IV – ATTENDANCE & LEAVES OF ABSENCE

Section 4.01 Sick Leave

Each full-time employee shall accrue paid sick leave at the rate of approximately 4.62 hours of sick leave per bi-weekly pay period, for a maximum of fifteen (15) days (120 hours) of sick leave per calendar year. Fifty-three (53) hour members of the Fire Department shall accrue paid sick leave at the rate of twelve (12) hours per work period, for a maximum total of three hundred twelve (312) hours for each calendar year during full-time active service. An employee may use sick leave as it is earned without any waiting period.

Carry Over

Employees who do not use all of their sick leave by the end of the calendar year in which it was accrued may carry that leave forward to following years, provided that employees shall not be permitted to accumulate more than four hundred eighty (480) hours of accrued but unused sick leave. Members of the Fire Department may carry-over unused sick leave from year to year to a limit of nine hundred and thirty-six (936) hours. If an employee has a break in service, the employee's previously accumulated sick leave shall be placed to the employee's credit upon re-employment with the Township on a full-time basis, provided that such re-employment takes place within five (5) years of the date on which the break in service occurred, and the employee did not previously cash-out any amount of sick leave upon retirement or transfer it to another agency. Each quarter, a member of Fire Department who has more than four hundred eighty (480) hours of accrued, unused sick time, may exchange up to twenty-four (24) hours of unused sick leave from their balance for an equal amount of pay at the member's then-current regular hourly rate.

Charge of Sick Leave

Sick leave shall be used in one (1) hour increments. Employees shall be charged sick leave only for the day and hours that they have otherwise been regularly scheduled to work.

Uses of Sick Leave

With the approval of the Board, sick leave may be used by an employee for the following reasons:

- Illness, injury, or pregnancy-related conditions of the employee;
- Exposure of an employee to a contagious disease that could be communicated to and jeopardize the health of other employees;
- Examination of the employee, including medical, psychological, dental or optical examination, where such examination could not be scheduled off-duty;
- Illness, injury, or pregnancy-related condition of a member of the employee's immediate family where the employee's presence is reasonably necessary. For present purposes, and for purposes of the following paragraph, "immediate family" shall include the

employee's: spouse, grandparents, parents, brothers, sisters, and children (including step-children, foster children, and legal guardianship children);

- Examination, including medical, psychological, dental, or optical examination of a member of the employee's immediate family where the employee's presence is reasonably necessary. An employee using sick leave for a medical, dental, or vision examination must report to work at the earliest time practicable following completion of the examination, provided that the employee is medically released by the physician to resume work; and
- For a reasonably necessary time, in no event to exceed five (5) days, for bereavement purposes for the death of a member of the employee's immediate family. For purposes of bereavement "immediate family" shall include the employee's: spouse, parents, children (including step-children, foster children, and legal guardianship children), grandparents, siblings, grandchildren, parents-in-law, step-siblings, or a legal guardian or other person who stood in the place of a parent. For funeral attendance purposes in the event of the death of a person other than a member of the employee's immediate family, an employee may not use sick leave, but may use vacation leave.

Evidence of Use

Any sick leave used should be reflected on the employee's time sheet.

The Township may require the employee to furnish a satisfactory written, signed statement to justify the use of sick leave. The Board may also require the employee to furnish the Township a certificate signed by a licensed physician or health provider stating the nature of the illness or injury in order to verify proper use of sick leave.

In the case of a condition that requires an employee to take a leave exceeding three (3) consecutive scheduled workdays, a physician's statement specifying the employee's ability to work and the probable date of recovery may be required. If a township employee is sick for a period of five (5) or more consecutive days a doctor's release will be required to return to work.

Notification

An employee who is unable to report for work and who is not on a previously approved day of sick leave shall be responsible for personally notifying the employee's supervisor, the fiscal officer and/or a Board member that the employee will be unable to report for work unless the employee is unable to communicate. The notification must be made within one-half (1/2) hour after the time the employee is scheduled to report for work unless emergency conditions prevent such notification.

If an employee knows that the employee will be unable to work for more than one day, the employee should inform the employee's supervisor and/or a Board member as soon as possible. Should an employee become ill during the workday, the employee must notify the employee's supervisor, Fiscal Officer and/or a Board member of the illness before using sick leave and leaving the work site.

Notification (Fire Department)

Any Fire Department employee who is unable to report for work and who is not on a previously approved day of sick leave shall be responsible for personally notifying the Fire Chief or then on- duty supervisor by telephone that the employee will be unable to report for work, unless the employee is unable to communicate. In the event the Fire Chief or appropriate officer cannot be reached, the employee shall attempt to notify the Fire Department Trustee Liaison by telephone. The notification must be made at least one (1) hour before the time the employee is scheduled to report for work unless emergency conditions prevent such notification. If, despite these efforts, the member is unable to reach the Fire Chief, on-duty supervisor or Trustee Liaison, the member shall leave a phone or text message or email with the Fire Chief. Should an employee become ill during the workday, the employee must notify the employee's supervisor of the illness before using sick leave and leaving the work site.

Unauthorized Use of Sick Leave

Employees will be subject to discipline up to and including termination for unauthorized, inappropriate, and/or fraudulent use of sick leave, including but not limited to the following: falsifying sick leave forms; failure to provide physician's verification when required; falsifying physician's verification; falsifying sickness; misrepresenting the grounds for a sick leave request; and failure to notify the employee's supervisor, fiscal officer and/or a Board member of sick leave.

Death of Employee

Upon the death of an employee, unused accumulated sick leave shall be paid to the employee's spouse, children, or parents, if any, in that order, or to the employee's estate as provided for in this section. Payment for sick leave accumulated while in the employ of the Township shall be based on the employee's regular rate of pay in effect at the time of death and will be paid in cash for one- fourth (1/4) of the value of the employee's accrued, but unused, sick leave balance, up to a maximum payment of one hundred twenty (120) hours.

Light Duty

The Township may, in its discretion, order an employee to temporary light duty assignment consistent with the employee's medical restrictions. The Township shall have the right to require one or more medical examinations (which, if required, shall be paid for by the Township) of an employee in order to ensure that the employee is able to perform the duties of the position. In the case of any medical examination, the employee shall authorize the release to the Township or designee(s) of the results of each examination. Nothing in this section shall restrict or otherwise modify the rights granted to cancel and/or deny sick leave consistent with this Policy.

Section 4.02 Civic Duty Leave

Jury Duty

Employees will be excused from regularly scheduled work for jury duty. Upon receiving a jury duty notice, an employee shall provide a copy to the employee's supervisor, Fiscal Officer and/or a Board member within seven (7) days or give reasonable notice to the Township prior to the commencement of the employee's service as a juror. If an employee's jury duty is concluded prior to the completion of the employee's regularly scheduled workday, he or she must return to work for the remainder of the workday. Employees scheduled for jury duty immediately following the conclusion of their shift will be released from their shift sufficiently in advance to allow the employee to travel to the courthouse in time for the scheduled jury service. The Township will compensate an employee who is called to, and reports for, panel and/or jury duty, at the employee's straight-time hourly rate for the hours he or she was scheduled on that day. The employee must give the Township prior notice of jury duty and pay his or her jury duty fee to the Township, in order to receive his or her regular pay. Jury duty pay is considered hours worked for purposes of calculating overtime.

Work Related Proceedings

Employees who are required by the Township to appear in court or other proceedings on behalf of the Township, will be paid at their appropriate rate of pay for hours actually worked. Employees must obtain prior approval from their supervisor before appearing in court or administrative proceedings on behalf of the Township.

Personal Matters

Employees who are required to appear in court on personal matters, or on matters unrelated to their employment with the Township, must seek an approved vacation leave or unpaid leave of absence.

Section 4.03 Military Leave

Military leave is governed by O.R.C. Chapters 5903, 5906 and 5923 and the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Permanent public employees who are members of the Ohio National Guard, the Ohio Defense Corps, the Naval Militia or members of other reserve components of the Armed Forces of the United States are entitled to military leave from their respective duties without loss of pay for such time as they are in the military service on field training or active duty for periods not to exceed a total of twenty-two (22) eight (8) hour work days (176 hours) in any one (1) calendar year, or a total of seventeen (17) twenty-four (24) hour days (408 hours) in the case of public safety employees pursuant to Section 5923.05 of the Ohio Revised Code. Additional military leave may be granted by special action of the Board.

If the military leave exceeds an employee's entitlement of twenty-two (22) calendar days (176 hours) of military leave in any one (1) calendar year, the employee may request to use accrued vacation or sick leave during such period of service.

During this leave of absence, employees are entitled to be paid a monthly amount equal to the lesser of: (1) the difference between the employee's gross monthly wage and his/her gross monthly uniformed pay and allowances received for the month, or (2) five hundred dollars (\$500). No employee is entitled to receive this benefit if the amount of gross military pay and benefits exceed the employee's gross wages from the Township for that period.

Employees must turn in a training schedule for the year as soon as it is received. Only requests for military leave, including a copy of the order or statement from the appropriate military commander as evidence of the employee's duty, shall be submitted to the Board for approval. There is no requirement that the service be in one continuous period of time. Official orders will be accepted. Memorandum-in-lieu-of orders will not be accepted. The Township will request verification for the file that the individual was in service for the requested dates.

Section 4.04 Family Medical Leave

Eligible employees may request time off for family and/or medical leave of absence with job protection and no loss of accumulated service provided the employee meets the conditions outlined in this policy and returns to work in accordance with the federal Family and Medical Leave Act of 1993, as amended.

DEFINITIONS

As used in this policy, the following terms and phrases shall be defined as follows:

1. **Family and/or medical leave of absence:** An approved absence available to eligible employees for up to twelve (12) weeks of unpaid leave per year under particular circumstances. Such leave may be taken only for the following qualifying events:
 - a. Upon the birth of an employee's child and in order to care for the child.
 - b. Upon the placement of a child with an employee for adoption or foster care.
 - c. When an employee is needed to care for a family member who has a serious health condition.
 - d. When an employee is unable to perform the functions of his or her position because of the employee's own serious health condition.
 - e. Qualifying service member leave.
2. **Service Member Leave:** The spouse, parent or child of a member of the U.S. military service is entitled to twelve (12) weeks of FMLA leave due to qualifying exigencies of the service member being on "covered active duty" or receiving a "call to covered active duty". In addition, a spouse, child, parent or next of kin (nearest blood relative) of a service member is entitled to up to twenty-six (26) weeks

of leave within a “single twelve (12)-month period” to care for a service member with a “serious injury or illness” sustained or aggravated while in the line of duty on active duty. The “single twelve (12)-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends twelve (12) months later, regardless of the twelve (12) month period established for other types of FMLA leave.

3. **Per year:** A rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the Township will compute the amount of leave the employee has taken under this policy, and subtract it from the twelve (12) weeks of available leave. The balance remaining is the amount the employee is entitled to take at the time of the request. For example, if an employee used four (4) weeks of FMLA leave beginning February 4, 2009, four weeks beginning June 1, 2009, and four weeks beginning December 1, 2009, the employee would not be entitled to any additional leave until February 4, 2010.
4. **Serious health condition:** Any illness, injury, impairment, or physical or mental condition that involves:
 - a. Inpatient care.
 - b. Any period of incapacity of more than three (3) consecutive calendar days that also involves:
 - i. Two (2) or more treatments by a health care provider, the first of which must occur within seven (7) days of the first day of incapacity and both visits must be completed within thirty (30) days; or
 - ii. Treatment by a health care provider on one (1) occasion that results in a regimen of continuing treatment under the supervision of a health care provider.
 - c. Any period of incapacity due to pregnancy or for prenatal care.
 - d. A chronic serious health condition which requires at least two (2) “periodic” visits for treatment to a health care provider per year and continues over an extended period of time. The condition may be periodic rather than continuing.
 - e. Any period of incapacity which is permanent or long term and for which treatment may not be effective (e.g., terminal stages of a disease, Alzheimer’s disease, etc.).

- f. Absence for restorative surgery after an accident/injury or for a condition that would likely result in an absence of more than three (3) days absent medical intervention. (i.e. chemotherapy, dialysis for kidney disease, etc.).
- 5. **Licensed health care provider**: A doctor of medicine, a doctor of osteopathy, podiatrists, dentists, optometrists, psychiatrists, clinical psychologists, and others as specified by law.
- 6. **Family member**: Spouse, child, parent or a person who stands “*in loco parentis*” to the employee.
- 7. **Covered Service Member**: Means either:
 - a. A current member of the Armed Forces, including a National Guard or Reserve Member, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness; or
 - b. A covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a National Guard or Reserves Member, at any time during the five (5) years preceding the date the eligible employee takes FMLA leave to care for the covered veteran.
 - i. Note: An individual who was a member of the Armed Forces (including National Guard or Reserves) and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period of October 28, 2009 and March 8, 2013, shall not count toward the determination of the five (5) year period for covered veteran status.
- 8. **Outpatient Status**: The status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving outpatient medical care.
- 9. **Next of Kin**: The term “next of kin” used with respect to a service member means the nearest blood relative of that individual.
- 10. A **serious injury or illness**, for purposes for the twenty-six (26) week military caregiver leave means either:
 - a. In the case of a current member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness that was incurred by the covered service member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and

was aggravated by service in the line of duty on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating; and,

- b. In the case of a covered veteran, means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is:
 - i. a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or
 - ii. a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
 - iii. a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
 - iv. an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

11. **Covered Active Duty or call to covered active duty:**

- a. In the case of a member of a Regular Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country. (Active duty orders of a member of the Regular components of the Armed Forces generally specify if the member is deployed to a foreign country.)
- b. In the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to specific sections of the U.S. Code, as outlined in 29 CFR § 825.126.

12. **Deployment to a foreign country**: means deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the U.S., including international waters.

13. **Qualifying Exigency:** (For purposes of the twelve (12)-week qualifying exigency leave) includes any of the following:
- a. Up to seven (7) days of leave to deal with issues arising from a covered military member's short notice deployment, which is a deployment on seven (7) or fewer days notice.
 - b. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member.
 - c. Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member.
 - d. Making or updating financial and legal arrangements to address a covered military member's absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust.
 - e. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member.
 - f. Rest and recuperation leave of up to fifteen (15) days to spend time with a military member who is on short-term, temporary, rest and recuperation leave during the period of deployment. This leave may be used for a period of fifteen (15) calendar days from the date the military member commences each instance of Rest and Recuperation leave.
 - g. Attending certain post-deployment activities within ninety (90) days of the termination of the covered military member's duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member.
 - h. Qualifying parental care for military member's biological, adoptive, step or foster father or mother, or any other individual who stood "*in loco parentis*" to the military member when the member was under eighteen (18) years of age, when the parent requires active assistance or supervision to provide daily self-care in three (3) or more

of the activities of daily living, as described in 29 C.F.R. § 825.126, and the need arises out of the military member's covered active duty or call to covered active duty status.

- i. Any qualifying exigency which arose out of the covered military member's covered active duty or call to covered active duty status.

Leave Entitlement

To be eligible for leave under this policy, an employee must meet all of the following conditions:

1. Worked for the agency for at least twelve (12) non-consecutive months, or fifty-two (52) weeks.
2. Actually worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period immediately prior to the date when the FMLA leave is scheduled to begin.
3. Work at a location where the Township employs fifty (50) or more employees within a seventy-five (75) mile radius.
 - a. The entitlement to FMLA leave for the birth or placement for adoption or foster care expires at the end of the twelve (12) month period following such birth or placement.
 - b. Spouses who are both employed by the Township are jointly entitled to a combined leave total of twelve (12) weeks (rather than twelve (12) weeks each) for the birth of a child, upon the placement of a child with the employees for adoption or foster care, and for the care of certain family members with serious health conditions.

Use of Leave

The provisions of this policy shall apply to all family and medical leaves of absence as follows:

1. **Generally:** An employee is only entitled to take off a total of twelve (12) weeks of leave per year under the FMLA. As such, employees will be required to utilize their accumulated unused paid leave (e.g., sick, vacation) in conjunction with their accumulated unused unpaid Family Medical Leave. Employees will be required to use the type of accumulated paid leave that best fits the reason for taking leave and must comply with all procedures for requesting that type of leave as stated in the relevant policy. Any time off that may legally be counted against an employee's twelve (12) week FMLA entitlement will be counted against such time.
2. **Birth of An Employee's Child:** An employee who takes leave for the birth of his or her child must first use all available accrued paid vacation leave prior to using unpaid

leave for the remainder of the twelve (12) week period. However, if the employee requests leave for the employee's own serious health condition as a result of the pregnancy or post-partum recovery period, the employee will be required to exhaust all of her sick leave prior to using unpaid leave for the remainder of the twelve (12) week period. (*Note: See section E below for information on disability leaves.*)

3. **Placement of a Child for Adoption or Foster Care:** An employee who takes leave for the placement of a child for adoption or foster care must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.
4. **Employee's Serious Health Condition or Family Member's Serious Health Condition:** An employee who takes leave because of his or her serious health condition or the serious health condition of his or her family member must use all available accrued paid sick and vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.

FMLA and Disability/Workers' Compensation

If the Township employs at least 50 employees, an employee who is eligible for FMLA leave because of his or her own serious health condition may also be eligible for workers' compensation if the condition is the result of workplace accident or injury. Regardless of whether the employee is using worker's compensation benefits, the Township may designate the absence as FMLA leave, and count it against the employee's twelve (12) week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA. In addition, as these may be compensated absences, if the employee participates in the worker's compensation program, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the Township require him or her to do so, while the employee is receiving compensation from such a program.

Procedures For Requesting FMLA Leave

Requests for FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or as soon as practicable prior to the commencement of the leave. If the employee fails to provide thirty (30) days notice for foreseeable leave with no reasonable excuse for the delay, the leave may be denied until at least thirty (30) days from the date the Township receives notice. The employee must follow the regular reporting procedures for each absence.

FMLA requests must be submitted on a standard leave form prescribed by the Township. The Township will determine whether the leave qualifies as FMLA leave, designate any leave that counts against the employee's twelve (12) week entitlement, and notify the employee that the leave has been so designated.

When an employee needs foreseeable FMLA leave, the employee shall make a reasonable effort to schedule the treatment so as not to unreasonably interfere with the Township's operations.

Certification of Need for FMLA Leave for Serious Health Condition

An employee requesting FMLA leave due to his or her family member's serious health condition must provide a doctor's certification of the serious health condition, which must designate that the employee's presence is reasonably necessary. Such certification shall be submitted at the time FMLA leave is requested, or if the need for leave is not foreseeable, as soon as practicable. An employee requesting FMLA leave due to the birth or placement of a child must submit appropriate documentation at the time FMLA leave is requested.

The Township, at its discretion, may require the employee to sign a release of information so that a representative other than the employee's immediate supervisor can contact the medical provider. If the medical certification is incomplete or insufficient, the employee will be notified of the deficiency and will have seven (7) calendar days to cure the deficiency.

The Township may require a second medical opinion prior to granting FMLA leave. Such opinion shall be rendered by a health care provider designated or approved by the Township. If a second medical opinion is requested, the cost of obtaining such opinion shall be paid for by the Township. If the first and second opinions differ, the Township, at its own expense, may require the binding opinion of a third health care provider approved jointly by the Township and the employee. Failure or refusal of the employee to submit to or cooperate in obtaining either the second or third opinions, if requested, shall result in the denial of the FMLA leave request.

Employees who request and are granted FMLA leave due to serious health conditions may be required to provide the Township periodic written reports assessing the continued qualification for FMLA leave. Further, the Township may request additional reports if the circumstances described in the previous certification have changed significantly (duration or frequency of absences, the severity of the condition, complications, etc.), or if the Township receives information that casts doubt on the employee's stated reason for the absence. The employee must provide the requested additional reports to the Township within fifteen (15) days.

Certification for Leave Taken Because of a Qualifying Exigency

The Township may request that an employee provide a copy of the military member's active duty orders to support the request for qualifying exigency leave. Such certification for qualifying exigency leave must be supported by a certification containing the following information: statement or description of appropriate facts regarding the qualifying exigency for which leave is needed; approximate date on which the qualifying exigency commenced or will commence; beginning and end dates for leave to be taken for a single continuous period of time; an estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; appropriate contact information for the third party if the qualifying exigency requires meeting with a third party and a description of the meeting; and, if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders, or other documentation issued by the military which indicates the military member has been granted Rest and Recuperation leave, and the dates of the military member's Rest and Recuperation leave.

Intermittent/Reduced Schedule Leave

When medically necessary, an employee may take FMLA leave on an intermittent or reduced work schedule basis for a serious health condition. An employee may not take leave on an intermittent or reduced schedule basis for either the birth of the employee's child or upon the placement of a child for adoption or foster care with the employee unless specifically authorized in writing by the Township Administrator or Board of Trustees. Requests for intermittent or reduced schedule FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave, or, as soon as practicable.

To be entitled to intermittent leave, the employee must, at the time such leave is requested, submit additional documentation, as prescribed by the Township, establishing the medical necessity for such leave. This shall be in addition to the documentation certifying the condition as FMLA qualifying. The additional certification shall include the dates and the duration of treatment, if any, the expected duration of the intermittent or reduced schedule leave, and a statement from the health care provider describing the facts supporting the medical necessity for taking FMLA leave on an intermittent or reduced schedule basis. In addition, an employee requesting foreseeable intermittent or reduced schedule FMLA leave may be required to meet with the supervisor and/or Board of Trustees and/or designee to discuss the intermittent or reduced schedule leave.

An employee who requests and is granted FMLA leave on an intermittent or reduced schedule basis may be temporarily transferred to an available alternative position with equivalent class, pay, and benefits if the alternative position would better accommodate the intermittent or reduced schedule. An employee who requests intermittent or reduced schedule leave due to foreseeable medical treatment shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the Township's operations.

Employee Benefits

Except as provided below, while an employee is on FMLA leave, the Township will continue to pay its portion of premiums for any life, medical, and dental insurance benefits under the same terms and conditions as if the employee had continued to work throughout the leave. The employee continues to be responsible for the payment of any contribution amounts he or she would have been required to pay had he or she not taken the leave, regardless of whether the employee is using paid or unpaid FMLA leave. Employee contributions are subject to any change in rates that occurs while the employee is on leave.

The Township will not continue to pay the Township portion of premiums for any life, medical, and dental insurance benefits if, while the employee is on FMLA leave, the employee fails to pay the employee's portion of such premiums or if the employee's payment for his or her portion of the premium is late by more than thirty (30) days. If the employee chooses not to continue health care coverage during FMLA leave, the employee will be entitled to reinstatement into the benefit plan upon return to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition or circumstances beyond the employee's control, the Township may seek reimbursement

from the employee for any amount paid by the Township for insurance benefits the employee received through the Township during any period of unpaid FMLA leave. Leave balances accrued by an employee prior to taking FMLA leave and not used by the employee as outlined in the section entitled "Use of Leave" will be retained by the employee.

FMLA leave, whether paid or unpaid, will not constitute a break in service. Upon the completion of unpaid FMLA leave and return to service, the employee will return to the same level of service credit as the employee held immediately prior to the commencement of FMLA leave. In addition, FMLA leave will be treated as continuous service for the purpose of calculating benefits which are based on length of service. However, specific leave times (e.g., sick, vacation, personal leave, and holidays) will not accrue during any period of unpaid FMLA leave.

Reinstatement

An employee on FMLA leave must give the Township at least two business days notice of his or her intent to return to work, regardless of the employee's anticipated date of return. Employees who take leave under this policy will be reinstated to the same or a similar position upon return from leave except that if the position that the employee occupied prior to taking FMLA leave is not available, the employee will be placed in a position which entails substantially equivalent levels of skill, effort, responsibility, and authority and which carries equivalent status, pay, benefits, and other terms and conditions of employment as the position the employee occupied prior to taking FMLA leave. The determination as to whether a position is an "equivalent position" will be made by the Board of Trustees.

An employee will not be laid off as a result of exercising his or her right to FMLA leave. However, the Township will not reinstate an employee who has taken FMLA leave if, as a result of a layoff within the agency, the employee would not otherwise be employed at the time that reinstatement is requested. An employee on FMLA leave has no greater or lesser right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during his or her FMLA leave.

Prior to reinstatement, employees who take FMLA leave based on their own serious health condition shall provide certification from the employee's health care provider that the employee is able to perform the essential functions of his or her position, with or without reasonable accommodation.

Records

All records relative to FMLA leave will be maintained by the Township as required by law. Any medical records accompanying FMLA leave requests will be kept separate from an employee's regular personnel file. To the extent permitted by law, medical records related to FMLA leave shall be kept confidential. Records and documents created for purposes of FMLA containing family medical history or genetic information as defined by the Genetic Information Nondiscrimination Act of 2008 (GINA) shall be maintained in accordance with the confidentiality requirements of Title II of GINA, which permit such information to be disclosed consistent with the requirements of FMLA.

Section 4.05 Unpaid Leaves of Absence

Employees may request an unpaid leave of absence from the Board for educational, personal, or health related reasons. The decision of whether to grant the requested leave is left to the Board in its sole and unfettered discretion. Unpaid leaves of absence may be granted for up to six (6) months, as determined by the Board. At the expiration of each six (6) months leave, the Board may renew an employee's leave for an additional six (6) months, if warranted. A physician's certificate stating the start date of said leave, the nature of the illness and return date must be attached to the application of all medical leaves of absences.

Where an employee is unable to pre-determine the exact length of the employee's leave, an indefinite leave, not to exceed six (6) months, may be approved, renewable at the Board's discretion. The employee may be permitted to return to work at any time during the six (6) month period, provided that the employee gives the Board at least two (2) weeks' written notice of the employee's desire to return to work. If a leave of absence is granted for a definite period of time, the employee may be reinstated prior to the expiration of the leave only upon written approval of the Board.

While on an unpaid leave of absence an employee does not earn sick leave or vacation, nor is the employee entitled to holiday pay. The employee's anniversary date will be adjusted to exclude the time spent on leave without pay. An employee on an unpaid leave of absence must pay the full premium for the employee's health insurance (and dependent coverage, if applicable) in order to maintain coverage during the leave.

Unpaid leaves of absence shall not be granted to an employee for the purpose of engaging in political activity.

Section 4.06 Attendance Expectations

Regular and predictable attendance is an essential function of every position within the Township. Employees shall report to work on time and begin work promptly. Employees shall not sign-in or begin work before their scheduled start time and shall not sign-out or stop work after their scheduled quit time, except with supervisory approval or in emergency situations or pre-approved leave.

Employees may utilize the categories of paid and unpaid leave available to them upon approval and so long as properly reporting such absences is consistent with this Handbook.

Any employee who fails to report to work without notification to his or her supervisor for a period of three days or more will be considered to have voluntarily abandoned his or her employment relationship and may be terminated.

Section 4.07 Late for Work/Tardiness

For tardiness, there is a seven (7) minute grace period in the morning and when coming back from lunch. Supervisors will track when this grace period is used in excess. Once an employee has used

10 grace period allowances, he or she will forfeit use of a grace period, and any tardiness will result in an unexcused absence.

Section 4.08 Reporting Absences and Tardiness

An employee must provide timely notification to a supervisor if he or she will be late for work or absent. A late notification does not excuse the absence or tardiness but simply notifies the supervisor so that work and schedules can be properly distributed. For unplanned absences, an employee must notify the immediate on-shift supervisor no later than sixty (60) minutes before the regular starting time. The employee must notify the immediate supervisor by phone or text as soon as the employee is aware that he or she will be tardy. Individual departments may require a different absence or tardiness reporting procedure.

Section 4.09 Requesting Leave

Unless otherwise provided in this Handbook or an applicable collective bargaining agreement, "Request For Leave" (RFL) forms or a request entered into the payroll system must be completed by any employee who is requesting time off for any purposes permitted by the Township, paid or unpaid, and are to be submitted to the direct supervisor as well as to a the Trustee Liaison and the Fiscal Officer for approval two (2) weeks prior to the commencement of the requested leave. In the event of an unexpected illness or injury, an RFL must be completed by the employee and submitted within twenty-four (24) hours of the employee's return to work. Except as otherwise provided, the direct supervisor and either the Trustee Liaison or Fiscal Officer may approve vacation and sick leave without the approval of the entire Board. The Board must, however, be informed for all sick leave exceeding three (3) consecutive scheduled work days, vacation leave exceeding five (5) days. In addition, the Board must explicitly approve any unpaid leaves of absence.

CHAPTER V – WORKPLACE SAFETY AND INJURIES

Section 5.01 Safer Workplace

The Township strives to provide the safest working conditions possible for its employees and will comply with applicable state and federal laws and regulations. In order to assist the Township in this goal, it is necessary for all employees to follow appropriate and accepted Township safety practices, work rules, and to be observant as to potential hazards in their work environments.

In the event that an employee feels that an unsafe and/or hazardous condition exists within the workplace, or if an employee is injured during the course of his or her employment, the employee shall report such a condition to their supervisor and Trustee Liaison.

The safety of Township employees and the public depends on the alertness and personal commitment of all. The Township provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, and other written communications. Further, employees and supervisors are to

receive periodic workplace safety training. This training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards. The extent and type of training will depend upon the position of each employee. Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations may be subject to discipline up to and including termination of employment.

In the case of accidents, regardless of how insignificant the injury or damages may appear, employees must **immediately** notify their direct supervisor, the Board of Trustees, and the Fiscal Officer.. An employee, or in situations when the employee is not able to communicate or does not have access to a computer, the employee's supervisor, is required to email a summary of details of any work-related incident to the Fiscal Officer at clerk@berlintwp.us and to copy to all Board members and that employee's supervisor on the date of the incident. In the case of a traffic accident during township time, employees must immediately also notify law enforcement.

The employee and supervisor shall also submit a written report to the Fiscal Officer by the following business day. The report may be supplemented with further information (e.g. law enforcement report, witness statements, etc.) as it becomes available. Such reports are necessary to comply with applicable laws and initiate insurance and workers' compensation benefits procedures. A copy of the Incident Report may be obtained from the Fiscal Officer. Please see Appendix B for more information on incident reporting.

Checklist For Employees Involved in Motor Vehicle Accident

Employees involved in a motor vehicle accident while traveling for Township business, whether in their personal vehicle or a Township vehicle, must:

1. Take steps to assure the safety of the employee and any passengers;
2. Call an ambulance if anyone needs medical attention;
3. Call law enforcement to the scene, even if there does not appear to be any injuries, and await their arrival (unless the employee must seek immediate medical attention away from the scene);
4. Await the completion of law enforcement's investigation of the accident unless excused by law enforcement from the scene or taken for medical treatment;
5. Immediately notify the Trustee Liaison, Fiscal Officer or Department Head by phone or text of the details of the accident (this must be done while still on the scene of the accident, unless the employee is unable due to medical reasons);
6. No later than the next business day, provide the Fiscal Officer with a written summary of the accident, by writing or email.

Section 5.02 Workplace Violence

Zero Tolerance

The Township is committed to providing a work environment that is safe, secure, and free of

harassment, threats, intimidation, hostility, and violence. In furtherance of this commitment, the Township expects professionalism at all times and enforces a zero-tolerance policy for workplace violence, threats, harassment, and/or intimidation, and/or hostility. Consistent with this policy, threats or acts of physical violence, including intimidation, harassment, and/or coercion which involve or affect township employees, or which occur on Township property or at a worksite or while serving in the capacity of a Township employee, will not be tolerated. Employees who are found to have committed acts of workplace violence, harassed, intimidated, or threatened any other employee or person while serving in the capacity of a township employee will receive discipline up to an including possible termination as well possible criminal prosecution, depending on the nature of the offense.

Prohibited Acts of Violence

Prohibited acts of workplace violence include, but are not limited to, the following: (1) hitting or shoving; (2) threatening harm to an employee or his or her family, friends, associates, or property; (3) intentional destruction or theft of any property; (4) harassing or threatening telephone calls, letters, or other forms of written or electronic communications, including email and website postings; (5) intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or work rule; (6) willful, malicious and repeated following of another person, also known as “stalking” and/or making threats with the intent to place another person in reasonable fear for his or her safety; (7) suggesting or otherwise intimating that an act to injure persons or property is “appropriate”, without regard to the location where the suggestion or intimation occurs; and (8) unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on Township property.

Warning Signs and Risk Factors

The following are examples of warning signs, symptoms and risk factors that may indicate an employee’s potential for violence. In all situations, if violence appears imminent, employees should take the precautions necessary to assure their own safety and the safety of others. An employee should immediately notify their direct supervisor, the Board of Trustees, and the Fiscal Officer, if they witness any violent behavior, including, but not limited to, the following: (1) hinting or bragging about a knowledge of firearms; (2) making intimidating statements such as: “You know what happened in Oklahoma City,” “I’ll get even,” or “You haven’t heard the last from me.”; (3) keeping records of other employees that the individual believes to have violated departmental policy; (4) physical signs of anger, such as hard breathing, reddening of complexion, menacing stares, loudness, and profane speech; (5) acting out violently either verbally or physically; (6) excessive bitterness by a disgruntled employee or an ex-employee; being a “loner,” avoiding all social contact with co-workers; (8) having a romantic obsession with a co-worker who does not share that interest; (9) history of interpersonal conflict; (10) domestic problems, unstable/dysfunctional family; and (11) brooding, depressed, or otherwise strange or unprofessional behavior.

Section 5.02 Workplace Injuries

Berlin Township strives to provide safe workplaces for our staff and to promptly investigate workplace accidents and injuries to prevent reoccurrence. We also have an interest in maintaining accurate

records and ensuring that employees are reporting work-related injuries and illnesses in a prompt manner. We require participation by each employee in this effort, through both prompt workplace accident or injury reporting and full-cooperation in the Township's efforts to investigate the same.

In the event of a workplace accident, illness or injury, employees must follow these requirements

1. The safety of employees, visitors and the public is of paramount importance. An employee's first obligation upon a workplace accident, injury or illness is to secure his or her own safety.
2. In the event of an illness or injury that could be life-threatening, employees must seek emergency treatment at the nearest emergency department or call 911.
3. In non-emergency medical situations, employees should first use the Township's designated medical provider to evaluate and treat workplace injuries or illnesses that require medical attention:
4. Employees must notify the health provider that he or she is seeking treatment due to possible injuries from a workplace accident.
5. All workplace accidents, and all workplace injuries or illnesses, no matter how minor, must be reported to an employee's supervisor or Department Head **at the time of their occurrence** by phone, text or in-person. This information must immediately be relayed to the Fiscal Officer. If it is not possible to immediately report the injury due to incapacitation caused by the injury or illness, or due to the need to seek emergency medical attention, employees must report the injury/illness without delay once no longer incapacitated due to medical treatment.
6. Within 24 hours of an employee's initial report of the workplace accident, injury or illness, employees must complete and provide to the direct supervisor and Fiscal Officer or both of the following forms:
 - A. Employee's Report of Injury Form
 - B. Incident Investigation Report

Supervisors must complete the **Supervisor's Accident Investigation Form** and return to the Department Head or Fiscal Officer. Each of these forms are in **Appendix B** to this Handbook or available from the Fiscal Officer. These forms may be returned either in-person, or by fax or email, but must be completed in their entirety and must be signed by the employee(s).

7. Employees must cooperate with the Township's attempts to investigate the circumstances of the workplace accident, injury or illness. This may include collecting information such as documentation, photographs or videos, correspondence, treatment records or other information to document the circumstances. Failure to cooperate with the Township's investigation may be considered insubordination and subject you to

discipline up to and including termination of employment.

8. If employees receive work restrictions from their doctor, they must contact their supervisor or Department Head immediately so it can be evaluated whether modified duty is available within those restrictions.
9. If employees need workers' compensation forms, they may obtain them from the Fiscal Officer, or from the Ohio BWC (www.bwc.state.oh.us). There will be no punitive action against any employee because the employee filed a claim or instituted, pursued or testified in any proceedings under the workers' compensation act for an injury or occupational disease which occurred in the course of and arising out of their employment.

Nothing in this policy is to be interpreted to deter or discourage employees from accurately reporting a workplace injury or illness. Employees will not be discharged or otherwise discriminated or retaliated against for reporting workplace injuries or illnesses in a non-fraudulent manner. Employees will not be disciplined for failing to report a work-related injury or illness before they realize they sustained a work-related injury or illness or for failing to report "immediately" when they were medically incapacitated because of the injury or illness. If anyone, including a supervisor, attempts to interfere with or discourage employees from reporting a workplace accident, injury or illness, such attempts are unauthorized and must be reported to their supervisor, Trustee Liaison, and Fiscal Officer immediately.

Any employee who suspects workers' compensation fraud, or received information about suspected workers' compensation fraud, must immediately notify the Department Head or Fiscal Officer. Examples of workers' compensation fraud include, but are not limited to:

- Making a false or misleading statement to receive workers' compensation benefits (Example: reporting an injury that does not exist);
- Misrepresenting or concealing a material fact to receive workers' compensation benefits (Example: reporting an off-duty injury as a work-related injury);
- Fabricating, altering, concealing, or destroying a document to receive workers' compensation benefits (Example: withholding a doctor's release to return to work form); or
- Conspiring to commit an act described above (Example: helping another employee stage or fake a work-related injury).

Berlin Township may investigate any allegation of workers' compensation fraud and as such will cooperate fully with federal, state and local law officials, to identify and refer to law enforcement or the BWC any employee who commits or conspires to commit workers' compensation fraud.

Berlin Township may engage legal representation for the purpose of obtaining legal guidance, advice

and counseling in the use and enforcement of this policy.

Failure to comply with this Policy will subject employees to disciplinary action, up to and including termination from employment.

CHAPTER VI - DRUG & ALCOHOL-FREE WORKPLACE POLICY

Section 6.01 Introduction

Berlin Township is committed to the health and safety of its employees, elected and appointed officials, citizens, and visitors. The presence of alcohol or illegal drugs at work or in an employee's system while on the job can negatively affect the productivity, safety, and stability of the workplace, and will not be tolerated. For the purposes of this policy, any reference to "employees" includes both management and non-management employees, elected officials, and appointed officials.

The Township is a drug and alcohol-free workplace. Alcohol and illegal drug use, and abuse of legal drugs, is strictly prohibited. All employees must report to work in an unimpaired mental and physical condition to perform their jobs in a satisfactory manner without posing a risk of injury to themselves or others.

In addition to complying with the terms of this Policy, employees are expected to abide by all federal, state and local laws and regulations. For example, an employee holding a commercial driver's license is expected to abide by the regulations of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration.

Section 6.02 Prohibited Substances

For the purposes of this policy, alcohol is defined to include beer, wine, and spirits. Employees who are "under the influence" of (as defined in this policy under the influence is 0.02% BAC or greater), sell, receive, purchase, possess, distribute, or manufacture alcohol while on the job are in violation of this policy.

For purposes of this policy, an illegal drug is any chemical substance: (a) that is not legally obtainable; (b) that is legally obtainable but has been obtained, or is intended to be used, illegally; or (c) that is not used or intended for the purpose for which it is prescribed or manufactured. Illegal drugs include those in the Schedule of Controlled Substances of the U.S. Drug Enforcement Agency, the illegal or unauthorized use of prescription drugs, or any other substance which is determined to be illegal by state or federal law. Illegal drugs may include the following: amphetamines (speed, uppers), barbiturates, benzodiazepines, cocaine (including crack), opiates (codeine, morphine, oxycodone, heroin), phencyclidine (PCP, "angel dust"), methamphetamine, ecstasy (MDMA), marijuana (including medical marijuana), propoxyphene, methadone and other illegal drugs.

All employees who are under the influence of illegal drugs or alcohol while at work are still subject to corrective action as described in the Township's Drug and Alcohol-Free Workplace Policy. Employees who are using marijuana are not exempt from this policy in any way. An employee's use of marijuana will be treated the same as the use of all other illegal drugs or the abuse of legal drugs.

Medical Marijuana is Prohibited. Ohio Sub HB 523 was enacted on June 8, 2016, which authorizes limited types of medicinal marijuana to qualifying patients. The Township's Drug and Alcohol-Free Workplace Policy is not affected by Ohio Sub HB 523. Medical Marijuana remains prohibited. The Township does not permit or accommodate an employee's use, possession, or distribution of

medical marijuana. The Township may refuse to hire or may discharge, discipline, or take other action against an individual or employee because of that person's use, possession, or distribution of medical marijuana. An employee who tests positive for or refuses to submit to a drug test may be disqualified for compensation and benefits under the Ohio Workers' Compensation Act. Furthermore, because the use, possession, or distribution of marijuana is a violation of the Township's Drug and Alcohol-Free Workplace Policy, employees who are discharged for these reasons will be considered to be discharged for just cause for purposes of unemployment compensation, any applicable collective bargaining agreement, or other post-termination pay or benefits.

The Drug and Alcohol-Free Workplace Policy continues to apply regardless of whether the employee's use, possession, or distribution of marijuana was obtained/conducted in Ohio or other states.

Use of Cannabidiol or CBD. Under the Agricultural Improvement Act of 2018, hemp-derived products containing a concentration of up to 0.3% THC are not controlled substances. THC is the primary psychoactive component of marijuana. Any product, including "Cannabidiol" (CBD) products, with a concentration of more than 0.3% THC remains classified as marijuana, a Schedule I drug under the Controlled Substances Act. Berlin Township does not currently test for CBD, but continues to test for marijuana pursuant to the testing schedule in this Policy. The use of Cannabidiol or CBD products is not a valid explanation for a positive marijuana result under this Policy.

Section 6.03 Prohibited Conduct

While performing work on behalf of the Township or while on Township property (including in vehicles), no employee may manufacture, use, possess, distribute, sell, solicit, or be under the influence of alcohol or illegal drugs, or abuse legal drugs. For the purposes of this policy, being under the influence means:

- a. To have a presence of an illegal drug or alcohol in the employee's system at or above the cut-off levels defined in this policy;
- b. Being determined by a federal, state, or local authority to have been intoxicated or impaired by alcohol or illegal drugs within the meaning of the law;
- c. Being unable, based on critical observations made by management or others, or by admission, to carry out one's work duties safely and effectively; or
- d. Admitting to conduct which is a violation of this Policy.

The use of legal prescription drugs or over-the-counter drugs/medications is restricted to permitted or prescribed use by the person for whom any such prescription was written. All employees have the responsibility to report any violations of this policy to a direct supervisor, including reasonable suspicion that an employee, contractor or visitor is under the influence of alcohol or drugs.

Section 6.04 Safety Sensitive Positions

For the purposes of this policy, “safety sensitive positions” include firefighters and emergency medical technicians in the fire department, and all personnel whose positions require them to hold a CDL licensure. To the extent not superseded by a collective bargaining agreement, safety sensitive employees may be subjected not only to reasonable suspicion testing but also to random and post-accident testing.

Section 6.05 Prescription Medication

Safety Sensitive employees must inform their Department Head if they are taking any medication that may impair their ability to perform their job duties safely. Employees on such medications must provide a written release from their treating licensed medical practitioner indicating that they are capable of safely performing their essential job functions, with or without reasonable accommodation. Employees are prohibited from performing any Township function or duty while taking legal drugs that adversely affect their ability to safely perform any such function or duty.

Employee use of prescription or over-the counter drugs must be utilized for medical reasons, taken at the dosage, timing and frequency of use prescribed on the label, and, in the case of prescription drugs, prescribed to employees for medical reasons by a licensed medical practitioner.

Section 6.06 Requests for Accommodations

Employees requiring accommodations for disabilities, or having questions regarding this policy, are to contact their direct supervisor and Trustee Liaison consistent with the Reasonable Accommodations Policy in Section 2.03 of this Handbook.

Section 6.07 Off-Duty Use

Illegal drug use, possession, sale, or other such activity while off-duty could adversely affect an employee’s job performance, jeopardize the safety of other employees, and jeopardize the Township’s equipment, property, and reputation, as well as endanger the general public. While the Township has no intention of unreasonably intruding into the private lives of employees, it is the expectation that an employee’s off-duty conduct does not negatively or otherwise impact the Township and its reputation in the community, or disrupt the employee’s ability to perform his or her work safely and effectively. Consequently, any off-duty use, possession, sale, trade, and/or offer for sale of illegal drugs, or use of alcohol in a manner which negatively impacts the Township or its reputation, is considered a violation of this policy. Employees who may be called-in to work outside of their normal shift unexpectedly must notify their immediate supervisor if they are impaired and unable to perform their job.

Section 6.08 Grounds for Testing

Testing is intended to detect problems, deter usage, and allow appropriate corrective action. In addition to alcohol, employees may be tested for amphetamines (speed, uppers), barbiturates, benzodiazepines, cocaine (including crack), opiates (codeine, morphine, oxycodone, heroin), phencyclidine (PCP, “angel dust”), methamphetamine, ecstasy (MDMA), marijuana, propoxyphene, methadone, and other drugs. Employees will be tested for the presence of drugs and/or alcohol in any or all of the situations

outlined below:

- a. **Post-Offer/Pre-Employment Drug Testing** - As part of the Township's employment procedures, all applicants for safety-sensitive positions who are given an offer of employment will be required to undergo a post-offer, pre-employment drug screen/test conducted by a designated vendor.

- b. **Reasonable Suspicion Testing** – Reasonable suspicion testing will occur when management has reason to suspect that an employee may be in violation of this policy. Reasonable suspicion testing may be based upon, among other things:
 - Observable phenomena, such as direct observation of use, possession, or distribution of alcohol or a controlled substance, or of the physical symptoms of being under the influence of alcohol or a controlled substance, such as but not limited to: slurred speech, dilated pupils, odor of alcohol or a controlled substance, changes in affect, or dynamic mood swings;
 - A pattern of abnormal conduct, erratic or aberrant behavior, or deteriorating work performance such as frequent absenteeism, excessive tardiness, or recurrent accidents, that appears to be related to the use of alcohol or a controlled substance, and does not appear to be attributable to other factors;
 - The identification of an employee as the focus of a criminal investigation into unauthorized possession, use, or trafficking of a controlled substance;
 - A report of use of alcohol or a controlled substance provided by a reliable and credible source.
 - Repeated or flagrant violations of the Township's safety or work rules, that are determined by the employee's supervisor to pose a substantial risk of physical injury or property damage, and that appear to be related to the use of alcohol or a controlled substance and that do not appear attributable to other factors.

Reasonable suspicion testing does not require certainty, but mere “hunches” are not sufficient to justify testing.

An employee required to submit to reasonable suspicion testing will be removed from his or her job duties, with pay, until the results of a test are returned. However, the Township may separately proceed with disciplinary or pre-disciplinary processes to address employee misconduct or behavior that violates Township policy, without awaiting the test results.

- c. **Post-Accident Testing for Safety-Sensitive Employees**- Post-accident testing will be conducted for employees in safety sensitive positions when, in the Township's judgment, the employee causes or contributes to an on the job accident where: 1) the employee sustains an injury requiring medical attention or lost time from work; 2) the accident causes death or injury requiring medical attention or lost time from work; 3) the employee commits workplace violence, or intentional or reckless damage to property at work; 4) the accident results in vehicular or property damage deemed by

the Township to be substantial (ex., more than \$1,000); 5) the Township has reasonable suspicion that the employee was impaired at the time of the accident; or 6) the accident occurred while operating a Township vehicle, or operating a rental or personal vehicle while performing job duties authorized or required by the Township.

Post-Accident Testing for CDL/DOT 49 CFR Part 382.303 – The driver is subject to testing in accordance with the rules of the Department of Transportation, such as when 1) there is a fatality; or 2) the driver is cited for a moving violation AND either:
a) the vehicle is towed from the scene; or b) someone is medically evacuated from the scene.

Employees and supervisors must promptly report any concerns about workplace behavior to the Trustee Liaison.

An employee must submit to a post-accident alcohol test within 8 hours after an injury and to a drug test within 32 hours after an injury.

- d. **Random Drug and Alcohol Testing for CDL/DOT 49 CFR Part 40** - All CDL drivers are subject to random drug and/or alcohol testing at an annual rate set by the Federal Motor Carrier Safety Administration (FMCSA);

Random testing is conducted on an unannounced basis. An independent, non-Township testing organization will utilize objective computer software that ensures a truly random selection process in which all employees in the testing pool have an equal statistical likelihood of being selected for testing.

When the next random draw is conducted, all employees are again included in the pool with an equal chance of selection, regardless of whether an employee was previously selected.

The Township will provide employee identification numbers to be used in the random selection drawing. The contractor will, in turn, furnish the Township with a list of individuals to be tested at the beginning of each selection period. It shall be the responsibility of the Township to notify each employee who was selected with the date, time and location for that random test. Once the employee is notified of the selection to submit to random testing, it shall be the responsibility of the employee to appear for testing as soon as possible and to provide a urine specimen for drug testing and or submit to breath-alcohol testing.

An employee's failure to timely comply with the request for a specimen for random testing will be considered a refusal to submit to testing and will result in termination of employment.

Section 6.09 Notice About Workers' Compensation

Employees are hereby notified that refusal to test or a positive test result following a workplace injury may, under Ohio law, result in denial of worker's compensation benefits. The law establishes a rebuttable presumption that if an injured worker tests positive for the use of drugs or alcohol, the injured worker will have to prove the use of drugs or alcohol did not cause the accident. A refusal to test for the use of drugs or alcohol will also establish the presumption. Employees who are involved with a workplace accident may be required to undergo drug and/or alcohol testing in accordance with this policy.

Section 6.10 Testing Process

The testing process consists of an initial screening conducted by trained collection personnel, who meet quality assurance and chain-of-custody requirements for urine collection and breath-alcohol testing, followed by a confirmation test conducted at sites certified to conduct such testing as required by law.

Any individual subject to testing under this policy shall be permitted to provide specimens in private, but subject to strict scrutiny by collection personnel to avoid any adulteration or substitution of the provided specimen. Breath alcohol testing will likewise be done in an area that affords the individual privacy. Confidentiality is required from all service providers. There are many other protections for employees that are built into the testing process.

Test results will be reviewed by a Medical Resource Officer (MRO), who is a licensed physician. If an employee has a legitimate medical explanation for a positive test (such as a current and valid prescription for the substance), and the MRO has verified the explanation, the test will be reported to be a negative. A failure to provide documentary evidence, or contact the MRO in a timely manner, will result in the issuance of a positive by the MRO.

The tests will analyze the following drugs in the body in quantities which are at, or greater, than the specified "cut-off" levels below. Illegal drug detection thresholds (or cut-off levels) are standards that have been established by the federal agencies for each of the below drugs after years of research. These levels will be used to interpret all drug screens/tests.

Initial test analyte	Initial test cutoff	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites (THCA)	50 ng/mL	THCA	15 ng/mL.
Cocaine metabolite (Benzoylecgonine)	150 ng/mL	Benzoylecgonine	100 ng/mL.
Codeine/ Morphine	2000 ng/mL	Codeine Morphine	2000 ng/mL. 2000 ng/mL.

Hydrocodone/ Hydromorphone	300 ng/mL	Hydrocodone Hydromorphone	100 ng/mL. 100 ng/mL.
Oxycodone/ Oxymorphone	100 ng/mL	Oxycodone Oxymorphone	100 ng/mL. 100 ng/mL.
6-Acetylmorphine	10 ng/mL	6-Acetylmorphine	10 ng/mL.
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL.
Amphetamine/ Methamphetamine	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL. 250 ng/mL.
Methylenedioxyampheta-mine (MDMA) Methylenedioxyamphetamine (MDA)	500 ng/mL	MDMA MDA	250 ng/mL. 250 ng/mL.
Barbiturates	300 ng/mL	Barbituates	300 ng/mL
Benzodiazepines	300 ng/mL	Benzodiazepines	300 ng/mL
Methadone	300 ng/mL	Methadone	300 ng/mL

The Township also expressly reserves the right to add or delete substances on the list above, especially if mandated by changes in existing federal, state, or local regulations or legislation. Thresholds for additional substances shall be established by the chosen laboratory in accordance with appropriate scientific standards.

A test result will be considered “positive” in each of the following situations:

- The test result shows a presence of the alcohol or illegal drug in the employee’s system that is at or above the levels prohibited by the Township (“cut-off levels”), and is without explanation sufficient to satisfy the Medical Review Officer within the deadline provided by the laboratory or MRO to provide such information;
- The employee refuses to participate or submit to testing and/or to release the results of the same;
- The employee adulterates, attempts to adulterate, substitutes, or dilutes a specimen collected for testing; (a result of “negative dilute” may require retesting);
- The employee fails to fully cooperate with the laboratory in the collection of a specimen for testing, including failing to sign necessary consent and release forms required by the facility;
- The employee fails to appear for testing when scheduled, purposely delays, or does not immediately report directly (no stops or detours) to the testing facility upon the Township’s request and in the manner directed by the Township; or
- The employee engages in other conduct which demonstrates the employee has interfered with the testing process or report of results to the Township.

The employee has an additional option to request and pay for a re-test of the original specimen if he or she believes there has been a mistake by the lab. This request must be made within 72 hours from the notification of the positive test result from the MRO.

The Township reserves the right to make all final employment decisions regardless of test results as provided by law.

Section 6.11 Employees Voluntarily Seeking Assistance

Employees who believe that they may have a drug or alcohol addiction problem are encouraged to seek professional treatment and assistance.

If an employee voluntarily reports a substance abuse problem to their immediate supervisor before any violation of policy, the employee will not be terminated but must agree to a course of action, which may include a last-chance agreement, paid/unpaid time off, or a leave of absence to undergo counseling and/or rehabilitation under appropriate Township leave policies, and subject to the leave provisions of any applicable collective bargaining agreement.

Employees may seek outside professional rehabilitation services, including services available through the Township's Employee Assistance Program (EAP) and their health insurance for approved sites. The Township will endeavor to keep such requests confidential to the extent possible. Employees will be responsible for the costs associated with drug and alcohol treatment.

Provided an employee's performance is satisfactory, the Township will attempt to maintain his or her current position during professional treatment and assistance. An employee who seeks such assistance may still be subject to corrective action for other performance, attendance, or behavioral problems.

Any continued employment following the completion of the last chance agreement will be conditioned, and include testing, before the employee can return to work, and will be subject to ongoing random testing for a period of one year following the employee's return to work. In such situations, the failure of the employee to strictly adhere to the agreed-upon course of action, including a failed test result, will result in immediate termination, unless otherwise provided by law.

Section 6.12 Employee Education

Employee awareness of the dangers of substance abuse in the workplace will help facilitate a drug- and alcohol-free workplace. Employees may receive and be required to participate in annual education on: 1) the dangers of alcohol and drug use in relationship to the workplace; 2) this policy and the consequences for violating it; and 3) availability of employee assistance from the Township or its vendors. For more information on education resources, resources available through the employee assistance program, and how alcohol or drug test results or refusals might impact eligibility for workers' compensation, contact the Fiscal Officer.

Section 6.13 Supervisor Training

Supervisors maintain a key role in establishing and monitoring a drug-free workplace. The Township may provide and require annual training to assist supervisors/managers in recognizing and addressing alcohol and illegal drug use by employees. Training may also include information about testing procedures, supervisor/manager responsibilities, and making referrals for help. Training for supervisors/managers will occur before supervisors/managers are given responsibilities associated with testing.

Section 6.14 Confidentiality

The Township is committed to keeping all test results and requests for employee assistance related to an employee's substance abuse problem private, and will not disseminate individual test results without authorization from the tested individual, unless subject to a valid court order or otherwise required by law. Test records will be stored separately from the employee's general personnel documents. Access is limited to Township management staff and designated Township officials. The information contained in these files will be utilized only to properly administer this Policy. Any breach of confidentiality regarding these records may be an offense resulting in corrective action, up to and including termination.

Section 6.15 Corrective Action

Violations of this policy may lead to corrective action and can include termination. In certain instances, violations of this policy may also implicate the involvement of law enforcement authorities.

Section 6.16 Termination Notices

In those cases where violation of this policy results in the termination of employment, all termination notices will list "misconduct" as the reason. Termination shall be deemed "for cause."

CHAPTER VII – EMPLOYEE APPEARANCE AND BEHAVIOR

Section 7.01 Professional Demeanor

Behavior and Public Relations

It is the policy of Berlin Township to provide the public with the best possible service; consequently, all employees are expected to treat members of the public, co-workers and other governmental employees in a courteous, respectful, and professional manner at all times. Employees should always remember that our primary purpose is to serve the public. Complaints from co-workers and other governmental employees or the general public are taken seriously and will be investigated immediately. Any complaints about co-workers should be taken immediately to the appropriate Supervisor. Any complaints regarding a Supervisor should be taken immediately to the Trustee Liaison. A Trustee Liaison has the authority to place a Department Head or any employee on paid administrative leave until it is brought to the attention of the Board of Trustees at the next Board meeting. Under normal working conditions, employees who have a job-related problem, question or

complaint from the public that they cannot readily answer should discuss it with their Supervisor and/or a Board member. Supervisors who are found to be in violation of professionalism, create a hostile work environment, or engage in otherwise unprofessional behavior will receive corrective action up to and including demotion or termination of employment as determined by the Board of Trustees.

Additional Rules of Behavior also applicable to the Fire Department

Department members shall exhibit courtesy and respect to all officers and acting officers. While on duty, all officers should be referred to by their appropriate rank when in the eye of the public. Supervisors shall exhibit courtesy and respect to their subordinates and shall treat all members in a fair and impartial manner. Members shall treat one another with due courtesy and shall not engage in horseplay or disrespectful conduct while on duty.

Members are required to speak the truth at all times, in giving testimony in connection with official orders and official duties, whether or not under oath. Members shall not make false reports concerning department business or personal character or conduct of any members.

Members shall be courteous and respectful to the public and other Township employees and are required to give their names and rank whenever requested by the public.

Section 7.02 Personal Appearance and Attire

Township employees represent the Township when they are on duty and/or in a Township uniform. Dress and personal grooming communicates professional image to our citizens, potential employees and community visitors and helps to instill confidence in our ability to provide a high quality of services. The Township respects the individuality of its employees, but certain standards are necessary to assure a professional, appropriate workplace. Employees must observe the following standards:

- a. **Attire - Uniforms.** If the Township issues a uniform, the employee is expected to wear it. Uniformed employees shall comply with the grooming standards and wear department uniforms in accordance with department guidelines. Uniforms shall only be worn in conjunctions with official duties.
- b. **Attire – Non-Uniforms.** Business casual attire is ordinarily permissible. It must be properly fitting in size and shape, neat, clean and in conformance with safety standards. Anything that would be worn to a gym, beach or to do yard work is not considered appropriate attire for the workplace. In determining your attire, it is important to keep your job tasks in mind. More formal business settings may require more formal attire. When in doubt, ask a supervisor about the expected dress and when in doubt dress as professionally as possible. How an employee dresses is a reflection upon that employee and the Township.

With the approval of the Trustees, Departments may designate casual or dress-down days or policies when non-uniformed employees may wear more casual clothing. Casual clothing must also be properly fitting, neat and clean.

Appropriate attire: business suits, slacks and sport coat, dress boots and shoes, business dresses, pant suits, blouses, skirts, sweaters/cardigans, knit golf shirts, polo shirts, Township logo clothing, neat jeans and/or tennis shoes, tunics, skirts. Do not assume it is appropriate to wear shorts without first checking with a Supervisor.

Always inappropriate: sweat or wind suits, flip-flops, crocks, slippers, any clothing with profanity or profane or obscene words or images, clothing not properly laundered or not in good condition (e.g. having tears, wrinkles or holes), provocative clothing that exposes undergarments or mid-drift, see-through clothing, mini-skirts or shorts that are less than three (3) inches in length.

- c. **Grooming and Appearance.** Personal hygiene in the workplace is essential. It is necessary that all employees maintain a clean, presentable appearance. Employees should be free from offensive odors such as tobacco, alcohol or body odors. The Township prohibits body ornamentation that is obscene, sexually explicit, advocates or symbolizes sexual acts or conduct, symbolizes prejudice or discrimination based on race, color, national origin, ethnicity, religion, gender or age. Any such ornamentation must be covered in the workplace. Hairstyles and makeup must be neat and professional in appearance.

Employees who report to work in inappropriate attire or with inappropriate grooming or appearance, may be sent home to change and/or may be subject to discipline.

- d. **Accommodations.** If these policies cause concern due to sincerely held religious beliefs, medical conditions or any other legally protected characteristic, please contact the Trustee Liaison to discuss appropriate options for accommodation.

Section 7.03 Tobacco and Nicotine Free Workplace

Berlin Township is a Tobacco-Free workplace. This prohibition includes both smoke and smokeless tobacco products. This policy addresses various issues concerning the provisions of the Ohio's Smoke-Free Workplace Act, and the Township's policy on tobacco and nicotine usage of its employment applicants and employees. The Smoke-Free Workplace Act prohibits the Township from permitting employees to smoke in public places and places of employment. The Township can be fined for an employee's failure to adhere to this policy. In addition to the specific restrictions in the Smoke-Free Workplace Act, the Township has adopted this policy to address issues pertaining to employment and the application of this law.

Township employees are prohibited from smoking or use of tobacco products in any "protected area". A "protected area" is any of the following:

1. Any "enclosed area" under the direct or indirect control of the Township that employees use for work, or for any other purpose, including, but not limited to: offices, meeting rooms, sales, production and storage areas, restrooms, stairways, hallways, warehouses, garages, and vehicles. "Enclosed area" means an area with a roof or other overhead covering of any kind and walls or side coverings of any kind on all sides or

on all sides but one, regardless of the presence of windows, doorways, vents, or other openings.

2. Any doorway, entrance way, or other area immediately adjacent to locations of ingress or egress to an “enclosed area”.
3. Any area in which tobacco smoke could enter into an area defined under “1.” or “2.”, above, through entrances, windows, ventilation systems, or other means. This includes Township property such as cemeteries and parking lots. To ensure that smoke does not enter any protected area, employees may not smoke within a forty (40)-foot radius of any protected area, or within such greater radius as needed to prohibit smoke from entering an “enclosed area.”

No employee shall smoke or use tobacco products in any of these protected areas at any time, regardless of the presence of other employees in the area.

Tobacco- and Nicotine- Free Workforce - It is the policy of the Township to provide a safe, healthy, smoke-free and tobacco-free work environment for all employees and citizens visiting Township facilities. Tobacco and nicotine usage tends to have an adverse impact on employee health and wellbeing, and increase health insurance and other costs. Berlin Township will only hire tobacco and nicotine free applicants. Employees shall not use nicotine or tobacco products at any time, on or off-duty, for the duration of their employment with the Township.

Tobacco and Nicotine Cessation - Current employees are strongly encouraged to participate in smoking, tobacco, and nicotine use cessation programs sponsored by the Township or other approved programs.

Definition - Tobacco and nicotine use generally means inhaling, exhaling, burning, vaping, any lighted cigar, cigarette, and e-cigarette or pipe, chewing or any other type of tobacco or nicotine use. The definition is intended to include all products that deliver nicotine for purposes other than cessation.

Applicant’s Certification - All applicants for hire must certify pre-hire that they do not use tobacco or nicotine. Berlin Township’s employment application will require the following certification by each applicant for hire:

“Tobacco and Nicotine-Free Hiring Policy: By signing this application for employment, I hereby certify that I am not a tobacco or nicotine user, and this certification is material to Berlin Township’s hiring decision. I understand that Berlin Township may require me to undergo tobacco and/or nicotine testing pre-hire and during my employment, and that, if hired, I may be disciplined or terminated for such use.”

Pre-Hire Test - Berlin Township reserves the right to test applicants for tobacco and/or nicotine use after a conditional offer of employment. If an applicant tests positive, they will either not be hired or will be tested or re-tested for tobacco and/or nicotine use within 21 days of the end of their probationary period, or within the first 6 months of their employment if they have no probationary period. The Township will not retain an employee who tests positive for tobacco and/or nicotine during

this period. Applicants who test negative for tobacco and/or nicotine will be required to remain tobacco and/or nicotine-free during their employment.

Reasonable Suspicion Testing - Upon reasonable suspicion that an employee hired on or after July 1, 2020 is engaging in tobacco and nicotine use, said employee may be subject to reasonable suspicion tobacco and nicotine use testing. Employees may be subjected to reasonable suspicion testing when there is a belief based on objective facts that the employee is engaged in tobacco and nicotine use. Examples of conduct or information that may constitute reasonable suspicion include but are not limited to: tobacco odor on breath or clothing or lingering after an employee's use of a Township vehicle; the employee's admission of tobacco use; or information obtained from a person with personal knowledge. The Township will make a written record of the circumstances leading to a reasonable suspicion test.

Employees will be returned to their work site at the conclusion of the reasonable suspicion test for tobacco or nicotine use.

Refusals to comply with a request for tobacco testing, submission of false information regarding a test, or attempts to falsify test results through tampering, contamination, adulteration, or substitution, or in any other way attempts to interfere with the test shall be considered a refusal to submit to testing and will be treated the same as a positive test result. Refusal to submit to testing can include an inability to provide a specimen or sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.

Positive Results - Employees who admit to or who test positive for the presence of tobacco or nicotine use will be evaluated by a Substance Abuse Professional (SAP). An SAP is a licensed or certified physician, psychologist, social worker, employee assistance professional, or addiction counselor. The SAP will evaluate the employee to determine what assistance, if any, the employee needs to resolve their problems associated with tobacco and nicotine use.

After a positive tobacco and nicotine test, employees will be required to undergo treatment for tobacco or nicotine cessation. If an employee is not discharged, they must properly follow the tobacco or nicotine cessation program prescribed by the SAP and may be subject to unannounced follow-up tests for a period of up to five (5) years as determined by the SAP.

After five (5) years from the date of an employee's positive reasonable suspicion test for tobacco and nicotine use, if the employee has not had a second positive tobacco and nicotine use test, the first confirmed positive reasonable suspicion test for tobacco and nicotine use shall be removed from the employee's personnel file upon the request of the employee and shall not be considered in subsequent determination of discipline. To comply with the Ohio Public Records Act, that document may be kept in another file.

Any employee who refuses tobacco or nicotine cessation treatment when required, or fails to comply with the regimen prescribed by the SAP for treatment, aftercare, or return to duty tests, shall be subject to disciplinary action, up to and including discharge. An employee who refuses to comply or to submit to a test may be disciplined.

Policy Administration and Enforcement - This policy will ultimately be administered by the Board of Trustees, but will be enforced by the Trustee Liaisons, Department Heads and supervisors.

Section 7.04 Employee Communication

Effective Communications

In order to be highly effective and efficient, it is in the best interest to have accurate and timely communications among Township departments and employees. All Township employees shall distribute communications to their intended recipients and act upon communications received within a reasonable amount of time so as not to reduce the effectiveness and/or usefulness of the communication.

Complaint Handling Procedure

Employee complaints should be directed to an immediate supervisor, the Board Liaison, and the Fiscal Officer.

Information Regarding Unlawful Activities

Any Township employee having information that another Township employee or official may have violated a law or regulation of the State or Federal Government should bring such information to the immediate attention of the Fiscal Officer and any member of the Board. No employee may be discriminated against for reporting violations or suspected violations of the law to a public body or participating in an investigation, hearing, or inquiry held by the public body, or for participating in a court action. Employee cooperation in reporting any suspected violations will be treated with confidentiality to the greatest extent possible, professionalism, and the utmost urgency.

Applications

Employees shall not solicit applications for open positions. Inquiries regarding applications shall be referred to the Fiscal Officer or approval by a Trustee Liaison.

Section 7.05 Political Activity

Township employees are prohibited from participating in any political activity, including soliciting political contributions from Township employees or others, during work hours, during the performance of official Township duties, or in those areas of a public building where official Township business is transacted or conducted. No township employee shall expend public funds for any type of political activity.

Section 7.06 Ethics

Conflicts of Interests

Township officials and employees must, at all times, abide by protections to the public that are embodied in Ohio's ethics laws, as found in Chapters 102 and 2921 of the Ohio Revised Code, and as interpreted

by the Ohio Ethics Commission and Ohio courts. Officials and employees must conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety.

A general summary of the restraints upon the conduct of all officials and employees includes, but is not limited to, those listed below. No official or employee shall:

- Solicit or accept anything of value from anyone doing business with the Township;
- Solicit or accept employment from anyone doing business with the Township, unless the official or employee completely withdraws from Township activity regarding the party offering employment, and the Township approves the withdrawal;
- Use his or her position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
- Be paid or accept any form of compensation for personal services rendered on a matter before any board, commission, or other body of the Township, unless the official or employee qualifies for the exception, and files the statement, described in R.C. 102.04(D);
- Hold or benefit from a contract with, authorized by, or approved by, the Township, (the Ethics Law does accept some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under R.C. 2921.42 are met);
- Vote, authorize, recommend, or in any other way use his or her position to secure approval of a Township contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
- Solicit or accept honoraria (see R.C. 102.01 (H) and 102.03 (H));
- During public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the official or employee personally participated while serving with the Township;
- Use or disclose confidential information protected by law, unless appropriately authorized; or
- Use, or authorize the use of, his or her title, the name “Berlin Township”, or “Township”, or the Township’s logo, in a manner that suggests impropriety, favoritism, or bias by the Township or the official or employee.

For the purposes of this policy:

- “Anything of value” includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. “Value” means worth greater than de minimis or nominal.
- “Anyone doing business with the Township” includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the Township.

The Ohio Ethics Commission is available to provide advice and assistance regarding the application of the Ethics Law and related statutes.

Failure of any employee to abide by this Ethics policy, or to comply with the Ethics Law and related statutes, will result in discipline, as well as any potential civil or criminal sanctions under the law.

Section 7.07 Reporting Fraud and Misuse of Public Money

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

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

Section 7.08 Nepotism & Workplace Relationships

As stated in the Township's Ethics Policy, Ohio Revised Code §§ 102.03 and 2921.42 prohibit public employees from using their influence to benefit themselves or their family members. Nonetheless, the Township may employ relatives of current employees. The following situations shall prevent the Township from hiring a relative of a current employee:

1. If one relative would have supervisory or disciplinary authority over another.
2. If one relative would audit the work of another.
3. If the hiring of relatives could result in a conflict of interest.

An employee is not permitted to work in a position where his or her supervisor or anyone within his or her chain of command is a relative. If such a situation is created through promotion, transfer or marriage, one of the affected employees may be transferred or an accommodation acceptable to the Township must be established. Termination of employment will be a last resort. If two employees marry, they will be subject to the same rules listed above as other relatives.

CHAPTER VIII: TOWNSHIP PROPERTY, EQUIPMENT AND FACILITIES

Section 8.01 Inventory

In order to identify, classify, and record all fixed and tangible assets of the Township, each Township office and department shall conduct an inventory of assets on the second Monday of January each year. Each asset shall be assigned an asset identification number by the Fiscal Officer, and shall be identified by description, model number, serial number, manufacturer, cost, acquisition date, department or office, location, and any other pertinent descriptive information.

Section 8.02 No Expectation of Privacy on Township Property

Where Berlin Township provides lockers, desks, cabinets, vehicles and other facilities for the use and convenience of Township employees, Berlin Township retains ownership and all rights thereof. No personal locks are to be used on any Township equipment or facilities. Master keys are to be maintained by the Berlin Township Fiscal Officer. Township lockers, desks, cabinets, vehicles and other facilities are subject to inspection and there is to be no expectation of privacy by employees in their use of the same.

Employees shall not have personal mail, packages or deliveries be sent to any Township facility or office. Employees who violate this policy may be disciplined. The Township assumes no responsibility for any personal items that are left with or delivered to any Township facility.

Section 8.03 Township Identification Cards

Township employees may, from time-to-time, with the approval of the Board, be provided with an identification card that provides access to Township buildings and facilities for work-related purposes. Employees should contact the Fiscal Officer immediately to replace any lost, stolen, or damaged cards. If, at no fault of the employee, an identification card should stop working, the Fiscal Officer will issue a new card to the employee at no charge. If the identification card is lost, one new card will be issued by the Fiscal Officer per calendar year at no charge (additional cards will require a payment of \$10.00).

Section 8.04 Township Driving and Vehicle Operation

Berlin Township has adopted a driving and vehicle operation policy. All employees have the responsibility to be aware of, and comply with, this policy. A copy of the policy is attached to this Handbook as **Appendix C** and made a part hereof.

Section 8.05 Technology Use Policy

For the purposes of this policy, the Township's computer/information systems include: the computer hardware and software, internal and external networks and backup systems, electronically stored data in any format, programs and related peripherals provided by the Township, as well as electronic mail (e-mail), voice mail, and Internet access from Township computers. This policy also applies to personally owned computers, tablets, or communication devices used to access Township data.

The Township computer/information system, including the e-mail system, voice mail system, and Internet access, are the property of Berlin Township, and documents, messages, or other communications are subject to monitoring without notice to employees. Employees should not maintain any expectation of privacy with respect to any Township technology or information. The Township can and will monitor activity on its computer/information systems, with or without employee knowledge. Employee use of the Township computer/information system constitutes the employee's consent to the Township reviewing computer and internet history and use, including password-protected websites/email and deleted material, so that the Township may ensure compliance with this policy and protect its business and proprietary information.

Township computers/information systems are provided to employees for business use. However, employees may use such computers/information systems from time to time for personal use but it must be limited to off-duty times, and must not interfere with the conduct of Township business or distract from work duties or the work of others. Under no circumstances should the Township's computer/information systems be used to:

- Send, access, receive or store any material of a discriminatory, harassing, threatening, obscene, pornographic, or defamatory nature;
- Forward or transmit non-township related chain letters, emails containing unknown attachments or .exe files;
- Conduct any illegal activities, conduct any business that is against Township policy, conduct any business for the financial benefit of the employee or anyone acting with or on behalf of the employee;
- Solicit others for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations;
- Distribute or print copyrighted or trademarked materials, where such distribution of printing infringes on any copyright or trademark rights of others;
- Access or disseminate without prior express authority any confidential information or protected health information; or
- Violate the privacy rights as permitted of the Township, employees, or residents.

Employees are responsible for keeping their passwords unique and secure at all times and are prohibited from disclosing such passwords to outsiders or to other employees. Employees are required to give their passwords to the Fiscal Officer and are prohibited from changing passwords without approval of the Fiscal Officer and Supervisor. All computers must be secured with password-protected screensavers with the automatic activation feature set at 15 minutes or less, or by logging off when the computer will be unattended.

Employees who have been authorized by the Trustees or a Department Head to receive email on their personal cell phones or Township-issued cell phones must secure the device with a secured Personal Identification Number (PIN). The device must not be used to enter or store passwords, combinations, PINs, or Township confidential information. Employees must immediately inform their Department Head or Trustee Liaison should the device be lost or stolen.

Intentionally introducing malicious programs into the network or servers (e.g., viruses, worms, Trojan

horses, email bombs, etc.) is strictly prohibited and grounds for immediate termination.

The purpose of e-mail is to facilitate communicating work-related data in a timely and efficient manner. E-mail is a written means of communication. Employees may not transmit anything in an e-mail message that they would not be comfortable writing in a letter or memorandum. In composing a message, employees should not let the opportunity for an instantaneous comment or response cloud their judgment in a situation in which they may later regret what they wrote or said. All users should exercise good judgment and common sense when creating and distributing e-mail messages.

Forgery (or attempted forgery) of e-mail messages is prohibited. Unauthorized actions or attempts to read, copy, modify, or delete e-mail messages of other users are also prohibited. No messages may be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. Sending unsolicited junk mail or "for profit" messages is prohibited.

Use of the Township computer systems in attempts to gain unauthorized access to remote systems or offensive sites, as determined by the Township, is prohibited. Prohibited sites include, among others, sites containing obscenity, pornography, and harassing or derogatory comments directed at race, color, gender, religion, national origin, age, disability or military status. Use of the Internet must not disrupt the operation of the Township's network or the networks of other users. It must not interfere with an employee's productivity.

Because of the prevalence of viruses or other malware on the Internet, and because of the potential for downloaded software to interfere with the Township's network, downloading of any programs, except as expressly approved by the Township, is prohibited. When approved, downloading of programs must be done on an employee's specific PC's hard drive and not to the Township network servers.

Postings to an internet or online forum or social media using a Township email address, postings on a web site that in any way implies an employee's representation of the Township, or knowingly allowing an employee's opinions or endorsements of any product or vendor to be posted on the Internet that in any way implies that they are the opinions or endorsements of the Township is prohibited.

Personal use of chat software on the Township's network is prohibited.

Section 8.06 Social Media

This policy applies to personal use as it relates to Berlin Township employees. The Township maintains a separate Social Media policy for any employee serving as manager for social media accounts on behalf of the Township. Social Media is any tool or service that facilitates conversations over the internet, such as Facebook, Twitter, Snapchat, YouTube, Flickr, blogs or other forms of online publishing or discussion.

Berlin Township supports the free exchange of information and camaraderie among employees on the internet off-duty. However, when internet blogging, chat room discussions, messages or other forms of electronic communication extend to employees revealing confidential information, or in harassing or bullying another employee, the employee who posts such information or assists in posting such material may be subject to corrective action, up to and including termination. As with email, social

media provides an opportunity for an instantaneous comment or response. A post or message can go viral in seconds. This makes it difficult to fix an inaccurate or inappropriate post after it is made. Before posting a comment or message, employees should provide themselves opportunity for reflection. When using social media, observe the following requirements:

- Use of social networking mediums must not occur during an employee's work time or on Berlin Township computer/information systems unless they are serving as a manager of the social media accounts on behalf of the township.
- Posts, including personal blogs, should clearly state that the views expressed by the author are the author's and do not represent the views of Berlin Township or any of its employees or elected/appointed officials. Consider the following example: "The postings on this site are my own and don not necessarily represent Berlin Township's positions or opinions."
- Employees may not make maliciously false statements about Berlin Township officials, employees, agents or volunteers.
- Employees may not disseminate confidential information obtained in the course of employment with Berlin Township through social media or anywhere else.
- Employees should assume that anything posted may become public.
- Harassment, bullying, discrimination, retaliation, or intimidation that would not be permissible in the workplace is not permissible between or toward coworkers online, even if it is done afterhours, from home and on home computers.

Violating the provisions of this policy may result in corrective action up to and including termination of employment.

The users of Township network and computer systems are responsible for respecting and adhering to local, state, federal and international laws related to the access and use of computer systems and software. Failure to observe copyright or license agreements may result in corrective action or legal action by the copyright owner. Berlin Township will cooperate fully with appropriate authorities to provide information related to actual or suspected activity not consistent with the law.

Section 8.07 Public Records

Berlin Township is an open government. Participation by citizens is welcome and the Township holds that access to information and openness leads to a better-informed public, which leads to more transparent and better public policy. Citizens are entitled to access Township records pursuant to the Ohio Public Records Act, O.R.C. 149.43. Berlin Township has established a Public Records policy, consistent with O.R.C. 149.43. If an employee intends to request to inspect copies of Township records, they must contact the Fiscal Officer for processing.

Section 8.08 Credit Card Policy (Exhibit 1)

PURPOSE

Credit Cards allow Employees to pay allowable Work-Related Expenses effectively and efficiently. Ohio Revised Code Section 505.64 permits the Board to authorize an Employee of the Township to use a Credit Card Account held by the Board. This Policy is enacted to govern the use of any Credit Card Accounts and

their related Presentation Instruments, including Credit Cards and checks, held by the Board and to establish consistent rules and regulations for the proper, safe, and secure use of Credit Cards by Employees.

DEFINITIONS

1. **“Authorized User”** means an officer, employee, or appointee of the Township that has received authorization from the Board to use a Credit Card Account held by the Board.
2. **“Board”** means the Board of Trustees of Berlin Township, located in Delaware County, Ohio.
3. **“Credit Card”** means a card or any other Presentation Instrument linked to, associated with, or related to a Credit Card Account held by the Township and which can be used to purchase goods or services, including online purchasing accounts.
4. **“Credit Card Account”** or **“Account”** means any bank-issued credit card account, store-issued credit card account, financial institution-issued credit card account, financial depository-issued credit card account, affinity credit card account, or any other card account allowing the holder to purchase goods or services on credit or to transact with the account, and any debit or gift card account related to the receipt of grant moneys. It also includes, online purchasing accounts (e.g., Amazon Business) and store gift cards (not related to the receipt of grant monies). It does not include a procurement card account, gasoline or telephone credit card account, or any other card account where merchant category codes are in place as a system of control for use of the card account.
5. **“Credit Card Information”** includes, but is not limited to, the Credit Card number, expiration date, security code, passwords, and any and all other similar numbers, codes, words, and/or other information used to identify the Credit Card, make purchases and/or access credit using the Credit Card, and/or access the Credit Card Account.
6. **“Debit Card Account”** means a card account issued by a financial institution which allows the holder to transfer money electronically to another bank account when making a transaction. It includes a single-use cash gift card (not related to the receipt of grant monies), which is a debit card account with a set dollar amount and may be accepted by any retailer, similar to a debit card and is void upon spending the balance or expiration. It also includes, a prepaid gift card (not related to the receipt of grant monies), which is a debit card account that is reloadable, unlike the cash gift card.
7. **“Employee”** means any officer, elected official, trustee, fiscal officer, employee (fulltime or part- time), seasonal employee, and/or appointee of the Township.
8. **“Fiscal Officer”** means the Berlin Township Fiscal Officer or the Fiscal Officer’s designee.
9. **“Issuer”** means a bank, savings and loan, credit union, other financial institution, or vendor (i.e. store or gas station) that issues the Credit Card.
10. **“Township”** means Berlin Township, Delaware County, Ohio.

11. **“Personal Expense”** means any cost or expenditure other than a Work-Related Expense and which is not incurred as a direct result of the Authorized User’s employment with the Township. Examples of Personal Expenses include, but are not limited to, gasoline for personal vehicles, cash advances, any amount in excess of meal allowances, alcoholic beverages, tobacco, gambling, and personal goods.
12. **“Policy”** or **“Credit Card Account Policy”** means this Policy and all exhibits, amendments, and supplements.
13. **“Presentation Instrument”** means any card, check, or account number which can be used to purchase goods or services, including online purchasing accounts.
14. **“Work-Related Expense”** means any cost or expenditure of Township funds incurred for work-related goods and/or services authorized by the Board and related to the official business of the Township, including, but not limited to, gasoline for Township vehicles, meal allowances, or equipment purchased on behalf of the Township or for a Township project in which the Authorized User is directly participating and involved.

ARTICLE I.
USE OF A CREDIT CARD ACCOUNT

SECTION 1
AUTHORIZED USERS

- A. Only an Employee may be designated as an Authorized User.
- B. Only Authorized Users may use a Credit Card Account held by the Board.
- C. Only the Board, in its sole discretion, may designate an Employee as an Authorized User of a Credit Card Account held by the Board. At any time and for any or no reason at all, the Board, in its sole discretion, may revoke or terminate the designation of an Employee as an Authorized User. If the Board revokes or terminates an Employee’s designation as an Authorized User, such Employee shall receive notice of such revocation or termination and shall no longer be an Authorized User and may not use Township Credit Cards. Such authorization, revocation, or termination shall be by resolution.
- D. The list of Employees designated as Authorized Users is attached to this Policy as Exhibit A (“Authorized User List”). The Authorized User List contains the name of each Employee designated as an Authorized User, the title or position of the Employee, the name of the Issuer of the Account for which the Employee is designated an Authorized User, the type of Credit Card, the last 4 digits of the Account number, the date of designation as an Authorized User, and the number of the resolution making such designation. If the Employee’s designation is revoked or terminated, the date of such revocation or termination and the number of the resolution revoking or terminating such designation are also contained on the Authorized User List.
- E. The Authorized User List shall be kept by the Fiscal Officer and updated by the Fiscal Officer each time the Board authorizes, revokes, or terminates authorization of an Employee as an Authorized User.

- F. Authorized Users shall not transfer a Township Credit Card to anyone, including other Employees.
- G. Authorized Users shall not allow anyone else, including other Employees, to use a Township Credit Card.

**SECTION 2
AUTHORIZED EXPENSES**

Authorized expenses are as follows:

- A. Work-Related Expenses. Credit Card Accounts, regardless of Board approval, shall only be used to pay Work-Related Expenses incurred on behalf of the Township.
- B. The Board may authorize, by resolution, individual Employees to incur obligations on behalf of the Township up to, but not exceeding, the dollar limit permitted by the current version of R.C. § 507.11. The established dollar limit of such authority shall apply to the aggregate of all obligations, including Credit Card Account transactions, incurred and outstanding at any one time by the Employee. In no event shall obligations incurred by an Employee exceed such limit. Any obligations incurred on behalf of the Township by an Employee acting pursuant to any such resolution shall be subsequently approved by the adoption of a formal resolution of the Board.
- C. No single transaction on a Credit Card Account may exceed \$2,000.00. The single transaction limit shall not exceed any limit established by the Board pursuant to R.C. § 507.11 (See Art. 1, Sec. 2(B)).
- D. In the event an Authorized User needs to spend an amount in excess of the single transaction limit in Art. 1, Sec. 2(C), an Authorized User shall first notify and receive prior approval from the Fiscal Officer. In no event shall an Authorized User be permitted to exceed any limit established by the Board pursuant to R.C. § 507.11 (See Art. 1, Sec. 2(B)).

**SECTION 3
UNAUTHORIZED EXPENSES**

Any purchase or expenditure made beyond specific authorization limits imposed by the Board, if any, or what is authorized in this Policy, is an unauthorized expense (“Unauthorized Expense”). A Credit Card shall not be used to pay for any Unauthorized Expense, including, but limited to, the following:

- A. Credit Cards shall **NOT** be used to pay for any Personal Expense or for any personal purpose or purchase.
- B. Credit Cards shall **NOT** be used to obtain cash advances, cash withdrawals, or to obtain cash back from a transaction.
- C. Credit Cards shall **NOT** be used to obtain personal services.
- D. Credit Cards shall **NOT** be used to pay for entertainment, except as otherwise authorized by the Board.
- E. Credit Cards shall **NOT** be used to purchase alcohol or tobacco.

- F. Credit Cards shall **NOT** be used for casino gaming, betting, wagering, or gambling and shall not be used to obtain cash advances for such purposes.
- G. Credit Cards shall **NOT** be used for any transaction not approved in advance by the Board.
- H. Credit Cards shall **NOT** be used for any purpose or to pay for any expense prohibited by federal or state law or by any Township policy or practice. This includes the payment of state sales tax of which townships are exempt. The Fiscal Officer shall provide an Authorized User with a “Sales and Use Tax Blanket Exemption Certificate” to present to the merchant or vendor. Employees shall be personally responsible for the payment of sales taxes when using the credit card.

**SECTION 4
ACQUISITION, USE, AND MANAGEMENT**

- A. **Acquiring a Credit Card Account.** Only the Board may request and open a Township Credit Card Account with an Issuer. Approval to request and open an account shall be by resolution.
- B. **Internal Control Model.** The Fiscal Officer does not maintain physical custody and control of the Credit Card Accounts and Presentation Instruments, but shall be responsible for the following:
 - 1. Upon prior Board approval, apply for and obtain a Credit Card Account and/or obtain Credit Cards or other Presentation Instruments associated with the Credit Card Account from the Issuer;
 - 2. Oversight and management of all Credit Card Accounts;
 - 3. Maintain the Authorized User List;
 - 4. Upon prior approval and instruction of the Board, distribute Credit Cards to Authorized Users authorized to use the Credit Card Account and keep records of distribution and return of Credit Cards;
 - 5. Monitor usage of Credit Cards issued to Authorized Users, to include, but not limited to, reviewing all Credit Card statements as soon as possible to ensure compliance with this Policy;
 - 6. Assure that funds to pay expenses incurred by use of a Credit Card are appropriated for such purpose and allocated to the correct Township fund;
 - 7. Immediately report to the Board any unauthorized charges, charges for Unauthorized Expenses or Personal Expenses, or other charges that are inconsistent with this Policy;
 - 8. Respond per this Policy to reports of loss, theft, fraud, or possible unauthorized use of a Credit Card; and,
 - 9. Generally oversee compliance with this Policy.
- C. **Acquisition of Credit Card by Employee.** The Board must authorize an Employee to use a Credit Card Account before an Employee may become an Authorized User and acquire access to a Credit Card or other Presentation Instruments associated with a Credit Card Account. Upon authorization or at any other time, the Board may, in its sole discretion and with notice to the Authorized User, limit by resolution the terms of use of a Credit Card Account by an Authorized User. Upon the Board’s authorization, the person receiving authorization must sign a copy of attached Exhibit B, acknowledging receipt of a copy of this Policy, agreeing to bound by it, and agreeing to be an Authorized User.

- D. **Permitted Uses.** Authorized Users may use a Credit Card Account for Authorized Expenses, as described in Art. I, Sec. 2 of this Policy, incurred only by the Authorized User. An Authorized User may not transfer the Credit Card or make purchases on behalf of any other person or entity, including other Township Employees, even if the purchase is for or on behalf of the Township.

Authorized Users may, unless otherwise prohibited by the Board, use a Credit Card in person, online, over the telephone, by mail, or through facsimile (fax). All purchases must be evidenced by an itemized receipt. If purchasing goods online, the Authorized User must use reasonable care and judgment regarding the authenticity and security of a website.

Credit Card Accounts shall only be used in accordance with this Policy and all applicable Credit Card rules and regulations and in accordance with all state and federal laws.

- E. **Reasonable Care.** Use of a Credit Card is an expenditure of Township funds. Employees should use common sense and reasonable care when using a Credit Card and shall follow the same procedures as used with all expenditures of Township funds.
- F. **Notification of Purchase.** Prior to using a Credit Card the Authorized User should make a good faith effort to notify the Fiscal Officer of the intended purchase.
- G. **Assurance of Funds.** Authorized Users are responsible for assuring funds for any Credit Card expenditure or purchase have been properly appropriated by the Board for the expenditure or purchase prior to using the Credit Card.
- H. **Approval of Expenditure.** Any obligation on a Credit Card incurred on behalf of the Township by an Authorized User shall be subsequently approved by the adoption of a formal resolution of the Board. (R.C. § 507.11).
- I. **Storage.** Authorized Users must take measures to ensure Credit Cards, checkbooks, and any other Presentation Instruments associated with a Credit Card Account are kept in a secure place at all times.
- J. **Receipts.** Authorized Users shall obtain from the vendor and produce to the Fiscal Officer an original itemized receipt for all expenditures or purchases made using a Credit Card. Original itemized receipts shall be provided to the Fiscal Officer as soon as reasonably possible, but not later than the next Board meeting following the expenditure or purchase. The receipt should include the customer copy of the receipt, any invoice from the vendor, the cost of the individual goods or services purchased, a total cost, and the date of the purchase. The Authorized User should also submit documentation verifying the purchase was made on behalf of the Township, if necessary to describe the purchase.
- K. **Payment.** Payment of Credit Card Accounts shall be made in accordance with the following:

1. The debt incurred as a result of the legitimate use of a Credit Card shall be paid from moneys appropriated by the Board for such expenses.
2. In accordance with R.C. § 507.11(B)(1), no money belonging to the Township shall be paid out, except upon an order signed by at least two (2) of the township trustees, and countersigned by the

Fiscal Officer. This includes money paid to Issuers to satisfy obligations incurred on a Credit Card.

3. When applicable, as required by R.C. § 5705.41(D), the Fiscal Officer shall certify the existence of sufficient unencumbered funds to pay for expenditures made by Credit Card.
4. Credit Card balances shall be paid in-full each month so as not to incur interest or late fees. Credit Cards shall not be used to defer all or any part of the purchase price or create an installment payment plan for any expenditure. (See OAG 84-050).

- L. **Responsibility of Fiscal Officer, Department Heads, and Supervisors.** The Fiscal Officer and all department heads and supervisors are responsible to ensure that Employees and Authorized Users under their supervision are adequately trained, fully understand, and comply with this Policy.
- M. **Prohibition on Use and Return of Credit Card on Revocation of Authorization.** An Employee shall not use a Credit Card after revocation or termination of the Employee's authority to use a Credit Card and shall immediately return and relinquish any Township Credit Card in the Employee's possession to the Fiscal Officer.
- N. **Prohibition on Use and Return of Credit Card on Termination of Employment.** An Employee shall not use a Credit Card after termination of the Employee's employment or service with the Township. Upon termination of employment or service with the Township, an Employee shall immediately return and relinquish any Credit Card in the Employee's possession to the Fiscal Officer.
- O. **No Destruction.** Employees shall not intentionally destroy any Township Credit Card. When no longer needed, upon revocation or termination of authority, or upon termination of employment or service with the Township, Credit Cards shall be returned to the Fiscal Officer.

SECTION 5 LIABILITY

The Authorized User shall be personally liable for reimbursing the Township for any of the following:

- A. In person and upon any official bond the Authorized User has given to the Township to reimburse the Township treasury the amount for which the Authorized User does not provide itemized receipts in accordance with this Policy;
- B. Expenses charged to the Credit Card that are not documented and submitted to the Fiscal Officer;
- C. Expenses that exceed the scope of the authorization allotted by the Board of the Authorized User's use of the Credit Card;
- D. Unauthorized Expenses charged to the Credit Card;
- E. Personal Expenses charged to the Credit Card;

- F. Purchases the Authorized User allowed an unauthorized user to make; and/or,
- G. Any other purchases made with the Credit Card that are in violation of this Policy, and the amendments and supplements thereto.

The Delaware County Prosecuting Attorney is authorized and shall recover the amount of any Unauthorized Expenses and associated costs incurred by the Authorized User or Employee who either uses a Credit Card, or allows another person to use a Credit Card, in an unauthorized manner and fails to immediately and voluntarily make restitution to the Township for the total amount of the unauthorized purchase(s) and costs. This Policy does not limit any other liability of the employee or officer for the unauthorized use of a Credit Card.

**SECTION 6
MISUSE**

The use of a Credit Card account for expenses beyond those authorized by the Board or for Unauthorized Expenses, as defined in Art. I, Sec. 3, constitutes misuse of a Credit Card Account. Failing to submit receipts, or submitting false or incomplete information, within a reasonable time after making a purchase also constitutes misuse of a Credit Card Account.

Any Employee or public servant, as defined in R.C § 2921.01, who knowingly misuses a Credit Card Account held by the Board violates R.C. § 2913.21. Misuse may also be a violation of other federal and/or state criminal laws. Misuse will be prosecuted accordingly.

In addition to any criminal charges and/or any civil actions for recovery, misuse of a Credit Card or Credit Card Account may result in disciplinary action, up to and including termination.

**SECTION 7
ISSUING OR REISSUING A CREDIT CARD**

A Credit Card may only be issued or reissued at the direction of the Board. Issuance or reissuance shall be approved by resolution.

**SECTION 8
CANCELLATION**

A Credit Card Account or an individual Credit Card connected to a Credit Card Account shall be cancelled upon determination of the Board that such Account or Credit Card should be cancelled. Such determination shall be made by resolution.

**SECTION 9
SECURITY – LOST OR STOLEN CREDIT CARD**

- A. Authorized Users shall only disclose Credit Card Information as is necessary or to make an authorized expenditure or purchase. Credit Card Information shall not be disclosed to any unauthorized person or entity. Questions regarding disclosure of Credit Card Information should be directed to the Fiscal Officer.

- B. Authorized Users shall keep secure and protect all Credit Card Information from unauthorized disclosure and shall maintain such information as confidential as it if were the Authorized User’s own personal credit card information.
- C. All Credit Card transactions shall be reviewed by the Board and Fiscal Officer.
- D. All online or internet expenditures or purchases using a Credit Card shall only be made using a computer protected by updated and current anti-virus/anti-malware software and only through a secure network where transmitted information is encrypted.
- E. In the event a Credit Card is lost or stolen, or an Authorized User suspects or has reason to believe a Credit Card is lost or stolen or that theft, fraud, or possible unauthorized use of a Credit Card has occurred, the Authorized User shall immediately notify the Fiscal Officer in-person or by telephone after such activity or suspected activity becomes known to the Authorized User. Upon receipt of such notice, the Fiscal Officer shall immediately take any action that the Fiscal Officer considers prudent and necessary to prevent or arrest any possible or additional unauthorized use of the Credit Card including, but not limited to, immediately notifying the Issuer and/or law enforcement, as appropriate, and shall notify the Board of such action.
- F. The Authorized User shall immediately follow verbal notice to the Fiscal Officer by written notice to the Fiscal Officer and Board of the lost or stolen Credit Card or suspected loss, theft, fraud, or possible unauthorized use of the Credit Card.
- G. The Authorized User shall fully cooperate in any investigation by the Fiscal Officer, Board, the Issuer, and/or law enforcement of any loss, theft, fraud, or possible unauthorized use of the Credit Card and shall provide any and all necessary information required by the Fiscal Officer, Board, the Issuer, and/or law enforcement relating to the loss, theft, fraud, or possible unauthorized use of the Credit Card.

**SECTION 10
CREDIT CARD ACCOUNT LIMITS**

The maximum credit limit on each Credit Card Account held by the Board and/or Township is included on the attached Exhibit C. Credit Card limits shall be updated upon any change of limits or additional credit lines.

ARTICLE II.
RULES FOR TOWNSHIP CREDIT CARD ACCOUNTS

**SECTION 1
CREDIT CARD ACCOUNT INSTRUMENTS**

The Board is and shall remain the holder of all Credit Cards issued to the Board. The Credit Cards remain the property of the Issuer. The name of the Township shall appear on each Presentation Instrument related to the Credit Card Account, including but not limited to, Credit Cards and checks.

SECTION 2

MONTHLY PRESENTATION OF TRANSACTION DETAIL

The Fiscal Officer monthly shall present to the Board credit card account transaction detail from the previous month. The Board shall review the credit card account transaction detail and the chairperson of the Board shall sign an attestation stating the board reviewed the credit card account transaction detail.

SECTION 3 SEMI-ANNUAL REPORT

The Board at least once every six (6) months shall review the number of Credit Cards and Accounts issued, the number of active Credit Cards and Accounts issued, the Credit Cards' and Accounts' expiration dates, and the Credit Cards' and Accounts' credit limits.

SECTION 4 ANNUAL REPORT - REWARDS

The Fiscal Officer annually shall file a report with the Board detailing all rewards received based on the use of the Township's Credit Card Account.

SECTION 5 PROHIBITION ON DEBIT CARD ACCOUNTS

Pursuant to R.C. § 9.22, no political subdivision may hold or utilize a Debit Card Account, except for law enforcement purposes. Possession or use of a Debit Card Account by a political subdivision except for law enforcement purposes is a violation of R.C. § 2913.21. R.C. § 9.22 does not apply to Debit Card Accounts related to the receipt of grant moneys.

ARTICLE III MISCELLANEOUS

SECTION 1 SCOPE AND COMPLIANCE

This Policy applies to all Employees. All Employees and Authorized Users are responsible for compliance with this Policy and shall comply with this Policy.

SECTION 2 EFFECTIVE

- A. This Policy shall be in full force and effect immediately upon adoption and shall remain effective until repealed or superseded.
- B. This Policy supersedes any previously issued credit card account or use policy or other policy or writing regarding the use of Credit Cards.

SECTION 3

AUTHORITY

This Policy is enacted pursuant to R.C. § 506.64.

SECTION 4 DISTRIBUTION

This Policy shall be distributed to all Authorized Users. Each Authorized User shall complete, sign, and return Exhibit B to the Fiscal Officer prior to using a Credit Card. The Fiscal Officer shall hold and maintain the signed Exhibit B for as long as the Authorized User remains an Authorized User and, in addition thereto, in accordance with the applicable retention schedule.

EXHIBIT B

**BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO
ACKNOWLEDGMENT OF RECEIPT OF CREDIT CARD ACCOUNT POLICY**

Name: _____ (Print Name)

Position: _____

I, the undersigned, acknowledge that I have received a copy of the Berlin Township Credit Card Account Policy (“Policy”), dated _____, 2019. In connection with my receipt of the Policy I state and agree with all of the following:

- I have fully read and understand the Policy.
- I have been given the opportunity to ask questions regarding the Policy and its contents.
- I understand if I have any further questions about the Policy or use of a Credit Card issued in the name of the Board of Trustees or Township, I will contact the Township Fiscal Officer.
- I agree that I am responsible for knowing the contents of the Policy.
- I agree I am bound by and agree to abide by all of the Policy’s terms, conditions, and requirements.
- I understand that this Policy is not all inclusive of the policies, rules, or regulations that apply to the use of a Credit Card issued in the name of Board of Trustees or Township and that other policies or provisions of other policies, rules, or regulations may apply.
- I agree and understand that any and all provisions of this Policy may be changed, modified, or eliminated without advance notice to me, at any time.

I also acknowledge that I have received or am authorized to use a Berlin Township (“Township”) Credit Card to carry on my person and use for Work-Related Expenses on behalf of the Township, and am considered an “Authorized User.” I hereby agree to be an Authorized User and will use such Credit Card in accordance with the Policy. Further, I will immediately report any lost or stolen Credit Cards or if I have reason to believe a Credit Card is lost or stolen or that theft, fraud, or possible unauthorized use of a Credit Card has occurred. I additionally agree to return any Credit Cards upon resignation, termination, or the request of the Fiscal Officer or Board.

I understand the Credit Card may only be used to pay for Work-Related Expenses on behalf of the Township, and that I will be held liable for any Unauthorized Expenses or purchases.

Signature

Date

Printed Name

Title

EXHIBIT C

Issuer/Type of Credit Card	Credit Card Account (<u>ONLY</u> Last 4 Digits of Account No.)	Account Maximum Credit Limit

CHAPTER IX – WORKPLACE INVESTIGATIONS AND MEDICAL EXAMINATIONS

Section 9.01 Workplace Investigations

It may be necessary for the Township to collect facts, documents, statements, evidence, and information and to otherwise conduct investigations into incidents that either occur at the workplace or arise out of, affect, or are related to the functions, operations, policies, and practices of the Township. All Township employees are required to fully cooperate in these investigations. Failure to cooperate in an investigation, such as the withholding of information, engaging in insubordinate or disrespectful behavior, refusing to respond, providing false statements, and other similar acts of intransigence or deceit, shall be cause for serious disciplinary action up to and including termination of employment.

Section 9.02 Employee Fitness for Duty Examinations and Disability Separation

When the Township has a reasonable basis to question whether an employee is fit for duty the Township may require an employee submit to medical and/or psychological examinations for purposes of determining the employee's physical or mental capability to perform the essential functions of the employee's position. The Township or designee shall select one or more licensed practitioners to conduct the examinations. The Township and the employee shall receive the results of any examination.

The Township shall pay the cost of the examination unless the employee fails to appear for the examination without justification, refuses to submit to the examination, or refuses to release the results of the examination. An employee will be responsible for the costs associated with an unexcused failure to appear at a scheduled examination and subject to discipline for insubordination up to and including termination of employment.

If the employee disagrees with the Township's determination, the employee may be examined by a physician of the employee's choice at the employee's expense. If the two (2) reports conflict a third opinion shall be rendered by a neutral practitioner chosen by the first two (2) practitioners within

fifteen (15) calendar days of the report by the employee's physician. If the physicians cannot agree, the Township will select a practitioner from an independent occupational health practice to offer the third opinion. The third practitioner's opinion shall be final. The neutral physician's cost shall be borne by the Township.

If an employee, after examination, is found to be unable to perform the material and substantial duties of the employee's position, then the employee may utilize accumulated unused sick leave for up to three months, including any available FMLA leave to which the employee is eligible. Once all sick leave (up to three months) and FMLA leave has been exhausted, the Township may place the employee on disability separation.

Pre-Separation Disability Conference

Prior to making a final determination whether to separate due to disability of the employee pursuant to this Article, the Township shall conduct a pre-separation conference. The Township shall provide the employee at least twenty-four (24) hours advance notice of the conference and shall provide the employee with documentation upon which it may implement an involuntary disability separation. At the conference, the employee and/or their representative shall be given the opportunity to respond to the documentation presented by the Township.

Reinstatement from Disability Separation

An employee placed on disability separation, either voluntarily or involuntarily, has the right to reinstatement for two (2) years from the date the employee went on leave (either paid or unpaid) due to the medical or psychological condition. Employees requesting to return from disability leave must submit medical and/or psychological certification of the employee's ability to perform the essential functions of the position. The Township may require an examination prior to return to work at the Township expense.

CHAPTER X – DISCIPLINE

Section 10.01 Employee Misconduct, Corrective Action and Discipline

Township employees are expected to act in a professional and courteous manner, to fulfill their job duties, abide by Township policies, and refrain from any conduct reflecting poorly on the Township. Township supervisors and managers are held to a higher standard of conduct.

The following categories of misconduct constitute grounds for disciplinary action: incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, policy or work rule violations, failure of good behavior including a violation of laws or policy about ethics of public employment, failure to maintain licensing requirements or other certifications necessary for Township employment, and any other acts of misfeasance, malfeasance or nonfeasance. The following constitutes a non-exhaustive list of prohibited behavior:

- A. Tardiness.
- B. Unauthorized absences -or- being absent from work without leave.
- C. Failure to properly and timely report absences.
- D. Disregarding safety regulations or policies.
- E. Fighting.
- F. Horseplay.
- G. Workplace violence or threats of violence.
- H. Harming oneself or others, or damaging property, due to negligent or intentional behavior or failure to act.
- I. Insubordination, whether failure to obey and order of a supervisor or displaying insubordinate/disrespectful behavior toward a supervisor or supervision.
- J. Neglecting job tasks or duties.
- K. Sleeping on the job.
- L. Discourteous treatment of the public or co-workers.
- M. Dishonesty or admission of intent to be dishonest.
- N. Falsification of reports or records.
- O. Stealing.
- P. Working overtime without prior approval.
- Q. Soliciting or accepting bribes or gratuity in connection with Township business.
- R. Disseminating, forwarding, displaying or viewing pornographic or violent or objectifying materials while at work or with Township equipment, unless required in the performance of your job duties.
- S. Harassment.
- T. Bullying.
- U. Discrimination.
- V. Retaliation.
- W. Failing to comply with a uniform, dress, or grooming policies and standards.
- X. Violating federal, state or local law or ordinance.

- Y. Using tobacco products on the job, in Township buildings or in Township vehicles.
- Z. Accessing, copying or disseminating Township records without prior approval.
- AA. Conducting private business while at work for the Township or through Township equipment.
- BB. Violating Township policies.
- CC. Failing to report a known violation of Township policies or the law or Ordinance.
- DD. Creating a hostile work environment through disrespectful or unprofessional behavior.
- EE. Failure to respond in a timely and respectful manner to the public and/or co-workers.

Violations of this policy may result in one of the following forms of disciplinary action, or others: Verbal warning, written warning, suspension, or discharge. In arriving at a decision for proper action, the Township will consider all relevant circumstances about the events in question, the seriousness of the infraction, the past record of the employee, and any other factors it deems appropriate. The Township may use or implement any form of discipline, at any level, at any time it deems appropriate.

The Township may convene a pre-disciplinary conference or hearing prior to the removal of a firefighter or fire chief pursuant to O.R.C. 505.38 or an applicable collective bargaining agreement.

Section 10.02 Authority to Discipline

Supervisors may, in appropriate circumstances, impose discipline on employees. A Trustee Liaison has the authority to place a Department Head or other employee on administrative leave until it is brought to the attention of the Board of Trustees at the next board meeting. However, only the Board of Trustees shall impose discipline in the form of a suspension from work or termination of employment.

ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK

I hereby acknowledge that I have received the Berlin Township Employee Handbook, and its appendices, which describes the Township’s policies and the benefits that it grants to eligible employees. I understand that I am responsible for reading, understanding, and complying with the policies contained in the Handbook.

I understand that the Township’s Employee Handbook is presented for informational purposes only and is not a contract of employment, and the Township has the exclusive and unlimited right at any time, and with or without notice, to unilaterally change, revise, modify or eliminate all or any portion of the Handbook and any benefit or procedure outlined therein.

I am also fully aware and understand that, unless otherwise required by law or collective bargaining agreement, my employment is AT-WILL, meaning that I am not employed for a definite term and that either Berlin Township or I have the right to terminate my employment at any time, without cause or justification, and for any or no reason whatsoever. No employee, supervisor, officer, or other Township representative, whether orally or in writing, has the right or authority to vary my EMPLOYMENT-AT-WILL status.

Employee Signature: _____

Employee Printed Name: _____

Date: _____

APPENDIX A – PERROMANCE EVALUATION

The Township will utilize a modified version of the behaviorally anchored rating scale (BARS) for performance evaluations. BARS is a type of performance management scale that uses behavior “statements” as a reference points to measure an employee’s performance against specific examples of behavior that are given a number rating for the purpose of collecting data. In addition to utilizing the quantitative rubric, it is the expectation that employees create goals that align with behaviors and receive qualitative feedback from their immediate supervisor at least twice per year. Each behavior will be measured in alignment with the job description and provide recorded record of performance that will be included in the personnel file of each employee. The supervisor will provide the records to the Fiscal Officer no later than June 30th and December 31st of each calendar year.

Employee Name: _____

Supervisor Name: _____

Date of Review: _____

Performance Ratings:

Behaviorally Anchored Rating Scale (BARS)	Below Expectations	Meets Expectations	Exceeds Expectations
Productivity			
Development			
Decision Making and Reasoning			
Adaptability			
Job Function Knowledge and Skills			
Service to Others/Resident Focus			
Honesty			
Commitment			
Professionalism and Respect			
Inclusive			
Listens and Shares			
Clarity			
Takes Initiative			
Timeliness and Attendance			

Additional Comments:

Employee Signature: _____

Behaviorally Anchored Rating Scale (BARS)	Well Below Expectations	Slightly Below Expectations	Slightly Above Expectations	Well Above Expectations
<p>(What) Delivering Results - PRODUCTIVITY: Strives to consistently achieve excellence in all tasks and goals. Maintains focus and perseveres in the face of obstacles. Uses time efficiently and responds quickly and constructively when confronted with challenges. Prioritizes tasks based on importance.</p>				
<p>(What) Delivering Results - DEVELOPMENT: Ensures job knowledge and skills are current and valuable. Receptive to feedback.</p>				
<p>(What) Problem Solving - DECISION MAKING AND REASONING: Considers multiple sides of an issue. Weighs consequences before making final decision. Makes informed decisions based on available information. Recognizes issues, and determines actions needed to advance the decision-making process. Follows up as necessary.</p>				
<p>(What) Problem Solving - ADAPTABILITY: Not discouraged by ambiguous situations. Is open to new ideas and processes. Adjusts approach to achieve results.</p>				
<p>(What) Job Function Knowledge and Skills: Demonstrates skills and knowledge relevant to one's own function or work group. Applies current best practices in discipline or specialty area. Stays aware of major developments in discipline or specialty area. Recognized by customers and team members for functional knowledge and skills.</p>				
<p>(What) Service to Others/Resident Focus: Listens to residents, supervisors, and co-workers address needs and concerns. Acts with professionalism and respect towards everyone when representing the township. Delivers on service commitments. Meets established or agreed upon deadlines. Maintains supportive relationships. Uses initiative to improve outcomes, processes, or measurements.</p>				

Behaviorally Anchored Rating Scale (BARS)	Well Below Expectations	Slightly Below Expectations	Slightly Above Expectations	Well Above Expectations
<p>(How) Honesty: Behaves and expresses oneself in an open and honest manner. Is consistent in word and actions. Tells the truth, and does not lie, even when it is difficult. Shares information accurately, completely, and appropriately. Meets deadlines established.</p>				
<p>(How) Commitment: Follows directions and follows through on assignments and commitments. Supports Township goals and initiatives. Adheres to all policies and procedures. Keeps commitments to supervisors, co-workers, and residents.</p>				
<p>(How) Collaboration - PROFESSIONALISM AND RESPECT: Treats all people with dignity, respect, and fairness. Resolves interpersonal conflicts constructively and engages with professionalism. Shares time, energy, and knowledge with others to ensure they can succeed.</p>				
<p>(How) Collaboration - INCLUSIVE: Demonstrates awareness and respect of cultural and individual values. Appreciates and leverages the strengths of others to accomplish goals, regardless of background. Listens to ideas from others, even when different from own. Is careful to ensure all sides are heard before reaching a conclusion.</p>				
<p>(How) Communication - LISTENS AND SHARES: Provides regular, consistent, and meaningful information. Listens carefully to others and ensures message is understood. Ensures important matters are shared with all appropriate parties.</p>				
<p>(How) Communication - CLARITY: Communicates in a clear and concise manner. Uses appropriate grammar, pronunciation and tone to enhance understanding. Demonstrates professionalism through body language, including eye-contact and posture. Tailors communication style to needs of the recipient.</p>				
<p>(How) Taking Initiative: Responds appropriately on own to improve outcomes, processes or measurements. Assumes responsibility and leadership when asked. Accomplishes goals independently, with little need for supervision. Takes ownership and accountability for own performance. Seeks out and/or accepts additional responsibilities in the context of the job.</p>				
<p>(How) Timeliness and Attendance. Shows up to work, events, or other required meetings on consistently on time. Responds to questions addressed from either residents, co-workers, or other board members in a timely manner. Completes tasks in a timely manner.</p>				

APPENDIX B - INJURY REPORTING PACKET

Instructions: Employees shall use this form to report all work related injuries, illnesses, or “near miss” events (which could have caused an injury or illness) – *no matter how minor*. This helps us to identify and correct hazards before they cause serious injuries. This form shall be completed by employees as soon as possible and given to a supervisor for further action.

I am reporting a work related: <input type="checkbox"/> Injury <input type="checkbox"/> Illness <input type="checkbox"/> Near miss	
Your Name:	
Job title:	
Supervisor:	
Have you told your supervisor about this injury/near miss? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Date of injury/near miss:	Time of injury/near miss:
Names of witnesses (if any):	
Where, exactly, did it happen?	
What were you doing at the time?	
Describe step by step what led up to the injury/near miss. (continue on the back if necessary):	
What could have been done to prevent this injury/near miss?	
What parts of your body were injured? If a near miss, how could you have been hurt?	
Did you see a doctor about this injury/illness? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, whom did you see?	Doctor’s phone number:
Date:	Time:
Has this part of your body been injured before? <input type="checkbox"/> Yes <input type="checkbox"/> No	

If yes, when?	Supervisor:
Your signature:	Date:

Supervisor's Accident Investigation Form

Name of Injured Person _____

Date of Birth _____ Telephone Number _____

Address _____

City _____ State _____ Zip _____

_____ (Circle one)

Male

Female

What part of the body was injured? Describe in detail. _____

What was the nature of the injury? Describe in detail. _____

Describe fully how the accident happened? What was employee doing prior to the event? What equipment, tools being using? _____

Names of all witnesses:

Date of Event _____ Time of Event _____

Exact location of event: _____

What caused the event? _____

Were safety regulations in place and used? If not, what was wrong? _____

Employee went to doctor/hospital? Doctor's Name _____

Hospital Name _____

Recommended preventive action to take in the future to prevent reoccurrence.

Supervisor Signature

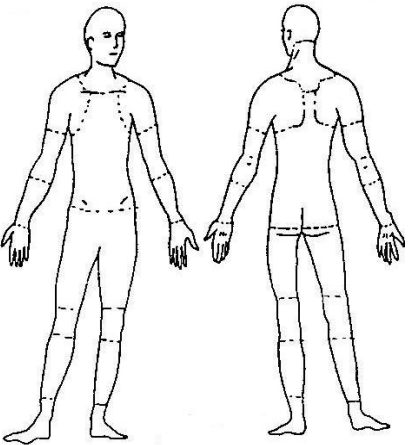
Date

Incident Investigation Report

Instructions: Complete this form as soon as possible after an incident that results in serious injury or illness.
 (Optional: Use to investigate a minor injury or near miss that *could have resulted in a serious injury or illness.*)

This is a report of a: <input type="checkbox"/> Death <input type="checkbox"/> Lost Time <input type="checkbox"/> Dr. Visit Only <input type="checkbox"/> First Aid Only <input type="checkbox"/> Near Miss	
Date of incident:	This report is made by: <input type="checkbox"/> Employee <input type="checkbox"/> Supervisor <input type="checkbox"/> Team <input type="checkbox"/> Other _____

Step 1: Injured employee (complete this part for each injured employee)

Name:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Age:	
Department:	Job title at time of incident:		
Part of body affected: (shade all that apply) 	Nature of injury: (most serious one) <input type="checkbox"/> Abrasion, scrapes <input type="checkbox"/> Amputation <input type="checkbox"/> Broken bone <input type="checkbox"/> Bruise <input type="checkbox"/> Burn (heat) <input type="checkbox"/> Burn (chemical) <input type="checkbox"/> Concussion (to the head) <input type="checkbox"/> Crushing Injury <input type="checkbox"/> Cut, laceration, puncture <input type="checkbox"/> Hernia <input type="checkbox"/> Illness <input type="checkbox"/> Sprain, strain <input type="checkbox"/> Damage to a body system: <input type="checkbox"/> Other _____	This employee works: <input type="checkbox"/> Regular full time <input type="checkbox"/> Regular part time <input type="checkbox"/> Seasonal <input type="checkbox"/> Temporary	
		Months with this employer	
		Months doing this job:	

Step 2: Describe the incident

Exact location of the incident:	Exact time:
What part of employee's workday? <input type="checkbox"/> Entering or leaving work <input type="checkbox"/> Doing normal work activities <input type="checkbox"/> During meal period <input type="checkbox"/> During break <input type="checkbox"/> Working overtime <input type="checkbox"/> Other _____	
Names of witnesses (if any):	

Number of attachments:	Written witness statements:	Photographs:	Maps / drawings:
What personal protective equipment was being used (if any)?			
Describe, step-by-step the events that led up to the injury. Include names of any machines, parts, objects, tools, materials and other important details.			
Description continued on attached sheets: <input type="checkbox"/>			

Step 3: Why did the incident happen?	
Unsafe workplace conditions: (Check all that apply) <input type="checkbox"/> Inadequate guard <input type="checkbox"/> Unguarded hazard <input type="checkbox"/> Safety device is defective <input type="checkbox"/> Tool or equipment defective <input type="checkbox"/> Workstation layout is hazardous <input type="checkbox"/> Unsafe lighting <input type="checkbox"/> Unsafe ventilation <input type="checkbox"/> Lack of needed personal protective equipment <input type="checkbox"/> Lack of appropriate equipment / tools <input type="checkbox"/> Unsafe clothing <input type="checkbox"/> No training or insufficient training <input type="checkbox"/> Other: _____	Unsafe acts by people: (Check all that apply) <input type="checkbox"/> Operating without permission <input type="checkbox"/> Operating at unsafe speed <input type="checkbox"/> Servicing equipment that has power to it <input type="checkbox"/> Making a safety device inoperative <input type="checkbox"/> Using defective equipment <input type="checkbox"/> Using equipment in an unapproved way <input type="checkbox"/> Unsafe lifting <input type="checkbox"/> Taking an unsafe position or posture <input type="checkbox"/> Distraction, teasing, horseplay <input type="checkbox"/> Failure to wear personal protective equipment <input type="checkbox"/> Failure to use the available equipment / tools <input type="checkbox"/> Other: _____
Why did the unsafe conditions exist?	
Why did the unsafe acts occur?	
Is there a reward (such as “the job can be done more quickly”, or “the product is less likely to be damaged”) that may have encouraged the unsafe conditions or acts? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:	
Were the unsafe acts or conditions reported prior to the incident? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Have there been similar incidents or near misses prior to this one? <input type="checkbox"/> Yes <input type="checkbox"/> No	

Step 4: How can future incidents be prevented?

What changes do you suggest to prevent this incident/near miss from happening again?

- Stop this activity Guard the hazard Train the employee(s) Train the supervisor(s)
- Redesign task steps Redesign work station Write a new policy/rule Enforce existing policy
- Routinely inspect for the hazard Personal Protective Equipment Other: _____

What should be (or has been) done to carry out the suggestion(s) checked above?

Description continued on attached sheets:

Step 5: Who completed and reviewed this form? (Please Print)

Written by:

Title:

Department:

Date:

Names of investigation team members:

Reviewed by:

Title:

Date:

APPENDIX C – DRIVING AND VEHICLE OPERATION

Berlin Township employees are constantly in the public eye. Every time employees drive a vehicle or piece of equipment in the performance of their duties, they are representing Berlin Township. Employees are not only responsible for their own security but the safety and security of citizens and visitors to Berlin Township. As a result, all Berlin Township drivers are required to exercise the utmost care and caution while operating a motor vehicle. Employees who regularly or occasionally operate Berlin Township or personally owned vehicles while in the employment of the Township are required to abide by all applicable State laws in addition to these rules and regulations.

Definitions

Vehicle – Unless otherwise specified, a vehicle is any automobile, truck or piece of equipment allowed to operate on the streets and highways of the State, whether licensed or not.

Assigned Vehicle – A vehicle that is provided to a particular employee. The employee is considered the principal driver of the vehicle and may or may not use the vehicle to commute to and from work or otherwise operate the vehicle after normal business hours.

Driving Record Acceptability

Any driver of a Berlin Township vehicle, fire department apparatus or personal vehicle while in the employment of, volunteer for or elected official of Berlin Township whose annual driving record shows any one of the following conditions will be considered to have an unacceptable driving record and will not be permitted to drive until his/her record no longer exhibits one of the criteria listed below.

1. One or more serious violation(s) in the last two years.
2. Two or more at-fault accidents in the last year involving a Township owned vehicle where the accident results in property damage in excess of \$2,500.
3. Any employee involved in three or more at-fault accidents within a one-year period, or more than four within a two-year period (regardless of accident type or monetary loss), may be required to attend a defensive driving course or similar remedial type training. The employee's respective Department will be responsible for ensuring that the employee receives this training within a reasonable time frame, training is documented, and all documentation is forwarded to the Fiscal Officer.
4. More than three moving violations in the last two-year period, including traffic citations received as a result of an accident.
5. Any combination of traffic accidents and/or moving violations equaling five or more in the last two years.

Unless otherwise noted above, moving violations include those that involve personal vehicles that are and/or are not being used during employment as well as those that involve Berlin Township owned vehicles.

At-fault accidents that occur in an "emergency vehicle" when the vehicle is on an emergency call (e.g. fire fighters driving a fire engine in response to an alarm and police officers responding to a code 3), will be counted only if the accident is determined by an accident review committee to have been "avoidable". The traffic accident committee should be comprised of at least 5 full-time employees of the same department and represent a variety of ranks within that department. The committee should review each at-fault (unit-1) accident to determine whether the accident was "avoidable". An "avoidable" accident is defined as: "one in which the operator failed to do everything reasonably expected of him/her to avoid the accident".

Serious violations include, but are not, limited to driving while intoxicated; Driving while under the influence of drugs; Negligent homicide arising out of the use of a motor vehicle (gross negligence); Operating a vehicle without a license; Using a motor vehicle during the commission of a felony; Aggravated assault with a vehicle; Operating a vehicle without the owner's authority (grand theft); Permitting an unlicensed person to drive; Reckless driving; Speed contest; and Hit and run driving.

General Rules and Regulations

1. Only employees who are included on a Berlin Township roster of drivers are allowed to drive Berlin Township owned or personal vehicles during the course of their employment.
2. Vehicles are to be driven in a manner such as to create a favorable impression to the public. Drivers shall exercise special precautions when:
 - a. Children are playing on a roadway, alley, or near the curb;
 - b. Passing schools or playgrounds;
 - c. Approaching persons on bicycles;
 - d. Driving during inclement weather.
3. No employee under the age of 18 is allowed to drive Berlin Township owned or personal vehicles during the course of their employment;
4. Authorization for temporary/seasonal employees to operate vehicles shall be limited where practical. However, if authorized, these employees must sign all required License/Insurance/Maintenance Requirements Form and be approved by the Berlin Township Trustees;
5. Vehicle Operators must possess a current Operators license appropriate to the vehicle being driven;

6. Any employee who operates a vehicle on a regular or occasional basis is required to report any license suspension or revocation, including those that result from the operation of personal vehicles, to his immediate superior. Likewise, all accidents or moving violations obtained while driving a Berlin Township owned vehicle must be reported to his/her immediate superior. All reportable accidents and/or moving violations shall be forwarded to the Fiscal Officer.
7. Drivers will not operate vehicles when under the influence of alcohol or illicit drugs and/or drugs that impair the user from operating vehicles or machinery;
8. Drivers will use the proper signals when stopping, turning, or slowing down;
9. All drivers will give a pedestrian the right of way;
10. Flasher lights on trucks, cars and equipment should be used as emergency or work conditions require. Flasher lights are not to be used as an excuse to gain the right of way or to break traffic rules;
11. All traffic laws of the State, including signs and speed limits will be obeyed;
12. Employees driving vehicles during their employment are responsible for insuring that the vehicle is properly maintained and in a generally safe operating condition;
13. Employees shall not transport passengers except for those who are employees of Berlin Township or are conducting business with or on behalf of the Township, except as noted under **Personal Use and Take Home Policy** section below;
14. No one is permitted to ride outside the passenger compartment when a vehicle is in motion (except in the case of certain fire engines);
15. Employees driving personal vehicles while in the employment of the Township will maintain primary automobile liability insurance coverage on the vehicle being drive. State required minimum bodily injury/physical damage limits must be maintained. The Fiscal Officer is responsible for insuring that employees using their personal vehicles maintain adequate insurance;
16. Personal vehicles will not be used to pull trailers or haul equipment while being used in Township related business;
17. Berlin Township owned vehicles shall be kept free of having placed on or within any stickers or signs which indicate any political candidate, party, organization, or theme; are in poor taste; or relate to specific social concerns that may be found objectionable by citizens.

Seat Belts

All employees shall use their seat belts (including shoulder straps) while driving vehicles other than equipment. Employees shall wear seat belts, if provided, when operating equipment. All passengers are required, unless unable to do so, to occupy only those seating positions equipped with seat belts and use them.

Cell Phones

The Township prohibits employees from using cell phones or other mobile devices for writing, sending or reading text messages, emails, social media messages or posts, or other similar messages, or accessing the internet or social media at any time while driving or operating machinery on Township related business. Employees should refrain from calling or talking on the phone while driving Township vehicles.

Backing

Backing of vehicles should be discouraged given the rate of accidents that take place during this operation. No vehicles should be backed up unless the driver cannot avoid it and he or she has a clear view of the entire area to be backed into. If such a view is not present, the driver, if alone, will get out of the vehicle and inspect the area to be backed into or, if a second person is in the vehicle, the second person will get out and guide the driver using appropriate hand and/or voice signals.

Vehicle Inspections

All vehicles except personal passenger cars and pick-ups will be inspected at least once each day or, if the vehicle is not used daily, each time before the vehicle is placed into service, but no more than once during a 24-hour period. Personal passenger cars and pick-ups will be inspected on at least a quarterly basis. Inspections will focus on identifying any obvious physical damage, inoperable running lights and horns, loose steering, and inappropriate tire condition. Records of these inspections will be maintained. Any deficiency encountered will be reported to the employee's Department Head or Trustee Liaison immediately. It will be the Department Head's responsibility to ensure that appropriate action is taken to correct the problem.

Maintenance

All Berlin Township owned vehicles are to be maintained according to the manufacturer's specifications. Records of this maintenance activity are to be retained. All personal vehicles driven during the course of employment shall be maintained in a manner that promotes safe travel.

Parking

Berlin Township vehicles or personal vehicles driven by Berlin Township employees during the course of their employment are not to park in "NO PARKING" zones. No vehicle or piece of equipment is to be left unattended with the ignition key left in the ignition. All vehicles will be locked when parked and unoccupied.

Personal Use and Take Home Policy

Berlin Township vehicles are not to be used for personal business except for incidental purposes while used for Township business. For example, an employee may, when commuting between work and home, stop and pick-up or drop off a spouse or child at work or at school, as long as the stop to be made is not significantly out-of-the-way. However, if an employee's personal vehicle is near his worksite, a Township vehicle may not be used for personal errands such as running to the bank or taking people to lunch unless there is a work-related purpose immediately prior to or following the personal errand and it is more time efficient to use the Township vehicle.

Berlin Township vehicles that are taken home are not to be used for personal business while housed at the employee's residence unless the employee is on-call and must have ready access to his vehicle. In addition, the trustees may grant personal use of marked and unmarked police vehicles and marked fire vehicles within their appropriate jurisdictions.

If an employee is on extended absence from working including injury leave or is on restricted or modified duty and unable to perform on-call duty or work evenings and/or weekends, he will not use the assigned Township owned vehicle until he returns to active on-call or an evening/weekend work schedule.

Special Equipment

Special Equipment such as tractors, fire engines, or any vehicle which has special devices added for specific types of work will require that the driver receive formal instruction prior to usage. This special training will comply with all appropriate OSHA, NFPA and DOT Standards and rules and regulations.

1. Explanation and demonstration of all control devices.
2. Explanation and demonstration of all safety equipment.
3. A walk through of all inspection criteria.
4. Demonstration of operation.
5. Supervised new driver operation.

Written documentation of all special training will be retained by the departments.

Proof of Insurance

Each Berlin Township owned vehicle should have an insurance card kept in the glove compartment or attached to the driver's sun visor. Missing insurance cards should be reported to the Fiscal

Officer. Any employee using their personal vehicle during the course of employment should carry a proof of insurance card. It is the Fiscal Officer 's responsibility to ensure all employees using personal vehicles for Berlin Township business purposes, complete the "Insurance Maintenance Requirement for Personal Vehicle" form once each year, and return to the Fiscal Officer.

PROCEDURES:

Driving Record Acceptability

The Fiscal Officer will obtain Motor Vehicle Records on all employees on the Berlin Township roster of Drivers once every year. These, along with any Uniform Police Traffic Accident and Ohio Uniform Accident Reports will be reviewed by Trustees to determine if any employee on the roster of drivers has an unacceptable driving record. Those who do will be notified in writing by the Fiscal Officer using the Notice of an Unacceptable Driving Record form. A copy of the complete form will be sent to the employee's Department Head.

Roster of Drivers

An official roster of drivers that is supplied by the various Department Heads will be maintained by the Fiscal Officer. This document will highlight the number of at-work at-fault accidents, citations and major violations that drivers have had in the last three years. **Only employees whose names appear on this roster are allowed to drive during the course of their employment.**

Departmentally specific sections of this roster will be disseminated to appropriate Department Heads every six months. It is the responsibility of the Department Head to ensure that the roster for their particular department remains current and that the Fiscal Officer is notified of any correction, additions and/or deletions to the list.

Under Driver Type:

A = Person drives during the course of their employment on more than an occasional basis

B = Person drives occasionally during the course of their employment

C = Person may be required to drive their own personal vehicle for employment purposes.

1 = Person is assigned a Berlin Township vehicle that is taken home at night

2 = Person is assigned to a Berlin Township vehicle(s) that is not taken home at night

3 = Person has a CDL and is not assigned to a Berlin Township vehicle that is taken home at night

General Driving Rules and Regulations

All employees who drive personal vehicles during the course of their employment are required to complete the Insurance/Maintenance Requirements for Personal Vehicles form (See Appendix B) each year and return the form to the Fiscal Officer.

Personal Use and Take Home

The Fiscal Officer will maintain a list of employees that Trustee's have indicated can take Berlin Township owned vehicles home and/or can be used for personal business. The Department Heads are responsible for notifying the Fiscal Officer so appropriate changes in the list can be made.

Training

Employees who are assigned to a particular Berlin Township owned vehicle will be instructed by the Service Department on the operation and general driving conditions of the vehicle before being allowed to initially drive the vehicle. Employees who drive other than private passenger automobiles and pick-up trucks not equipped with special equipment will be trained in the operation of the vehicles in question before being allowed to drive such vehicles. The Department Heads are responsible for ensuring such training takes place, and that it is documented.

Driver Training courses will be offered as deemed necessary, and all employees having one "at-fault" accident or one moving violation (received while driving a Berlin Township vehicle) within a prior one-year period will be asked to attend.

Record Keeping

1. Any Notice of an Unacceptable Driving Record will become part of an employee's personnel file.
2. Motor Vehicle Records and Uniform Police Traffic Accident/ Uniform Traffic Accident Reports will be maintained by the Fiscal Officer in a central file.
3. The Roster of Drivers shall be considered a part of these policies and procedures and will be included with them.
4. Signed and dated "Insurance Maintenance Requirement for Personal Vehicle" forms will be maintained by the Fiscal Officer in a central file.
5. The Fiscal Officer will maintain a list of employees authorized to take vehicles home.

Notice of Unacceptable Driving Record

TO:

DATE: "

After reviewing your Motor Vehicle Record as supplied by the State and analyzing any accidents within the last three years that you were involved in while driving during the course of your employment, it was determined that your driving record does not meet the standards of acceptability as set down in the Berlin Township General Driving Rules and Regulations. As a result, your driving privileges have been suspended until your record once again is acceptable. Given no further moving citations and/or at-work at-fault accidents, it is projected that your record will once again be acceptable on

A copy of this form is being forwarded to the head of your department. A copy will be placed in your personnel file.

APPENDIX D – PURCHASE REQUISITION

All purchase requisitions in excess of **\$1,000.00** should be accompanied by three (3) comparative cost quotations listing:

- A.) Vendor name, address, and telephone number;
- B.) Item description;
- C.) Per item cost;
- D.) Quantity to be purchased;
- E.) Cost of shipping (If no shipping cost stated, add 20% to cost to cover shipping, price change or incidental expenses);
- F.) If state purchase contract used, provide the state contract number (for verification purposes and state reporting).

There should be four (4) copies (original for Fiscal Officer and one copy to each Trustee) of supporting documentation for each purchase requisition submitted to the fiscal officer **by 12:00 noon four (4) days prior to meeting. Requisitions not received 4 days prior to the Board meeting will be deferred to the next regular trustee meeting.**

Requisitions approved at the Board meeting-Trustee liaison to mark a copy of the requisition as approved and provide said copy to the Department Head the day following the meeting.

ALL INVOICES must be billed to Berlin Township, c/o Claudia Smith, Fiscal Officer, 3271 Cheshire Rd., Delaware, OH 43015.

ONLY ORIGINAL REQUISITIONS AND INVOICES WILL BE PROCESSED. NO PAYMENT WILL BE MADE WITHOUT RECEIVING AN ORIGINAL INVOICE.

Emergency purchases or repairs-(those purchases or repairs not anticipated)

- A.) All emergency purchases or repairs are to be reported to the township fiscal officer immediately. Attempts should be made to get three (3) price quotes. Fiscal officer must be advised as to vendor name and address, item or reason for purchase or repair, total estimated cost and if state contract used-the contract number.

APPENDIX E – BERLIN TOWNSHIP PUBLIC RECORDS POLICY

I. Introduction

It is the policy of the Berlin Township, Delaware County, Ohio Board of Township Trustees (“Board”) that openness leads to a better informed citizenry, which leads to better government and better public policy. It is therefore the policy of the Board and the government of Berlin Township, Delaware County, Ohio (“Berlin Township”) to strictly adhere to the state’s Public Records Act.

II. Purpose

The Board acknowledges that Berlin Township maintains many records including, but not limited to, both fixed medium (i.e. paper, film, etc.) and electronic (i.e. email) that are used in the administration and operation of Berlin Township. The records maintained by the Board and/or Berlin Township and the ability to access them are a means to provide trust between the public and Berlin Township. To foster, maintain and continue to build such trust, the Board and Berlin Township, in accordance with state law, adopts this Public Records Policy (“Policy”). (R.C. § 149.43(E)(1)).

III. Definitions

As provided by the Ohio Revised Code, the following definitions apply to this Policy:

- A. “Records” includes any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in [section 1306.01 of the Revised Code](#), created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office. (R.C. § 149.011(G)).
- B. “Public Record” means records kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in this state kept by the nonprofit or for profit entity operating the alternative school pursuant to [section 3313.533 of the Revised Code](#). “Public record” does not mean any of the records listed in R.C. § 149.43(A)(1)(a) through (y). (R.C. § 149.43(A)(1)).

IV. Scope

All records of the Board and Berlin Township are public records unless they do not meet either or both of the definitions of “Records” or “Public Record” as defined by the Ohio Revised Code (R.C. § 149.011G and R.C. § 149.43(A)(1)) or are otherwise specifically exempt from disclosure pursuant to the Ohio Revised Code or applicable federal law.

V. Internal Procedure

- a. Each office, department or function that maintains records shall designate and maintain a designated employee who serves as the custodian of all records maintained by that office, department, or function
- b. Each such designated employee and/or record custodian shall have a copy of this Policy or, in lieu of this Policy, a public records policy developed by that

individual office, department, or function. The designated employee and/or record custodian shall, in writing, acknowledge receipt of this Policy or the public records policy developed by that individual office, department, or function in lieu of this Policy. (See Form 1) (R.C. 149:43(E)(2)).

- c. This Policy, as well as, the Schedules of Records Retention and Disposition (RC-2) applicable to that office, department, or function are located at every location of that office in which the public may access to records.
- d. This Policy is a part of and shall be located in and/or attached to the Berlin Township Employee Handbook.
- e. A poster which generally describes this Policy shall be displayed at every location in which the public may access records.

VI. Fees and Costs

a. Unless a different fee is required by law, in accordance with R.C § 149.43, the following fee schedule is established for providing copies or reproductions of public records:

Media Type	Unit	Cost Per Unit
Letter or Legal Sized Paper Copy (Single Side)	Page	\$ 0.25
Letter or Legal Sized Paper Copy (Double Side)	Two Sided Page	\$ 0.50
Certified Paper Copy	Page	\$ 1.00
Microfiche	Fiche	\$ 0.50
Film Duplication	16mm Roll	\$ 15.00
Film Duplication	35mm Roll	\$ 20.00
Computer Diskette	3.5" Diskette	\$ 1.00
Audio Cassette Tape	Tape	\$ 1.00
Video Cassette Tape	Tape	\$ 2.50
CD/CD Rom	Disk	\$ 1.00
Email Documents	Various Forms	See Cost Per Unit Above

- b. The above fee schedule shall be clearly posted and visible to the public at all locations authorized to provide copies of public records. (See Form 2).
- c. Advance payment is required before any copies are prepared.
- d. The Board and/or Berlin Township shall charge the actual cost of material for media not listed in the fee schedule above.

- e. As a result of security issues and to preserve the integrity of Berlin Township's computer systems, the Board and/or Berlin Township will not accept blank media supplied by the requesting party. The Board or Berlin Township will supply the media. The cost of the media is included in the fee schedule above or, if not contemplated in the fee schedule above, the media will be supplied at cost.
- f. The Board and/or Berlin Township shall notify the requesting party in advance in writing of any costs for labor or materials in situations where an outside vendor must be hired to fulfill the request(s).
- g. The Board and/or Berlin Township will charge the actual costs of postage and mailing supplies when the requesting party requires the public records be transmitted via the United States Postal Service or any type of priority mail service.

VII. Availability/Inspection

- a. Upon request and subject to R.C. § 149.43(B)(8), all public records shall be promptly prepared and made available for inspection to any person during regular business hours, with the exception of legal holidays.
- b. Copies or reproductions of the requested records shall be made available at cost (See Fee Schedule) and within a reasonable period of time.
- c. "Promptly" and "Reasonable," as used above and in connection with the preparation and production of the requested records, is to be determined by the facts and circumstances of each public records request and take into account the following:
 - i. The opportunity for legal review,
 - ii. The volume of records requested, and
 - iii. The proximity of the location where the records are stored.

VIII. Requests for Public Records

- a. Any person, including corporations, individuals, and even governmental agencies, may request public records, and will be allowed prompt inspection of public records and copies within a reasonable amount of time upon request.
- b. No specific language is required to make a request for public records. The requestor must, however, identify the records requested with sufficient clarity to allow the Board and/or Berlin Township to identify, retrieve, and review the records.
- c. If it is not clear what records are being sought, the records custodian shall contact the requestor for clarification and should inform the requestor of the manner in which the office keeps its records.
- d. The requestor may be asked, but the requestor does not have to:
 - i. Put a records request in writing,
 - ii. Provide his or her identity, or

- iii. The intended use of the requested public record.
- e. If the requestor is asked for any of this information, he or she shall first be advised:
 - 1. The requestor does not have to answer any of these questions, and
 - 2. The requestor's refusal to provide any of this information does not impair the requestor's right to inspect and/or receive copies of the requested public records. (R.C. 149.43(B)(5)).
- f. For the purpose of enhancing the ability of the Board and/or Berlin Township to identify and provide for prompt inspection and/or copies of the requested records in a reasonable period of time, the requestor shall be provided with Form 3 for the requestor to complete. In providing Form 3 to the requestor, the requestor shall be informed:
 - i. The requestor does not have to complete Form 3, and
 - ii. The requestor's refusal to complete or provide any and/or all information on Form 3 does not impair the requestor's right to inspect and/or receive copies of the requested public records. (R.C. 149.43(B)(5)).

IX. Response/Release

- a. Requests for public records shall be processed the same regardless of the means by which the request was made. (Note Section X - Special Provisions for Public Records Requests Received by Email, Regular Mail, or Other Delivery Service.)
- b. The records custodian shall complete the public records request using Form 4.
- c. Requests for records that are capable of being satisfied immediately and about which there are no issues concerning release should be satisfied immediately.
- d. Requests for public records that are not capable of being satisfied immediately shall be dealt with as follows:
 - i. Voluminous/Copying or Reproduction Time Required Request: (Form 5)
 - 1. Each such request for public records should be evaluated for the estimated number of copies required to satisfy the request and/or an estimated length of time required to gather the records.
 - 2. The requestor shall be informed of the estimated length of time required to respond.
 - 3. The requestor shall be informed of the estimated total fee/cost associated with copying or reproducing and delivery of the record(s) and that such estimated total cost must be paid in full prior to the record(s) being copied or reproduced.
 - 4. The requestor shall be informed that any difference between the total estimated cost and the total actual cost shall be settled either by Berlin Township re-paying any overage or, prior to the delivery of the records, the requestor paying any deficit.
 - 5. The requestor shall be informed of any items within the request that

may be exempt from disclosure.

6. If the request is made verbally the above information shall be provided to the requestor either verbally or in writing. If the request is made in writing, the requestor shall be informed of the above information in writing.

7. All such information as required above shall be provided to the requestor in no more than three (3) days after receiving the request.

8. Considering the volume of records requested, the requested records should be made available to the requestor within a reasonable period of time.

ii. Legal Issue Concerning Release: (Form 6)

1. In the event a request for public records is made to inspect and/or obtain a copy of a record whose release may be prohibited or exempted by either state or federal law, the request shall be forwarded to legal counsel (Delaware County Prosecuting Attorney or other township legal counsel) for research and/or review.

2. The person submitting the request shall be advised that their request is being reviewed by legal counsel to ensure that protected and/or exempted information is not improperly released. If the request is made verbally this information shall be provided to the requestor either verbally or in writing. If the request is made in writing, the requestor shall be informed in writing.

3. If after review, it is determined that the record shall be released, refer to the procedures in subsection (A) and (B) above, whichever, depending on the record(s) requested, is applicable.

4. If after review, it is determined that the record shall NOT be released, refer to Section XIII.

e. Copied records may be forwarded to the requestor by any means reasonably acceptable to the requestor.

f. Records, whose release is prohibited or exempted by either state or federal law, or not considered public records as defined by R.C. 149.43(A)(1), shall NOT be subject to public inspection. Refer to Section XIII.

X. Special Provisions for Public Records Requests Received by Email, Regular Mail, or Other Delivery Service

a. Requests for public records received by email, regular mail, or other delivery service shall be responded to in the same manner as public records requests received via any other means, except that the records custodian, upon receipt of the request, shall, by any means practical, contact the requestor and advise them as follows:

i. Advance payment is required prior to providing copies of public records,

ii. The estimated total fee/cost associated with copying or reproducing and delivery of the record(s) and that such estimated total cost must be paid in full prior to the record(s) being copied or reproduced.

- iii. That any difference between the total estimated cost and the total actual cost shall be settled either by Berlin Township re-paying any overage or, prior to the delivery of the records, the requestor paying any deficit.
 - iv. Any items within the request that may be exempt from disclosure.
- b. Upon receipt of the fees/costs and where no issues concerning release exist, the copied or reproduced records shall be forwarded to the requestor by any means reasonably acceptable to the requestor.
 - c. Voluminous requests, requests requiring time for copying or reproduction, and/or requests involving legal issues concerning release shall in all other respects be handled in accordance with Section IX.

XI. Medium

- a. The requestor shall be permitted to choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon any other medium upon which the public office or record custodian determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or records custodian. When the requestor makes a choice, the public office or records custodian shall provide a copy of it in accordance with the choice made by the requestor. (R.C. 149.43(B)(6)).
- b. Persons seeking copies of public records are not permitted to make their own copies of the requested records regardless of means or media. (R.C. 149.43(B)(6)).

XII. Limited Requests

- a. In accordance with section 149.43(B)(7) of the Ohio Revised Code, the Board and Berlin Township limits the number of requested public records to be transmitted through United States mail to a maximum of ten records per month, unless the requestor certifies that the records or information in them will not be used for commercial purposes.
- b. For purposes of this section, "commercial purposes" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.

XIII. Response/Denial

- a. Records Not Maintained by the Office Where the Request is Made
 - i. The requested records have never been maintained by the office where the request is made,
 - ii. The requested records are no longer maintained or have been disposed of or transferred pursuant to applicable Schedules of Record Retention and Disposition (RC-2),
 - iii. The requested record is a record that has been disposed of pursuant to an Application of the One-Time Records Disposal (RC-1) or Certificate of Records Disposal (RC-3),
 - iv. The requested record is not a record used or maintained by the office where the request is made. In such case, the requestor shall be notified that in accordance with Ohio Revised Code Section 149.40, that there is

- no requirement to create records to meet public record requests.
- b. Ambiguous or Overly Broad Request for Public Records (R.C. 149.43(B)(2)) If a requestor makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records such that the office responsible for the requested public record cannot reasonably identify what public records are being requested:
 - i. The request may be denied.
 - ii. However, the requestor shall be provided with an opportunity to revise the request. In such case, the records custodian shall inform the requestor of the manner in which records are maintained by the office and accessed in the ordinary course of the office's or records custodian's duties.
 - c. Denial of the Public Records Request
 - i. The request for a record or public record maintained by the office where the request is made may be denied if the record that is requested is prohibited from release due to applicable state or federal law.
 - 1. Any denial of public records requested must include an explanation, including legal authority.
 - 2. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.
 - 3. Employees shall consult legal counsel if they are unsure of whether the record requested should be withheld from disclosure.
 - ii. As governed by R.C. 149.43(B)(3), if a request is ultimately denied, in whole or in part, the requestor shall be provided with an explanation, including legal authority, setting forth why the request was denied.
 - iii. If the initial request was provided in writing then the explanation shall also be provided in writing.
 - iv. The explanation shall not preclude the Board or Berlin Township from relying upon additional reasons or legal authority in defending an action commenced pursuant to R.C. 149.43.
 - d. Redaction/Procedure
 - i. Definition and Effect of a Redaction
 - 1. "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in section 149.011 of the Ohio Revised Code. (R.C. 149.43 (A)(11)).

2. A redaction shall be deemed a denial of a request to inspect or copy the redacted information, except if federal or state law authorizes or requires a public office to make the redaction. (R.C. 149.43(B)(1)).

ii. Redaction Procedure

1. If a public record contains certain information that is exempt from the duty to permit public inspection or to copy the public record, the information within the public record that is exempt shall be redacted and that information in the record which is not exempt shall be made available.

2. Where a redaction is to be made, the records custodian shall reproduce a copy of the page where the redaction is to be made. The redaction shall be made on the copied page. The copied page shall then be re-copied with the redactions. The resulting copy shall be the page that is released to the requestor.

3. The first reproduction page with the original redactions made by the employee is the work sheet. It shall be attached to the original record, and maintained in accordance with the retention period established for the original document.

4. When making that public record available for public inspection or copying, the records custodian shall notify the requestor of any and all redactions and/or make any and all redactions plainly visible. (R.C. 149.43(B)(1)).

5. As governed by R.C. 149.43(B)(3), if a request is ultimately denied, in whole or in part, including redactions, the requestor shall be provided with an explanation, including legal authority, setting forth why the request was denied.

6. If the initial request was provided in writing then the explanation shall also be provided in writing.

7. The explanation shall not preclude the Board or Berlin Township from relying upon additional reasons or legal authority in defending an action commenced pursuant to R.C. 149.43.

XIV. Special Provisions Related to Email

- a. Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. Email shall be treated in the same fashion as records in any other format and should follow the same retention schedules.
- b. Records in private email accounts used to conduct public business are subject to disclosure, and all employees or representatives of the Board and Berlin Township are instructed to retain their e-mails that relate to public business and to copy them to their business email accounts and/or to the office's records custodian.
- c. The records custodian is to treat the emails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

XV. Grievances

- a. If a person allegedly is aggrieved due to the inability to inspect a public record or due to the inability to receive a copy of the public record, the person shall be advised that they may contact the senior representative of the office where the request was made.
- b. If the person is not satisfied after contacting the senior representative of the office where the request was made, they shall be advised that Ohio Revised Code section 149.43 provides a legal means for addressing their complaint in these disputes. (R.C. 149.43(C)(1) and (2).

XVI. Failure to Respond to a Public Records Request

The Board and Berlin Township recognize the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the failure to comply with a request may result in a court ordering the Board and/or Berlin Township to comply with the law and to pay the requestor's attorney's fees and damages.

XVII. Training and Education

The Board and Berlin Township continue to update and address all education, training, disclosure, and policy requirements mandated by R.C. 109.43 and R.C. 149.43(E)(1)(2).

ACKNOWLEDGEMENT OF RECEIPT OF THE BERLIN TOWNSHIP PUBLIC RECORDS POLICY

I, _____ am the designated employee and/or record custodian for Berlin Township. I hereby acknowledge that I have received, on this _____ day of _____, 20____, a copy of the Berlin Township Public Records Policy dated October 22, 2007.

DATE: _____

SIGNATURE: _____

PRINTED NAME: _____

TITLE: _____

BERLIN TOWNSHIP FEE SCHEDULE AND POLICY REGARDING FEES FOR COPIES AND REPRODUCTIONS OF PUBLIC RECORDS

Unless a different fee is required by law, in accordance with R.C § 149.43, the following fee schedule is established for providing copies or reproductions of public records:

Media Type	Unit	Cost Per Unit
Letter or Legal Sized Paper Copy (Single Side)	Page	\$ 0.10
Letter or Legal Sized Paper Copy (Double Side)	Two-Sided Page	\$ 0.10
Certified Paper Copy	Page	\$ 1.00
Microfiche	Fiche	\$ 0.50
Film Duplication	16mm Roll	\$ 15.00
Film Duplication	35mm Roll	\$ 20.00
Computer Diskette	3.5" Diskette	\$ 1.00
Audio Cassette Tape	Tape	\$ 1.00
Video Cassette Tape	Tape	\$ 2.50
CD/CD Rom	Disk	\$ 1.00
Email Documents	Various Formats	See Cost Per Unit Above

- A. The above fee schedule shall be clearly posted and visible to the public at all locations authorized to provide copies of public records.
- B. Advance payment is required before any copies are prepared.
- C. The Board and/or Berlin Township shall charge the actual cost of material for media not listed in the fee schedule above.
- D. As a result of security issues and to preserve the integrity of Berlin Township’s computer systems, the Board and/or Berlin Township will not accept blank media supplied by the requesting party. The Board or Berlin Township will supply the media. The cost of the media is included in the fee schedule above or, if not contemplated in the fee schedule above, the media will be supplied at cost.
- E. The Board and/or Berlin Township shall notify the requesting party in advance in writing of any costs for labor or materials in situations where an outside vendor must be hired to fulfill the request(s).
- F. The Board and/or Berlin Township will charge the actual costs of postage and mailing supplies when the requesting party requires the public records be transmitted via the United States Postal Service or any type of priority mail service.

BERLIN TOWNSHIP REQUEST FOR PUBLIC RECORDS

The Berlin Township, Delaware County, Ohio government belongs to the citizens of Berlin Township, Delaware County, Ohio. We conduct our government activities in the open and we are proud of our strong commitment to this important principle of democracy.

IMPORTANT:

COMPLETION OF THIS FORM IS NOT MANDATORY. YOUR REFUSAL TO COMPLETE OR PROVIDE ANY AND/OR ALL INFORMATION ON THIS FORM WILL NOT AFFECT YOUR RIGHT AND/OR ABILITY TO INSPECT AND/OR RECEIVE COPIES OR REPRODUCTIONS OF THE REQUESTED RECORDS. (R.C. 149.43(B)(5)).

IF YOU COMPLETE THIS FORM IT WILL HELP US TO BETTER AND MORE EFFECTIVELY SERVE YOU IN PROVIDING YOU WITH THE RECORDS YOU ARE REQUESTING.

1. GENERAL INFORMATION: (Please Print.)

Today's Date	
Name	
Street Address	
City	
State	
Zip Code	
Telephone Number	
Facsimile Number	

2. INFORMATION ON RECORD REQUESTED: (Please Print.)

With as much specificity as possible, please describe what records you are requesting. (Use the back or attach other sheets as needed.)

3. INSPECTION OF RECORD: (Check your preference below.)

There is no charge to inspect public records while in the Berlin Township, Delaware County, Ohio office where the records are kept. Berlin Township, Delaware County, Ohio has adopted and provides photocopies and reproductions of public records in accordance with the Fee Schedule and Policy Regarding Fees for Copies and Reproductions of Public Records.

<input type="checkbox"/>	I would like to inspect these records in the office when they are ready.
<input type="checkbox"/>	I would like these records copies/reproduced and I will pick them up when they are ready.
<input type="checkbox"/>	I would like these records copied and mailed to me at the address on this form.

4. MEDIUM:

Preferred Medium (i.e. paper, email (pdf or locked format only), CD-Rom, etc . . .) for Copy/Reproduction. ¹	
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¹ Medium is limited by the determination of record custodian as to the types of media upon which the record can reasonably can be duplicated as an integral part of the normal operations of the public office or records custodian.

**PROCESSING FORM FOR
REQUESTS FOR BERLIN TOWNSHIP PUBLIC RECORDS**

Name of Requestor	
Date request Received	
Date Request Completed	

Name of Employee Handling Request	
--	--

1. ESTIMATED NUMBER OF COPIES/FEES

Type of Unit	Estimated Number of Units	Cost Per Unit	Estimated Total of Fees/Costs

2. PREPAYMENT (REQUIRED)

<input type="checkbox"/>	Prepai
--------------------------	---------------

Amount of Prepayment	
Receipt Number	

3. ACTUAL NUMBER OF COPIES/FEES

Type of Unit	Actual Number of Units	Cost Per Unit	Actual Total of Fees/Costs

4. SETTLEMENT WITH REQUESTOR

Yes / No / Not Applicable	Settlement Necessary
Yes / No / Not Applicable	Settlement Made

Amount of Refund to Requestor	
Check/Warrant Number	

OR

Amount Due From Requestor	
Paid	Yes / No

5. RECORDS NOT AVAILABLE

	Record has never been maintained by the Township.
	Record is no longer maintained or has been disposed of or transferred pursuant to RC-2
	Record has been disposed of pursuant to an application of One-Time Records Disposal RC-1 or Certificate of Records Disposal (RC-3)
	Record is prohibited from release due to applicable state or federal law.
	Cite for the applicable state or federal law.

6. LEGAL ISSUE

	Record has been forwarded to legal counsel for research/review.
	Record has been reviewed by legal counsel and records are to be released in their entirety.
	Record has been reviewed by legal counsel and contained non-releasable material.
	Non-releasable material has been redacted
	Cite for the applicable state or federal law permitting redaction.
	Record has been reviewed and release of the entire record has been denied by legal counsel.
	Cite for the applicable state or federal law.

ACKNOWLEDGEMENT OF RECEIPT PUBLIC RECORDS REQUESTS (FORM 1)

Date

Requestors Name:

Re: Public Request to _____

Dear Requestors Name:

This letter is to acknowledge receipt by _____ of your public records request dated _____. Be assured, this office has every intent of fulfilling your request, however, your request has been determined to be voluminous and/or requires time to copy and/or reproduce the requested records. As a result, the purpose of this letter is to advise you of the following concerning your request:

1. The estimated length of time required to your request is _____. Therefore, you can expect your request to be completed by this office on _____, 20__.
2. The estimated total fee/cost associated with copying or reproducing and delivery of the requested records is _____. This amount must be paid to this office in advance of any copying or reproduction of the requested records. If you have not done so already, please forward this amount to this office as soon as possible so that this office may proceed with your request and have your records ready for you at on the date specified above. A failure to forward this amount will result in a delay or the requested records not being produced. Any difference between the total estimated cost and the actual total cost shall be settled either by a) Berlin Township re-paying any overage to you or b) prior to the delivery of the records, you paying Berlin Township any deficit.
3. There are/are not items within your request that may be exempt from disclosure. These items which may be exempt are as follows.

Should you have any questions, please feel free to contact me at (740) 548-6350, ext. 100, or email me at clerk@berlintwp.us, or send mail to or meet with me personally at the above address.

Sincerely,

Claudia Smith, Fiscal Officer &
Records Custodian

ACKNOWLEDGEMENT OF RECEIPT PUBLIC RECORDS REQUESTS (FORM 2)

Date

Requestor's Name:

Re: Public Request to _____

Dear Requestor's Name:

This letter is to acknowledge receipt by _____ of your public records request dated _____. Please be advised your request is being reviewed by legal counsel. I will contact you regarding your request as soon as legal counsel completes its review and advises me regarding your request.

Should you have any questions, please feel free to contact me at (740) 548-6350, ext. 100, or email me at clerk@berlintwp.us, or send mail to or meet with me personally at the above address.

Sincerely,

Claudia Smith, Fiscal Officer &
Records Custodian

APPENDIX F - HIPAA PRIVACY POLICY

(Enacted April 2015)

The Health Insurance Portability and Accountability Act of 1996 (HIPAA), as amended from time to time, including by the Health Information Technology for Economic and Clinical Health Act (the HITECH Act), grants individuals the right to receive notice of the uses and disclosures of their Protected Health Information that may be made by the Participating Member in The Jefferson Health Plan (the Plan, fka the OME-RESA Health Benefits Program) on behalf of the Plan and sets forth the individual's rights and the Participating Member's legal obligations with respect to Protected Health Information. The purpose of this policy is to assist the Participating Member in complying with the HIPAA privacy standards, to ensure that individuals receive adequate notice of the Participating Member's practices with regard to the dissemination and use of Protected Health Information, and to protect the confidentiality and integrity of Protected Health Information.

Definitions

For the purposes of this policy, the following definitions shall apply:

Individually Identifiable Health Information is a subset of health information, including demographic information collected from an individual and is created or received by a health care provider, health plan, employer, or health care clearinghouse; and relates to past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual; and identifies the individual, or with respect to which there is a reasonable basis to believe the information can be used to identify the individual.

Protected Health Information or PHI is Individually Identifiable Health Information that is transmitted by electronic means; maintained in any electronic medium, such as magnetic tape, disc, or optical file; or transmitted or maintained in any other form or medium, such as paper, verbal, email, or fax.

Covered Functions are those functions of the Plan's Participating Member, the performance of which, makes the Participating Member a health plan, health care provider, or health care clearinghouse.

Designated Record Set is a group of records maintained by or for the Participating Member that is medical records and billing records about individuals maintained by or for a covered health care provider; the enrollment, payment, claims adjudication, and case or medical management systems maintained by or for a health plan; or used in whole or in part by or for the Plan and/or the Participating Member to make decisions about individuals.

Business Associate is a person or entity that provides certain functions, activities, or services for or on behalf of the Plan and/or the Participating Member involving the use and/or disclosure of Protected Health Information.

Participating Member is a political subdivision of the State of Ohio that participates in the Plan.

Plan is a regional council of governments formed pursuant to Ohio Revised Code Chapter 167 to provide a partially self-funded benefit program for any political subdivision wishing to provide health care and related benefits to employees and dependents covered under the Member's benefit plans and whose governing body has authorized participation in the Plan.

Confidentiality of Individually Identifiable Health Information

All officers, employees, and agents of the Participating Member shall preserve the confidentiality and integrity of Individually Identifiable Health Information pertaining to any individual. Individually Identifiable Health Information is Protected Health Information and shall be safeguarded to the extent possible in compliance with the requirements of the security and privacy rules and standards established by HIPAA.

The Participating Member and its officers, employees, and agents will not use or disclose an individual's PHI for any purpose without the properly documented consent or authorization of the individual or his/her authorized representative unless required or authorized to do so under state or federal law or this policy, unless an emergency exists, or unless the information has been sufficiently de-identified that the recipient of the information would be unable to link the information to a specific individual. All uses or disclosures of PHI will be limited to the minimum amount necessary to accomplish the stated purpose or will be in conformity with such other restrictions as the Participating Member may have agreed to.

All officers, employees, and agents of the Participating Member are expected to comply with and cooperate fully with the administration of this policy. The Participating Member will not tolerate any violation of the HIPAA privacy or security standards or this policy. Any such violation shall constitute grounds for disciplinary action up to and including termination of employment.

Any officer, employee, or agent of any Participating Member who believes that there has been a breach of these privacy and security policies and procedures or a breach of the integrity or confidentiality of any person's PHI shall immediately report such breach to his or her immediate supervisor or the formally appointed Privacy Officer. The Privacy Officer shall conduct a thorough and confidential investigation of any reported breach and notify the complainant of the results of the investigation and any corrective action taken.

The Participating Member will not retaliate or permit reprisals against any employee who reports a breach to the integrity or confidentiality of PHI. Any employee involved in retaliatory behavior or reprisals against another individual for reporting an infraction of this policy shall be subject to disciplinary action up to and including termination of employment.

Security Provisions

The Participating Member shall take reasonable steps to limit the use and/or disclosure of and requests for PHI to the minimum necessary to accomplish the intended purpose of the use, disclosure or request and to determine the extent to which various classifications of employees need access to such information. The Participating Member shall also implement reasonable

administrative, technical, and physical safeguards to protect Individually Identifiable Health Information from any intentional or unintentional use or disclosure and that mitigate, to the extent practicable, any harmful effect that is known to the Participating Member as a result of a use or disclosure of PHI in violation of this policy or the HIPAA privacy and security standards. The Participating Member's security measures shall include the following:

- A. Administrative procedures to guard data integrity, confidentiality, and availability, including documented, formal practices to manage the selection and execution of security measures to protect data and to manage the conduct of personnel in relation to the protection of data;
- B. Physical safeguards to protect data integrity, confidentiality, and availability including the protection of physical computer systems and related buildings and equipment from fire and other natural and environmental hazards and from intrusion and the use of locks, keys, and other administrative measures to control access to computer systems and facilities;
- C. Technical security services to protect data integrity, confidentiality, and availability including processes put in place to protect information and to control individual access to information;
- D. Technical security mechanisms including processes put in place to protect against unauthorized access to data that is transmitted over a communications network; and
- E. The optional use of an electronic digital signature.

Mitigating the Effects of Unauthorized Use or Disclosure

If the Privacy Officer determines that there has been a breach of this privacy policy or the procedures of the Participating Member, he/she shall make a determination of the potential harmful effects of the unauthorized use or disclosure and decide upon a course of action to minimize the harm. Any individual responsible for the unauthorized use or disclosure shall be referred to the Participating Member's designee for appropriate disciplinary action and additional training, if applicable.

If the Privacy Officer or a Business Associate determines that there has been a breach of unsecured PHI, as defined in the HITECH Act, the Participating Member and/or the Business Associate shall provide the required breach notifications to impacted individuals, the media and the Secretary of Health and Human Services, as necessary and required.

Use or Disclosure of Protected Health Information

The Participating Member may use and disclose PHI, without the written consent of the individual or his/her authorized representative, both within and outside of the Participating Member's jurisdiction, for the following purposes:

- A. Treatment: The provision, coordination, or management of health care, health care services or supplies related to an individual and related services by or among providers, providers and third parties, and referrals from one provider to another.
- B. Payment: Activities undertaken by a health plan to obtain premiums or determine responsibility for coverage, or activities of a health care provider or health plan to obtain reimbursement for the provision of health care. Payment activities include, but are not limited to, billing, claims management, collection activities, eligibility determination, and utilization review.
- C. Health Care Operations: Activities of the Plan and/or the Participating Member to the extent such activities are related to Covered Functions including quality assessment and improvement activities; credentialing health care professionals; insurance rating and other insurance activities related to the creation or renewal of a contract for insurance (provided, however, that if PHI is disclosed for underwriting purposes, no genetic information will be used or disclosed for this purpose); conducting or arranging for medical review, legal services and auditing functions, including compliance programs; business planning such as conducting cost-management and planning analyses to managing and operating the Participating Member including formulary development and administration, development, improvements for methods of payment or coverage policies; business management and general administration activities; due diligence in connection with the sale or transfer of assets to a potential successor in interest if the potential successor is a covered entity or will become a covered entity; consistent with privacy requirements, creating de-identified health information, fundraising for the benefit of the covered entity and marketing for which an individual authorization is not required.
- D. As required by, or to comply with, law.
- E. For public health and safety activities.
- F. About victims of abuse, neglect, or domestic violence.
- G. To health oversight agencies in connection with health oversight activities.
- H. For judicial and administrative proceedings, or to comply with a lawfully issued subpoena.
- I. For law enforcement purposes.
- J. Regarding decedents to coroners, medical examiners, and funeral directors.
- K. For research if a waiver of authorization has been obtained.
- L. To prevent serious and imminent harm to the health or safety of a person or the public.
- M. For specialized governmental functions.
- N. Military and veterans' activities.
- O. National security and intelligence.
- P. Protective services for the President and others.
- Q. To the Department of the State to make medical suitability determinations.
- R. To correctional institutions and law enforcement officials regarding an inmate.
- S. Workers' compensation if necessary to comply with the laws relating to workers' compensation and other similar programs.
- T. To Business Associates for the purpose of assisting the Participating Member in completing healthcare functions.

Prior to releasing any PHI for the purposes set forth above, the Participating Member's representative disclosing the information shall verify the identity and authority of the individual to whom disclosure is made. This verification may include the examination of official documents, badges, driver's licenses, workplace identity cards, credentials, or other relevant forms of identification or verification.

Authorization

The Participating Member shall not disclose PHI for purposes other than those set forth above without a valid authorization. A valid authorization is a document signed by the individual that gives the Plan and/or Participating Member permission to use specified health information for a specified purpose and time frame. The Participating Member shall not condition the provision of treatment, payment, enrollment in the Plan, or eligibility for benefits on an individual's provision of authorization except:

- A. The Participating Member may condition the provision of research-related treatment on the provision of an authorization.
- B. The Plan may condition enrollment or eligibility for benefits on the provision of an authorization requested by the Plan prior to enrollment.
- C. The authorization is sought for the Plan's eligibility or enrollment determinations relating to the individual or for its underwriting or risk rating determinations.
- D. The Participating Member may condition the provision of health care that is solely for the purpose of creating PHI for disclosure to a third party on the provision of an authorization for the disclosure of the PHI to the third party.

To be valid, an authorization shall contain at least the following elements:

- A. A description of the information to be used or disclosed that identifies the information in a specific and meaningful fashion;
- B. The name or other specific identification of the person(s) or class of person(s) authorized to make the requested use or disclosure;
- C. The name or other specific identification of the person(s) or class of person(s) to whom the Plan and/or the Participating Member may make the requested use or disclosure;
- D. An expiration date or an expiration event that relates to the individual or the purpose of the use or disclosure;
- E. A statement of the individual's right to revoke the authorization in writing and the exceptions to the right to revoke together with a description of how the individual may revoke the authorization;
- F. A statement that information used or disclosed pursuant to the authorization may be subject to re-disclosure by the recipient and no longer be protected by this rule; and
- G. Signature of the individual and date and, if the authorization is signed by a personal representative of the individual, a description of such representative's authority to act for the individual.

In addition to the requirements set forth above, an authorization requested by the Plan and/or the Participating Member for its own use of the PHI that it maintains, must comply with the following additional requirements:

- A. A statement that the Plan and/ or the Participating Member will not condition treatment, payment, enrollment in the Plan, or eligibility for benefits upon the individual's provision of authorization for the requested use;
- B. A description of each purpose of the requested use or disclosure;
- C. A statement that the individual may inspect or copy the PHI to be used or disclosed and refuse to sign the authorization; and
- D. If the disclosure of the requested information will result in direct or indirect remuneration to the Plan and/or the Participating Member from a third party, a statement that remuneration will result.

The Plan and/or the Participating Member shall provide the individual with a copy of the signed authorization.

An authorization for the use or disclosure of PHI may not be combined with any other document to create a compound authorization.

An authorization is not valid if the document submitted has any of the following defects:

- A. The expiration date has passed or the expiration event is known to have occurred;
- B. Any required element is missing or has not been filled out;
- C. The authorization is known to have been revoked;
- D. The authorization has been improperly combined with another document;
- E. The Plan and/or the Participating Member has violated the rules on making the authorization a condition; or
- F. Any material information in the authorization is known to be false.

An individual may revoke an authorization at any time, provided the revocation is in writing.

Rights Related to Protected Health Information

Individuals shall have the following rights with regard to their PHI:

- A. Access. Individuals shall have the right to access their own PHI that is maintained in a Designated Record Set of the Plan, the Participating Member and its Business Associates.
- B. Restrictions. Individuals shall have the right to request restrictions on how the Participating Member will use or disclose the individual's own PHI for treatment, payment or health care operations and how the individual's information will be disclosed or not disclosed to family members or others involved in the individual's care. The Participating Member shall comply with the individual's reasonable request to receive communications of PHI by alternative means or at alternative locations.
- C. Amendment. Individuals shall have the right to amend erroneous or incomplete PHI unless the information:
 - 1. Was not created by the Participating Member;
 - 2. Is not in a Designated Record Set or is not otherwise available for inspection;
 - 3. Is accurate and complete; or

4. Is not subject to the right of access.

A request to amend PHI must be submitted to the Privacy Officer in writing. The Privacy Officer shall review the request and respond in writing within thirty calendar days. If a request to amend is denied, the individual may appeal the denial using the complaint procedure set forth in this policy. The denial must be written in plain language and contain:

- . The basis for the denial;
 - . A statement of the individual's right to submit a written statement disagreeing with the denial and how it may be filed;
 - . A statement that if the individual does not submit a statement of disagreement, his/her right to request that the request for amendment and its denial be provided with any future disclosure of the PHI that is the subject of the request for amendment;
 - . A description of how the individual may appeal the denial; and
- The right of the Participating Member to reasonably limit the length of the statement of disagreement.

The Participating Member may also choose to prepare a written rebuttal to the statement of disagreement and provide a copy to the individual. All of the statements related to the amendment denial shall become part of the individual's Designated Record Set and shall be linked to the individual's PHI.

- D. Accounting. Individuals shall have the right to an accounting of disclosures of their own PHI that is maintained in a Designated Record Set of the Participating Member and its Business Associates. Such accounting can include a period of six years prior to the request.

The Plan and/or the Participating Member may adopt corresponding policies and procedures, including necessary forms, to implement and administer these participant rights.

Business Associates

The Participating Member, its officers, employees, and agents shall not disclose PHI to any Business Associate in the absence of a written contract with the Business Associate that assures that the Business Associate will use the information only for the purposes for which it was engaged by the Participating Member; will safeguard the information from misuse; and will assist the Participating Member in complying with its duties to provide individuals with access to health information about them and a history of certain disclosures. The Participating Member shall disclose PHI to a Business Associate for the sole purpose of assisting the Participating Member in completing healthcare functions, not for the independent use by the Business Associate.

The Participating Member shall enter into a contract with each Business Associate, which shall be a document separate from the service agreement, if any. The Privacy Officer shall be responsible for managing all Business Associate contracts and ensuring that they are current and in compliance with the requirements of this policy and HIPAA. Under the contract, the Business Associate shall

be obligated to notify the Privacy Officer when unauthorized uses and/or disclosures of PHI have occurred in the Business Associate's organization or by a subcontractor of the Business Associate. The Privacy Officer will take appropriate steps to address the violation up to and including termination of the business associate contract.

However, the Participating Member shall not be liable for privacy violations of a Business Associate or its subcontractors, if any, and the Participating Member is not required to actively monitor or oversee the means by which a Business Associate carries out safeguards or the extent to which a Business Associate abides by the requirements of the contract.

The contract between the Participating Member and the Business Associate shall further obligate the Business Associate to enter into a written agreement with any subcontractor. Such agreement shall require the subcontractor to comply with the same restrictions and conditions that apply to the Business Associate with respect to protected health information and require the Business Associate to take appropriate steps to address any unauthorized uses and/or disclosures of PHI by the subcontractor up to and including termination of the agreement with the subcontractor.

Privacy Officer

Unless otherwise appointed in writing, the Treasurer, Fiscal Agent or Human Resources Designee shall be the Privacy Officer for the Participating Member. The Privacy Officer will be responsible for overseeing all ongoing activities related to the development, implementation, maintenance, and adherence to the Participating Member's policies and procedures concerning the security and privacy of PHI.

Complaint Procedure

The following procedure shall be used for the processing of complaints regarding the collection, use, management, disclosure, or amendment of PHI:

Step 1 – A written complaint must be submitted to the Privacy Officer. A complaint can also be made directly to the Secretary of Health and Human Services. Upon receipt of a complaint, the Privacy Officer will review the complaint, conduct any necessary investigation, and provide the complainant with a written disposition within ten working days.

Step 2 – The disposition of the Privacy Officer may be appealed by the complainant to the Participating Member's designee within ten working days of receipt of the disposition of the Privacy Officer. The Participating Member's designee shall meet within ten working days with the complainant, the Privacy Officer, and any other necessary individuals. The Participating Member's designee will respond in writing to the complainant within ten working days following the meeting.

Step 3 – If the complaint is not satisfactorily resolved, a written appeal may be made to the Participating Member's board or governing body within ten working days of receipt of the Participating Member's designee's decision. The board or governing body will meet with the complainant at its next regular meeting and provide a written response to the complaint no later than the following regular meeting.

Notice of Privacy Practices

The Participating Member shall distribute a Notice of Privacy Practices to individuals at the time of their enrollment in the Plan and within sixty days of any material revision. The notice shall also be posted in a clear and prominent location in each facility of the Participating Member and be available electronically and/or printed in staff handbooks and the health plan booklet. The Participating Member will also notify individuals covered by the Plan of the availability of and how to obtain the notice at least once every three years. The notice shall adequately inform individuals of their rights to:

- A. Request restrictions on certain uses and disclosures of PHI;
- B. Request the communication of confidential information by some reasonable alternative means or at an alternative location;
- C. Inspect and copy records or receive a summary of specific information;
- D. Request that PHI be amended;
- E. Request an accounting of certain disclosures of PHI; and
- F. Receive a paper copy of the notice upon request.

Training

All employees and Business Associates shall receive training regarding the Participating Member's privacy policies and procedures as necessary and appropriate to carry out their job duties as they may relate to the administration of the Plan. Training shall also be provided when there is a material change in the Participating Member's privacy practices or procedures.

Documentation

Documentation shall be maintained in support of the policies and procedures of the Participating Member, consistent with the parts of HIPAA's privacy regulations that directly require documentation, including, but not limited to, all authorizations and revocations of authorizations and complaints and disposition of complaints. All documentation shall be kept in written or electronic form for a period of six years from the date of creation or from the date when it was last in effect, whichever is later.

NOTICE OF PRIVACY PRACTICES

Effective Date: July 1, 2014

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

If you have any questions about this notice, please contact, Erin Patton, Ohio Public Entity Consortium - Healthcare Cooperative (614) 873-6000.

Who Will Follow the Requirements of This Notice. This notice describes the Jefferson Health Plan (formerly OME-RESA) Participating Member’s practices and those of its employees (who are responsible for the operation and administration of the Participating Member in the Jefferson Health Plan) and its business associates with regard to the Jefferson Health Plan. The Jefferson Health Plan, the employees of the Participating Member and the business associates (as described above and referred to as “we” or “us” in this notice) may share medical information with each other for the purposes of treatment, payment, or other operations of the Jefferson Health Plan as described in this notice.

Privacy of Health Information. We understand that medical information about you and your health is personal. This notice will tell you about the ways in which we may use and disclose medical information about you. We will also describe your rights and certain obligations that we have regarding the use and disclosure of medical information. We are required by law to:

- . Assure the medical information that identifies you is kept private;
- . Give you this notice of our legal duties and privacy practices with respect to medical information about you; and
- . Follow the terms of the notice that is currently in effect.

Use and Disclosure of Medical Information. The following describes the different ways that we may use and disclose your medical information. Generally, private health information may be released without your authorization for the purposes of treatment, payment, or other healthcare operations of the Jefferson Health Plan. However, if we disclose your medical information for underwriting purposes, we will not use or disclose your genetic information for this purpose. Medical information may also be released for the following purposes:

- . As required by law.
- . For public health services.
- . In connection with the investigation of abuse, neglect, or domestic violence.
- . To health oversight agencies in connection with health oversight activities.
 - For judicial and administrative proceedings.
 - For law enforcement purposes.
 - To coroners, medical examiners, and funeral directors with respect to decedents.
 - For research if a waiver of authorization has been obtained.
 - To prevent serious and imminent harm to the health or safety of a person or the public.
 - For specialized governmental functions.
 - For military and veterans’ activities.
 - For national security and intelligence.
 - For protective services for the President and others.
 - To the Department of the State to make medical suitability determinations.
 - To correctional institutions and law enforcement officials regarding an inmate.

- For workers' compensation if necessary to comply with the laws relating to workers' compensation and other similar programs.

Rights Regarding Medical Information. You have the following rights regarding medical information that we maintain about you:

- Right to Inspect and Copy. You have the right to inspect and copy medical information that may be used to make decisions about you, including medical and billing records, but does not include psychotherapy notes. To inspect and copy medical information about you, you must submit your request in writing to the Treasurer, Fiscal Agent or Human Resources Designee. If you request a copy of this information, we may charge a fee for the costs of copying, mailing, or other supplies associated with your request. We may deny your request to inspect and copy in certain very limited circumstances, and if you are denied access to medical information, you may request that the denial be reviewed.
- Right to an Accounting. You have the right to request an accounting of disclosures. This is a list of the disclosures we have made of medical information about you. To request this list, you must submit your request in writing to the Treasurer, Fiscal Agent or Human Resources Designee. Your request must state a time period that may not be longer than the 6 years prior to the date of your request. Your request must also indicate in what form you want the list (for example, on paper or electronically). The first list that you request within a 12-month period will be free. For additional lists, we may charge you for the cost of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request before any cost is incurred.
- If we use or maintain an electronic health record ("EHR") with regard to your medical information, you have the right to receive an accounting of disclosures which includes all disclosures for purposes of payment, healthcare operations or treatment over the past 3 years, in accordance with the laws and regulations currently in effect. You have the right to access your medical information contained in an EHR and to direct us to send a copy of the EHR to a designated third party.
- Right to Request Restrictions. You have the right to request a restriction or limitation on the medical information that we use or disclose about you for treatment, payment, or healthcare operations. You also have the right to request a limit on the medical information that we disclose about you to someone who is involved in your care or the payment for your care. However, we are not required to agree to your request, except as described below. If we do agree, we will comply with your request unless the information is needed to provide you with emergency treatment. To request restrictions, you must make a written request to the Treasurer, Fiscal Agent or Human Resources Designee telling us what information you want to limit; whether you want to limit our use, disclosure or both; and to whom you want the limits to apply, for example disclosures to your spouse. We will also consider your request for restrictions if the disclosure is to a health plan for purposes

of carrying out treatment, payment or healthcare operations and the medical information relates solely to treatment or services for which the healthcare provider has been paid out-of-pocket and in full, however, we are not required to agree to this request.

● Right to Request Confidential Communications. You have the right to request that we communicate with you about medical matters in a certain way or at a certain location, for example by mail or only at work. To request confidential communications, you must make your request in writing to the Treasurer, Fiscal Agent or Human Resources Designee and specify how or where you wish to be contacted. We will not ask you the reason for your request and will accommodate all reasonable requests.

● Right to a Paper Copy of This Notice. You have the right to a paper copy of this notice. You may ask us to give you a copy of this notice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy. You may obtain a copy of this notice by contacting the Treasurer, Fiscal Agent or Human Resources Designee.

- Right to Notice of a Data Breach. We are required to notify you upon an unauthorized disclosure of any unsecured medical information. The notice must be made within 60 days from when we become aware of the unauthorized disclosure and will include: (a) a brief description of the disclosure, including the date it occurred and the date it was discovered; (b) a description of the types of unsecured medical information disclosed or used during the breach; (c) steps you can take to protect yourself from potential harm; (d) a description of our actions to investigate the disclosure and mitigate any harm now and in the future; and (e) contact procedures (including a toll-free phone number) for affected individuals to find additional information. We will notify you in writing by first class mail (unless you have opted for electronic communications). However, if we have insufficient contact information for you, an alternative notice method (posting on a website, broadcast media, etc.) may be used.

Changes to This Notice. We reserve the right to make changes to this notice, and to make the revision or change applicable to medical information we already have about you. We will post a copy of the current notice in each building within the Jefferson Health Plan Participating Member's jurisdiction. We will notify you of any revisions or amendments within 60 days of the effective date of the revision or amendment.

Complaints. If you believe your privacy rights have been violated, you may file a complaint with the Jefferson Health Plan Participating Member. To file a complaint, please contact Erin Patton, Ohio Public Entity Consortium – Healthcare Cooperative, at Plain City, Ohio, (614) 8736000. All complaints must be submitted in writing and must name the entity that is the subject of the complaint and describe any acts or omissions believed to be in violation of this notice. A complaint must be filed within 180 days of when you knew or should have known of the violation. You can also file a complaint with the Office for Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F, HHH Building, Washington, D.C. 20201-

0004, (800) 368-1019 or <http://hhs.gov/ocr/privacyhowtofile.htm>. You will not be retaliated against for filing any complaint.

Other Uses of Medical Information. Other uses and disclosures of medical information not covered by this notice will be made only with your written permission. In addition, we cannot make a communication to you about a product or service which encourages you to purchase or use the product or service, or make any use or disclosure of your psychotherapy notes (where appropriate) without your authorization. If you provide us with permission to use or disclose medical information about you, you may revoke that permission in writing at any time. If you revoke your permission, we will no longer use or disclose medical information about you for the reason covered by your written authorization. However, we will not be able to take back any disclosures that we already made during any period in which your permission was in effect.

In addition, we are prohibited from receiving direct or indirect payments in exchange for your private medical information without your valid authorization. However, this prohibition does not apply if the purpose of the exchange is for: (a) public health activities; (b) research purposes (if the price charged reflects the cost of preparation and transmittal of the information); (c) your treatment; (d) health care operations related to the merger or consolidation of the Jefferson Health Plan Participating Member; (e) performance of services by a business associate on behalf of the Jefferson Health Plan; (f) providing you with a copy of your private medical information; or (g) other reasons determined to be necessary and appropriate by the Secretary of Health and Human Services.

Adopted: July 1, 2014

APPENDIX G – JOB DESCRIPTIONS

TEMPLATE: JOB DESCRIPTION ACKNOWLEDGEMENT FORM

Job Description Acknowledgement

I, _____, acknowledge that I have received the job description for

for my current role of _____, and that I understand and abide by the

duties and expectations of both the role and as a township employee.

Employee Signature: _____

Date: _____

Employee's Supervisor: _____

Date: _____

TITLE: ROAD LABORER I, LABORER 1-NEW HIRE AND LABORER

JOB OBJECTIVES:

- Individual is responsible for performing unskilled to semi-skilled routine labor tasks for the maintenance and repair of Township roads, bridges, and culverts using a variety of hand and power tools, small machines, and light to medium equipment (Including a non-CDL snow plow truck), and any other duties as assigned by the Berlin Township Board of Trustees (the “Board”). Individual works as member of a designated work crew. Individual reports to Road Superintendent or any Board member or designee of the Board.

QUALIFICATIONS:

- High school diploma or equivalent. Must possess a valid State of Ohio Driver’s License with CDL endorsement and have an acceptable driving record;
- Must maintain a telephone at place of residence and be available for work on short notice and outside scheduled work hours;
- Must remain insurable under the applicable Township’s insurance policies.

ESSENTIAL JOB FUNCTIONS:

- Operates light to medium equipment, such as power saws, weed eater, chain saws, jack hammer, compactor, etc. to perform construction, repair, and maintenance work for Township roadway and bridge systems to include loading/unloading dirt, spreading gravel, stone, mix and/or tar, establishing level and/or grade, repairing/installing culverts, digging ditches, digging footers, landscaping, backfilling, signing, painting, and other similar activities;
- Performs manual labor tasks, such as washing vehicles, tractors, golf carts, gators, loading/unloading trucks, patching roads, filling potholes, cutting brush and trees, removing tree limbs and other debris from the roadway/roadside, mixing and pouring concrete, and cleaning culverts;
- Performs flagging activities to control traffic flow as directed;
- Transports tools, supplies, and materials to and from various job sites as directed;
- Performs preventive maintenance to tools and equipment to include cleaning, lubricating, adding fluids and performing routine adjustments;
- Performs general maintenance of Township buildings (i.e. painting, light replacement, fan maintenance, etc...);

- Performs ground maintenance duties to include, but not limited to, mowing grass, raking grass, leaves and other debris, and disposing of same in an environmentally acceptable manner;
- Performs general custodial duties such as sweeping, mopping, and/or cleaning of facilities;
- Communicates with Township officials, Township officers, Township employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- Works irregular hours (evenings, nights, weekends, etc.) and overtime as may be required from time to time; and
- Performs general maintenance and repair of facilities;
- Maintains regular, predictable in person attendance at the Township's work sites and locations;
- Performs other tasks as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

- Ability to use the following equipment: a variety of hand and small power tools, e.g. shovel, rake, weed eater, power saw, etc., light duty vehicles (Including a non-CDL snow plow equipped truck), and other related equipment as required to complete work assignments;
- Ability to perform a variety of unskilled labor tasks relevant to construction, repair, and maintenance of Township roads, bridges and culverts. Must be able to work at heights common to signing, road and bridge maintenance, repair, and construction projects;
- Ability to work at heights of 18 feet or greater;
- Communication skills to comprehend and act upon instructions, policies, and procedures pertaining to assigned duties;
- Ability to react to change productively, to maintain professionalism with others, and to handle difficult or contentious situations in a professional and respectful manner;
- Ability to use hand and small power tools and light duty equipment to complete work assignments;
- Ability to work well with others and to function as a member of a work crew;
- Knowledge of organizational and work zone safety practices and procedures and the ability to apply to the work environment;

- Ability to perform heavy manual labor for prolonged periods, often under adverse weather conditions;
- Knowledge of the policies, procedures, and methods of the Road Department and the relationship they have to work assignments; and
- Knowledge of policies and procedures relative to Department operations.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill all essential job functions of this position with or without a reasonable accommodation;
- Individual frequently works around chemicals, fluids, materials or other substances; ascends and descends stairs, ladders, scaffolding, ditches, building materials, debris and elevated surfaces; work on elevated platforms or in ditches or trenches below ground level; operates vehicles, tools and equipment, on and off public roadways; positions oneself to reach above or below oneself; grasps; moves objects or materials up to 50 pounds and to differing elevations. Observes worksites, structures and materials;
- The work of this position is primarily performed outside and requires sustained physical exertion while doing a variety of maintenance and repair activities;
- Individual may, from time to time, as determined by the Board, be required to pass a physical or psychological examination to determine the individual's ability to perform essential job functions;
- Individual performs the following physical activities: climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, communicating, and performing repetitive motions;
- Individual must be able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicles and machines;
- Individual works inside and outside, with exposure to extremes in temperatures and weather conditions, noise, dirt and mechanical hazards. Incumbent is frequently exposed to vibrations, atmospheric conditions, oil, and various other substances and conditions. Work can be exacting and incumbent may work alone. The incumbent must be able to work at various heights to complete work assignments.

Safety Equipment

- Individual is regularly required to use hard hat, eye protection, hearing protection, rubber/leather gloves, highway safety vest, reflective roadway markers, vehicle lights,

safety/seat belts, steel-toed shoes, and any other safety equipment necessary to complete work duties.

Updated: June 14, 2021

TITLE: ROAD LABORER II, LABORER II-NEW HIRE

JOB OBJECTIVES:

- Individual is responsible for performing unskilled to semi-skilled routine labor tasks for the maintenance and repair of Township roads, bridges, and culverts using a variety of hand and power tools, small machines, and light to medium equipment (Including a non-CDL snow plow truck), and any other duties as assigned by the Berlin Township Board of Trustees (the “Board”). Individual works as member of a designated work crew. Individual reports to Road Superintendent or any Board member or designee of the Board.

QUALIFICATIONS:

- At least 2-5 years’ experience;
- High school diploma or equivalent. Must possess a valid State of Ohio Driver’s License with CDL endorsement and have an acceptable driving record;
- Must maintain a telephone at place of residence and be available for work on short notice and outside scheduled work hours;
- Must remain insurable under the applicable Township’s insurance policies.

ESSENTIAL JOB FUNCTIONS:

- Operates light to medium equipment, such as power saws, weed eater, chain saws, jack hammer, compactor, etc. to perform construction, repair, and maintenance work for Township roadway and bridge systems to include loading/unloading dirt, spreading gravel, stone, mix and/or tar, establishing level and/or grade, repairing/installing culverts, digging ditches, digging footers, landscaping, backfilling, signing, painting, and other similar activities;
- Performs manual labor tasks, such as washing vehicles, tractors, golf carts, gators, loading/unloading trucks, patching roads, filling potholes, cutting brush and trees, removing tree limbs and other debris from the roadway/roadside, mixing and pouring concrete, and cleaning culverts;
- Performs flagging activities to control traffic flow as directed;
- Transports tools, supplies, and materials to and from various job sites as directed;
- Performs preventive maintenance to tools and equipment to include cleaning, lubricating, adding fluids and performing routine adjustments;
- Performs general maintenance of Township buildings (i.e. painting, light replacement, fan maintenance, etc...);

- Performs ground maintenance duties to include, but not limited to, mowing grass, raking grass, leaves and other debris, and disposing of same in an environmentally acceptable manner;
- Performs general custodial duties such as sweeping, mopping, and/or cleaning of facilities;
- Communicates with Township officials, Township officers, Township employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- Works irregular hours (evenings, nights, weekends, etc.) and overtime as may be required from time to time; and
- Performs general maintenance and repair of facilities;
- Maintains regular, predictable in person attendance at the Township's work sites and locations;
- Performs other tasks as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

- Ability to use the following equipment: a variety of hand and small power tool, e.g. shovel, rake, weed eater, power saw, etc., light duty vehicles (Including a non-CDL snow plow equipped truck), and other related equipment as required to complete work assignments;
- Ability to perform a variety of unskilled labor tasks relevant to construction, repair, and maintenance of Township roads, bridges and culverts. Must be able to work at heights common to signing, road and bridge maintenance, repair, and construction projects;
- Ability to work at heights of 18 feet or greater;
- Communication skills to comprehend and act upon instructions, policies, and procedures pertaining to assigned duties;
- Ability to react to change productively, to maintain professionalism with others, and to handle difficult or contentious situations in a professional and respectful manner;
- Ability to work independently or as a team with others;
- Ability to use hand and small power tools and light duty equipment to complete work assignments;
- Ability to work well with others and to function as a member of a work crew;

- Knowledge of organizational and work zone safety practices and procedures and the ability to apply to the work environment;
- Ability to perform heavy manual labor for prolonged periods, often under adverse weather conditions;
- Knowledge of the policies, procedures, and methods of the Road Department and the relationship they have to work assignments; and
- Knowledge of Occupational Safety and Health Administration policies and procedures relative to highway maintenance operations.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill all essential job functions of this position with or without a reasonable accommodation;
- Individual frequently works around chemicals, fluids, materials or other substances; ascends and descends stairs, ladders, scaffolding, ditches, building materials, debris and elevated surfaces; work on elevated platforms or in ditches or trenches below ground level; operates vehicles, tools and equipment, on and off public roadways; positions oneself to reach above or below oneself; grasps; moves objects or materials up to 50 pounds and to differing elevations. Observes worksites, structures and materials;
- The work of this position is primarily performed outside and requires sustained physical exertion while doing a variety of maintenance and repair activities;
- Individual may, from time to time, as determined by the Board, be required to pass a physical or psychological examination to determine the individual's ability to perform essential job-based functions;
- Individual performs the following physical activities: climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, communicating, and performing repetitive motions;
- Individual must be able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicle(s);
- Individual works inside and outside, with exposure to extremes in temperatures and weather conditions, noise, dirt and mechanical hazards. Incumbent is frequently exposed to vibrations, atmospheric conditions, oil, and various other hazards. Work can be exacting and incumbent may work alone. The incumbent must be able to work at various heights to complete work assignments;

Safety Equipment

- Individual is regularly required to use hard hat, eye protection, hearing protection, rubber/leather gloves, highway safety vest, reflective roadway markers, vehicle lights, safety/seat belts, steel-toed shoes, and any other safety equipment necessary to complete work duties.

Updated: June 14, 2021

TITLE: ROAD SUPERINTENDENT

JOB OBJECTIVES:

- Individual is responsible for performing skilled to semi-skilled routine labor tasks for the maintenance and repair of Township roads, bridges, and culverts using a variety of hand and small power tools. Incumbent is also responsible for scheduling and supervising the routine tasks of equipment maintenance, the repairing, maintaining and constructing Township roads and culverts, and for any other duties as assigned by the Berlin Township Board of Trustees (the “Board”). The Road Superintendent reports to the Board or any Board member or designee of the Board.

QUALIFICATIONS:

- 5+ Years Experience;
- High school diploma or equivalent plus a minimum of one (1) year relevant work experience in general roadway maintenance, construction and/or the operation of medium to heavy duty truck;
- Must possess a valid State of Ohio Commercial Driver’s License with a Class B Endorsement and an acceptable driving record;
- Must remain insurable under the applicable Township’s insurance policies;
- Must maintain a telephone at place of residence and be available for work on short notice and outside scheduled work hours.

ESSENTIAL JOB FUNCTIONS:

- Operates light to medium equipment, such as power saws, weed eaters, chain saws, jack hammer, compactor, etc. to perform construction, repair, and maintenance work for Township roadway and bridge systems to include loading/unloading dirt, spreading gravel, stone, mix and/or tar, establishing level and/or grade, repairing/installing culverts, digging ditches, digging footers, landscaping, backfilling, signing, painting, and other similar activities;
- Transports tools, supplies, and materials to and from various job sites as needed;
- Performs manual labor tasks, such as washing vehicles, tractors, golf carts and gators, loading/unloading trucks, patching roads, filling potholes, cutting brush and trees, removing tree limbs and other debris from the roadway/roadside, mixing and pouring concrete, and cleaning culverts;

- Inspects, maintains and replaces roadway signs and related components, clears brush and other obstructions to alleviate problems of visibility of signage, erects and inspects various warning and detour signs;
- Performs general maintenance of Township buildings (i.e. painting, light replacement, fan maintenance, etc...);
- Performs flagging activities to control traffic flow as needed;
- Performs inspections of Township roads during inclement weather;
- Performs snow removal activities and spreads salt/grit mixture for snow and ice control as needed;
- Performs preventive maintenance to tools and equipment to include cleaning, lubricating, adding fluids and performing routine adjustments, and maintains equipment records;
- Performs ground maintenance duties to include, but not limited to, mowing grass, raking grass, leaves and other debris, and disposing of same in an environmentally acceptable manner;
- Maintains road records;
- Initiates purchase order requests;
- Maintains equipment inventories (signs, posts, salt, gravel, etc.);
- Supervises road Department laborers and approves employee's timesheets;
- Supervises and inspects Township road projects;
- Supervises and inspects driveway culvert installations;
- Reports all accidents and injuries to Fiscal Officer;
- Works overtime as may be required from time to time;
- Communicates with Township officials, Township officers, Township employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- On a semi-monthly, monthly and yearly, or other basis, presents acceptable written and verbal reports to the Board and Trustee Liaison on Department activities, and provides information requested by Board members;

- Performs general custodial duties such as sweeping, mopping, and/or cleaning of facilities, clearing facility sidewalks and parking lot of snow; and
- Performs general maintenance and repair of facilities;
- Maintains regular, predictable in person attendance at the Township's work sites and locations;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary;
- Perform other duties as assigned.

Additional Essential Cemetery Related Functions

- Typically, an undertaker will contact the Township office regarding a burial. We need to verify if it is a full size/vault and casket, and oversized vault, child, infant (hand dug) and if the vaults are steel or concrete (a little wider) or a cremation;
- Inquire the name of person to be buried and determine if they (spouse or parent) are owners of the grave space. If the name does not coincide with the deed, ask the undertaker to verify who the next of kin is, permission may be necessary. Living relatives are required to relinquish rights of grave space. If owner of said lot is still living, they can give permission. It is imperative that this is followed. We do not want to have to worry about future complications;
- Find out the date and time of burial;
- Contact our contractor to dig grave;
- Lay grave out. Use metal detector and other head stones to find exact spot for burial 40" X 8'6" if possible;
- The day of the funeral check out grave for any standing water or caving in on the sides;
- One hour before the funeral time make sure the vault man is here and everything is set;
- Check with vault man for preferred driveway usage and let the undertaker know. Inquire as to how many cars are to be expected. Allow parking on both sides of the road. Whichever undertaker contacts us in the beginning will be your contact through the process, keep name and number handy. Make sure head of casket is in the right location- the head should be at the north and the feet at the south;
- Do any courtesy work and stay out of the way of graveside service;

- Overlook the lowering of the casket to make sure it is lined correctly as well as the cement lid. Road Department should then start backfilling the grave with dirt. It is imperative that the vault not be left unattended until the vault/casket is covered with dirt.

KNOWLEDGE, SKILLS & ABILITIES:

- Ability to use the following equipment: a variety of hand and small power tool, e.g. shovel, rake, weed eater, power saw, etc., light duty vehicles, tractors, heavy duty trucks, two-way radio, and other related equipment as required to complete work assignments.
- Communication skills to comprehend and act upon written and oral instructions, policies, and procedures pertaining to assigned duties;
- Ability to work at heights of 18 feet or greater;
- Ability to understand general highway and bridge construction, repair and maintenance procedures, and the ability to make practical application to the work assignments;
- Ability to perform a variety of unskilled labor tasks relevant to construction, repair, and maintenance of Township roads, bridges and culverts.
- Ability to use power/air driven tools, light to medium equipment to complete work assignments;
- Ability to work well with others and to function individually or as a member of a work crew;
- Knowledge of organizational and work zone safety practices and procedures and the ability to apply to the work environment;
- Ability to perform heavy manual labor for prolonged periods, often under adverse weather conditions and often outside scheduled work hours;
- Ability to timely and professionally communicate effectively with residents and other government agencies;
- Ability to timely and professionally write correspondence, memoranda, emails, reports and budget documents;
- Knowledge of the policies, procedures, and methods of the Road Department and the relationship they have to work assignments; and
- Knowledge of policies and procedures relative to the Department.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill all essential job functions of this position with or without a reasonable accommodation;
- Individual performs heavy work which may require lifting more than fifty (50) pounds frequently. The work of this position is primarily performed outside and requires sustained physical exertion while doing a variety of facility, road and cemetery maintenance and repair activities. Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual's ability to perform essential job-based functions;
- Individual performs the following physical activities: climbing, climbing ladders, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, communicating, and performing repetitive motions. Physical qualifications set forth in 49 CFR 391, Subpart E, Section 391.41 for holding a valid State of Ohio Commercial Driver's License are included herein by reference;
- Individual must be able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicle(s) and other heavy equipment. Neck mobility is necessary when operating snowplow equipment;
- Individual works inside and outside, with exposure to extremes in temperatures and weather conditions, noise, dirt and mechanical hazards. Individual is frequently exposed to vibrations, atmospheric conditions, substances like oil, and various other hazards. Work can be exacting and incumbent may work alone or in teams. The incumbent must be able to work at various heights to complete work assignments.

Safety Equipment

- Individual is regularly required to use hard hat, eye protection, hearing protection, rubber/leather gloves, highway safety vest, reflective roadway markers, vehicle lights, safety/seat belts, steel-toe shoes, and any other safety equipment necessary to complete work duties.

Updated: March 22, 2021

TITLE: BUILDING SERVICES/CUSTODIAN

JOB OBJECTIVES:

- Individual is responsible for overseeing the custodial operations of Township facilities to ensure a safe, clean, and comfortable environment for Township operations. Performs other duties as may be assigned by the Berlin Township Board of Trustees (the “Board”). Individual reports to the Board or any Board member or designee of the Board.

QUALIFICATIONS:

- High School diploma or equivalent;
- Prior maintenance and janitorial experience; and
- Must have and maintain an Ohio driver's license;
- Must remain insurable under the applicable Township’s insurance policies.

ESSENTIAL JOB FUNCTIONS:

- Cleans building floors by sweeping, mopping, scrubbing, or vacuuming them;
- Gather and empty trash;
- Service, clean, and supply restrooms;
- Clean furniture and fixtures;
- Clean windows, glass partitions, and mirrors, using soapy water or other cleaners, sponges, and squeegees;
- Dust furniture, walls, machines, and equipment;
- Make adjustments to heating, cooling, ventilating, plumbing, and electrical systems;
- Mix water and detergents or acids in containers to prepare cleaning solutions, according to specifications;
- Steam-clean or shampoo carpets;
- Strip, seal, finish, and polish floors;
- Follow procedures for the use of chemical cleaners and power equipment, in order to prevent damage to floors and fixtures;

- Monitor building security and safety by performing such tasks as locking doors after operating hours and checking electrical appliance use to ensure that hazards are not created;
- Keeps all floors in a clean and attractive condition and in a good state of preservation;
- Reports all vandalism to the Board, Board member or designee immediately;
- Maintains all cleaning supplies;
- Obeys all fire/safety and environmental laws and regulations;
- Keeps the grounds free from rubbish and debris;
- Moves furniture or equipment within the building as required for various activities and as directed by the Board or its designee;
- Communicates with Township officials, Township officers, Township employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- Maintains regular, predictable in person attendance at the Township's work sites and locations;
- Works irregular hours (evenings, nights, weekends, etc.) or overtime as necessary;
- Performs other duties as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

- Ability to operate and use janitorial tools, equipment, and supplies such as floor buffers; vacuum cleaners, and cleaning compounds and solutions;
- Ability to work independently or with others;
- Knowledge of standard methods, practices, tools, and equipment of the janitorial service;
- Ability to follow instructions;
- Must have the ability to maintain a positive attitude with the general public and Township employees and officials.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill all essential job functions of this position with or without a reasonable accommodation;
- The physical activity of the position includes communicating, reaching, bending, stooping, kneeling, twisting, turning, lifting and walking, moving supplies, equipment and furniture up to 35 pounds;
- Individual must be able to see at close distances and beyond arm's reach;
- The work environments of this position are performed in both a climate-controlled office setting and outdoors;
- The Individual will be required to work with and around chemicals or other substances, such as cleaning supplies.

Updated: June 14, 2021

TITLE: CEMETERY SEXTON

JOB OBJECTIVES:

- Individual is responsible for care and preservation of the Township's active and inactive cemeteries. Performs other duties as may be assigned by the Berlin Township Board of Trustees (the "Board"). Individual reports to the Board or any Board member or designee of the Board.

QUALIFICATIONS:

- High school diploma or equivalent plus minimum of two (2) years relevant work experience in cemetery sales and maintenance is preferred;
- A license by State of Ohio for cemetery lot sales is preferred;
- Must have the resources to communicate with Township officials and respond on short notice;
- Must have the ability to timely, professionally and effectively communicate with Township officials, Township officers, Township employees, outside agencies and residents with respect and dignity and in a professional and business-like manner; Must remain insurable under applicable Township insurance policies.

ESSENTIAL JOB FUNCTIONS:

- Assure accurate record keeping of grave lot sales, grave lot deeds, burial records, interments, inurnments, dis-interments, re-interments, foundation orders, and pouring foundations;
- Provide information for database input;
- Respond to public inquiries regarding cemetery;
- Correspond with clients and provide copy of correspondence to Township Fiscal Officer;
- Respond to client complaints regarding cemetery;
- Make records available to public upon request;
- Meet with prospective buyer;
- Provide prospective buyer with available grave lot/space information;
- Upon sale of grave lot/space collect money, prepare receipt in triplicate;
- Collect signature of buyer on rules of cemetery;
- Provide original receipt and copy of signed rules to buyer;
- Provide sale data (setup & manage grave(s)) for input in cemetery software database;

- Prepare deed for sale of lot/grave space(s);
- Provide deed to the Board and Township Fiscal Officer for signatures;
- Mail deed and rules to buyer;
- Provide signed rules signature page, receipt copy and collected money to Township Fiscal Officer within 24 hours of collection;
- Stake grave space for interment;
- Notify excavator and Township maintenance personnel as to date and time of interment;
- Check to make sure grave has been dug and interment setup has been done by vault company;
- Be available to direct traffic at cemetery;
- Assist funeral director as needed in closing grave;
- Provide receipt to funeral director;
- Provide burial permit and interment information (manage occupant) for database input;
- Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment;
- Hand dig grave for infant interment and/or cremation inurnment;
- Prepare gravesite for graveside service by putting grass carpet and chairs at grave site;
- Assist funeral director as needed in closing grave;
- Provide receipt to funeral director;
- Provide burial permit and interment/inurnment information (manage occupant) for input in database;
- Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment/inurnment;
- Prepare grave lot/space for monument foundation by staking foundation area, digging hole, building foundation forms, ordering concrete, pouring and leveling concrete in concert with road maintenance Department;
- Notify monument company when monument can be set on foundation and mark location of foundation;
- Prepare grave lot/grave space(s) for military marker foundation and set military foundation;
- Provide foundation information for database input;

- Prepare detailed monthly cemetery activity report and provide to Township Fiscal Officer;
- Perform additional duties as assigned by the Board of Trustees, individual Trustee or designee of the Board;
- Maintain regular, predictable in person attendance at the Township’s work sites and location;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary.

KNOWLEDGE, SKILLS & ABILITIES:

- Communication skills to comprehend and act upon written and oral instructions, policies, and procedures pertaining to assigned duties;
- Ability to comprehend cemetery software (Pontem) and database input is preferred;
- Ability to understand construction, repair and maintenance procedures for cemetery markers and foundations and the ability to make practical application to the work assignments;
- Ability to work well with the public;
- Ability to work well with others and to function as a member of a work crew;
- Knowledge of the policies, procedures and methods of the Cemetery Department and the relationship they have to work assignments;
- Knowledge of Occupational Safety and Health Administration policies and procedures relative to cemetery maintenance operations;
- Knowledge of organizational and work zone safety practices and procedures and the ability to apply to the work environment;
- Ability to perform a variety of unskilled and semi-skilled tasks relevant to Township cemetery activities; sale of grave lots, staking of graves, accurate record keeping of grave lot sales and burials, construction, repair and maintenance of cemetery marker foundations;
- Ability to use power/air driven tools, light to medium equipment to complete work and the assignments;
- Ability to perform heavy manual labor for prolonged periods, often under adverse weather conditions;

Equipment:

- Ability to use the following equipment:
 - Computer with cemetery software (PONTEM)(Preferred);
 - Small hand tools-shovel, rake;
 - Small power tools—weed eater, chain saw, power saw, power drill, etc.;

- Light to medium duty vehicles; and
- Heavy duty trucks, tractor and other related equipment as required to complete work assignments.

WORK ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill all essential job functions of this position with or without a reasonable accommodation;
- Individual performs heavy work which may require lifting more than fifty (50) pounds frequently. The work of this position is primarily performed outside and requires sustained physical exertion while doing a variety of maintenance and repair activities. Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual's ability to perform essential job-based functions;
- Incumbent performs the following physical activities: climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, communicating and performing repetitive motions;
- Individual must be able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicles, trucks and other heavy equipment. Neck mobility is necessary when operating excavating equipment;
- Individual works outside, in the Cheshire Peachblow and Fairview Cemeteries and any other active and/or inactive cemeteries under the care and direction of the Board, with exposure to extremes in temperatures and weather conditions, noise, dirt and mechanical hazards. Incumbent is frequently exposed to vibrations, atmospheric conditions, oil and various other hazards;
- Incumbent may work alone and work must be exact;
- Work is also performed in the home or in the Township administrative building.

Updated: June 14, 2021

TITLE: CEMETERY CLERICAL

JOB OBJECTIVES:

- Individual is responsible for supporting the care and preservation of the Township's active and inactive cemeteries. Performs other duties as may be assigned. Individual reports to the Cemetery Sexton, who reports to the Board or any Board member or designee of the Board.

QUALIFICATIONS:

- High school diploma or equivalent plus minimum of two (2) years relevant work experience in cemetery record keeping is preferred;
- A thorough and complete working knowledge of cemetery software (PONTEM) is preferred;
- A license by the state of Ohio for cemetery lot sales is preferred;
- Must be able to have the resources to communicate with Township officials and respond on short notice. Must be able to communicate with Township officials, Township officers, Township employees, outside agencies and residents with respect and dignity and in a professional and business-like manner;
- Must remain bonded and/or insurable under applicable Township insurance policies.

ESSENTIAL JOB FUNCTIONS:

- Under direction of the Cemetery Sexton, performs electronic data input and continued record research for Cheshire, Peachblow and Fairview Cemeteries and any other active and/or inactive cemetery under the care and direction of the Berlin Township Trustees (the "Board");
- In the absence of Cemetery Sexton and/or Assistant Cemetery Sexton, assume duties of meeting with buyers, arranging grave lot/space sales, staking grave space for interment, notify excavator and Township personnel as to date and time of interment, check to make sure grave has been dug and interment setup has been done by vault company, be available to direct traffic at cemetery, assist funeral director as needed in closing grave, collect burial permit and fee for closing grave;
- Accurate record keeping and data input of grave lot sales, grave lot deeds, burial records, interments, inurnments, dis-interments, re-interments, foundation orders, and poured foundations;
- Set up cemetery maps and grave locations;
- Manage address book-update owner address changes;
- Manage graves, status, owner, dates, cost, deed, special instructions;

- Manage occupants-name, gender, date of death, date of burial, burial type, funeral director, burial permit#, cost of open/close, military, image obit, image tombstone, image military;
- Research records-cemetery associations prior to Township takeover;
- Proofread records transferred to cemetery software;
- Meet periodically with Cemetery Sexton to view and verify burials in cemetery;
- Any other duties as assigned by the Cemetery Sexton and/or the Board;
- Set up cemetery map(s)
- Set up grave(s) locations;
- Manage graves-status, owner, dates, cost, deed(s), special instructions;
- Manage address book-keep and update owner address changes per requirement of deed;
- Manage occupants-name, gender, date of death, date of burial, burial type, funeral director, burial permit#, cost of open/close, military, image obit, image tombstone, image military, foundation orders & pours, monument company;
- Enter special instructions into database per Cemetery Sexton;
- Prepare and print deed;
- Submit deed to Trustees and Fiscal Officer for signatures;
- Mail deed to owner;
- Place deed copy in cemetery deed book (fiscal officer's office);
- Proofread records transferred to cemetery software (with Cemetery Sexton);
- Keep up-to-date list of military era interments/inurnments (for proper setting of military flag holders and flags);
- Meet with Cemetery Sexton periodically to view and verify burials in cemetery;
- Research records-cemetery associations prior to Township takeover of cemeteries;
- Research requests-public;

- Correspond with clients & provide copy to Township Fiscal Officer;
- Make records available to public upon request;
- Accurate data entry of cemetery records;
- Respond to public inquiries regarding cemetery;
- Correspond with clients and provide copy of correspondence to Township Fiscal Officer;
- Respond to client complaints regarding cemetery;
- Make records available to public upon request;
- Be available to meet with prospective buyer;
- Provide prospective buyer with available grave lot/space information;
- Upon sale of grave lot/space collect money, prepare receipt in triplicate;
- Collect signature of buyer on rules of cemetery;
- Provide original receipt and copy of signed rules to buyer;
- Provide sale data (setup & manage grave(s)) for input in cemetery software database;
- Prepare deed for sale of lot/grave space (s);
- Provide deed to the Board and Township Fiscal Officer for signatures;
- Mail deed and rules to buyer;
- Provide signed rules signature page, receipt copy and collected money to Township Fiscal Officer within 24 hours of collection;
- Stake grave space for interment;
- Notify excavator and Township maintenance personnel as to date and time of interment;
- Check to make sure grave has been dug and interment setup has been done by vault company;
- Be available to direct traffic at cemetery;
- Assist funeral director as needed in closing grave;

- Provide receipt to funeral director;
- Provide burial permit and interment information (manage occupant) for database input;
- Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment;
- Request maintenance personnel to hand dig grave for infant interment and/or cremation inurnment;
- Request maintenance personnel to prepare gravesite for graveside service by putting grass carpet and chairs at grave site;
- Assist funeral director as needed in closing grave;
- Collect burial permit and fee for closing grave;
- Provide receipt to funeral director;
- Provide burial permit and interment/inurnment information (manage occupant) for input in database;
- Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment/inurnment;
- Request maintenance personnel to prepare grave lot/space for monument foundation by staking foundation area, digging hole, building foundation forms, ordering concrete, pouring and leveling concrete in concert with road maintenance Department;
- Notify monument company when monument can be set on foundation and mark location of foundation;
- Request maintenance personnel to prepare grave lot/grave space(s) for military marker foundation and set military foundation;
- Provide foundation information for database input;
- Prepare detailed monthly cemetery activity report and provide to Township Fiscal Officer;
- Be highly organized;
- Perform additional duties as assigned by the Cemetery Sexton, Board of Trustees, individual Trustee or designee of the Board;
- Maintain regular, predictable in person attendance at the Township's work sites and locations;

- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary.

KNOWLEDGE, SKILLS & ABILITIES:

- Ability to communicate to comprehend and act upon written and oral instructions, policies, and procedures pertaining to assigned duties;
- Ability to comprehend cemetery software (Pontem) and database input with thorough working knowledge of cemetery software is preferred;
- Ability to understand construction, repair and maintenance procedures for cemetery markers and foundations and the ability to make practical application to the work assignments;
- Ability to work well with the public;
- Ability to work well with others;
- Knowledge of the policies, procedures and methods of the Cemetery Department and the relationship they have to work assignments;
- Knowledge of policies and procedures relative to cemetery maintenance operations;
- Knowledge of organizational and work zone safety practices and procedures and the ability to apply to the work environment;
- Ability to perform a variety of unskilled and semi-skilled tasks relevant to Township cemetery activities; sale of grave lots, staking of graves, accurate record keeping of grave lot sales and burials;
- Ability to use the following equipment:
 - Computer and thorough knowledge of cemetery software (PONTEM)(Preferred);
 - Small hand tools-shovel, rake;

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill all essential job functions of this position with or without a reasonable accommodation;
- Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual's ability to perform essential job-based functions;
- Incumbent performs the following physical activities: balancing, reaching, standing, walking, fingering, grasping, feeling, communicating, and performing repetitive motions;

- Individual must be able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required;
- Incumbent may work alone and work must be exact. Work is also performed in the home or in the Township administrative building.

Updated: June 14, 2021

TITLE: CEMETERY SEXTON ASSISTANT

JOB OBJECTIVES:

- Individual is responsible for assisting with the care and preservation of the Township's active and inactive cemeteries. Performs other duties as may be. Individual reports to the Cemetery Sexton, who reports to the Board or any Board member or designee of the Board.

QUALIFICATIONS:

- High school diploma or equivalent plus minimum of two (2) years relevant work experience in cemetery sales and maintenance is preferred;
- A license by State of Ohio for cemetery lot sales is preferred;
- Must have the resources to communicate with Township officials and respond on short notice;
- Communicate with Township officials, Township officers, Township employees, outside agencies and residents with respect and dignity and in a professional and business-like manner;
- Must remain bonded and/or insurable under the applicable Township's insurance policies;

ESSENTIAL JOB FUNCTIONS:

- In the absence of the Cemetery Sexton, direct operations of Cheshire Peachblow and Fairview Cemeteries and any other active and/or inactive cemetery under the care and direction of the Berlin Township Trustees (the "Board");
- Any other duties as assigned by the Cemetery Sexton and/or the Berlin Township Trustees (the "Board");
- Accurate recordkeeping of grave lot sales, grave lot deeds, burial records, interments, inurnments, dis-interments, re-interments, foundation orders, and pouring foundations;
- Provide information to Cemetery Sexton for database input;
- Make records available to public upon request;
- Be available to meet with prospective buyer;
- Provide prospective buyer with available grave lot/space information;
- Upon sale of grave lot/space collect money, prepare receipt in triplicate;

- Collect signature of buyer on rules of cemetery;
- Provide original receipt and copy of signed rules to buyer;
- Provide sale data to Cemetery Sexton (setup & manage grave(s)) for input in cemetery software database;
- Provide signed rules signature page, receipt copy and collected money to Township Fiscal Officer within 24 hours of collection;
- Stake grave space for interment;
- Notify excavator and Township maintenance personnel as to date and time of interment;
- Check to make sure grave has been dug and interment setup has been done by vault company;
- Be available to direct traffic at cemetery;
- Assist funeral director as needed in closing grave;
- Provide receipt to funeral director;
- Provide burial permit and interment information (manage occupant) for database input;
- Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment;
- Hand dig grave for infant interment and/or cremation inurnment;
- Prepare gravesite for graveside service by putting grass carpet and chairs at grave site;
- Assist funeral director as needed in closing grave;
- Collect burial permit and fee for closing grave;
- Provide receipt to funeral director;
- Provide burial permit and interment/inurnment information to Cemetery Sexton (manage occupant) for input in database;
- Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment/inurnment;

- Prepare grave lot/space for monument foundation by staking foundation area, digging hole, building foundation forms, ordering concrete, pouring and leveling concrete in concert with road maintenance Department;
- Notify monument company when monument can be set on foundation and mark location of foundation;
- Prepare grave lot/grave space(s) for military marker foundation and set military foundation;
- Provide foundation information to Cemetery Sexton for database input;
- Prepare detailed monthly cemetery activity report and provide to Township Fiscal Officer;
- Perform additional duties as assigned by the Cemetery Sexton, Board of Trustees, individual Trustee or designee of the Board;
- Maintain regular, predictable in person attendance at the Township's work sites and locations;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary.

KNOWLEDGE, SKILLS & ABILITIES

- Ability to communicate to comprehend and act upon instructions, policies, and procedures pertaining to assigned duties;
- Ability to understand construction, repair and maintenance procedures for cemetery markers and foundations and the ability to make practical application to the work assignments;
- Ability to work well with the public;
- Ability to work well with others and to function as a member of a work crew;
- Knowledge of the policies, procedures and methods of the Cemetery Department and the relationship they have to work assignments;
- Knowledge of workplace policies and procedures relative to cemetery maintenance operations;
- Knowledge of organizational and work zone safety practices and procedures and the ability to apply to the work environment;
- Ability to perform a variety of unskilled and semi-skilled tasks relevant to Township cemetery activities; sale of grave lots, staking of graves, accurate recordkeeping of grave lot sales and burials, construction, repair and maintenance of cemetery marker foundations;

- Ability to use power/air driven tools, light to medium equipment to complete work and the assignments;
- Ability to perform heavy manual labor for prolonged periods, often under adverse weather conditions;
- Ability to use the following equipment:
 - Small hand tools-shovel, rake;
 - Small power tools—weed eater, chain saw, power saw, power drill, etc.;
 - Light to medium duty vehicles; and
 - Heavy duty trucks, tractor and other related equipment as required to complete work assignments.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill all essential job functions of this position with or without a reasonable accommodation;
- Individual performs heavy work which may require lifting more than fifty (50) pounds frequently. The work of this position is primarily performed outside and requires sustained physical exertion while doing a variety of maintenance and repair activities. Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual’s ability to perform essential job-based functions;
- Incumbent performs the following physical activities: climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, communicating, and performing repetitive motions;
- Individual must be able to see at close distances and beyond arm’s reach. Depth perception and peripheral vision are required to safely operate vehicles, trucks and other heavy equipment. Neck mobility is necessary when operating excavating equipment;
- Individual works outside, in the Cheshire Peachblow and Fairview Cemeteries and any other active and/or inactive cemeteries under the care and direction of the Board, with exposure to extremes in temperatures and weather conditions, noise, dirt and mechanical hazards. Incumbent is frequently exposed to vibrations, atmospheric conditions, oil and various other hazards;
- Incumbent may work alone and work must be exacting;
- Work is also performed in the home or in the Township administrative building.

Updated: June 14, 2021

TITLE: ZONING SECRETARY/ADMINISTRATIVE ASSISTANT

JOB OBJECTIVES:

- Individual is responsible for supporting the enforcement of the zoning regulations by the zoning inspector and any other duties as assigned by the Berlin Township Board of Trustees (the “Board”) Individual reports to the Board’s designee as assigned.

QUALIFICATIONS:

- High School diploma or equivalent;
- Minimum of (2) two years’ experience in administrative/receptionist related work; and must have and maintain an Ohio driver's license;
- Must remain bonded and/or insurable under the applicable Township’s insurance policies;

ESSENTIAL JOB FUNCTIONS:

- Ensure the Berlin Township Zoning Office is open for daily operation between 8:00 am and 4:30 pm, Monday-Friday;
- Maintain zoning files, log books, incoming and outgoing mail and all correspondence relating to violations as well as BZA/BZC hearings;
- Answer telephones, type letters, process permits and other correspondence relative to the daily operation of the zoning office;
- Collect monies for zoning fees and rental of Township meeting room. Responsible for preparing receipts, in triplicate, for the same and providing a copy of the original receipt, with all monies collected, to the Fiscal Officer within twenty (24) hours of collection;
- Print and distribute photos of zoning violations, send letter of violation under direction of the Zoning Inspector, and generate a monthly zoning report;
- Maintain bulletin boards for the zoning office as well as the meeting room;
- Distribute copies of pertinent information to the Board of Trustees and to the BZA/BZC board members; Schedule BZA/BZC hearings, type and submit newspaper ads, type and provide agendas and send out and maintain records of all certified mailings associated with those hearings;
- Support and provide information to the Fiscal Officer in order to meet all legal responsibilities including making all public records well organized and accurate as well as available and accessible to all in a timely manner (Note: Does not directly fulfill public records requests);

- Work overtime as may be required from time to time;
- Communicates with Township officials, Township officers, Township employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- Maintain and update the Township web site, social media, and LED sign as directed by the Board;
- Prepare the Township newsletter;
- Under direction of the Cemetery Sexton performs electronic data input and continued record research for Cheshire, Townhouse, Blockhouse and Peachblow Cemeteries and any other active and/or inactive cemetery under the care and direction of the Berlin Township Trustees (the “Board”);
- Mail and type deeds;
- In the absence of Cemetery Sexton and/or Assistant Cemetery Sexton assume duties of meeting with buyers, arranging grave lot/space sales, be available to direct traffic at cemetery, assist funeral director as needed in closing grave, collect burial permit and fee for closing grave;
- Orders office supplies and manages the scheduling of township building maintenance and cleaning.
- Maintain all zoning and township building office equipment;
- Maintains regular, predictable in person attendance at the Township’s work sites and locations;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary;
- Perform other duties as assigned to support Zoning and/or Board of Trustees.

KNOWLEDGE, SKILLS & ABILITIES:

- Ability to operate a variety of office technology equipment including but not limited to: Microsoft and google products,, calculator, copier, typewriter, telephone and facsimile machine;
- Ability to timely and professionally write correspondence, memoranda, emails, reports and budget documents;
- Knowledge of zoning regulations and issues;

- Working knowledge of auditor database system;
- Knowledge of meeting room rental and general maintenance requirements;
- Knowledge of Township administrative procedures;
- Ability to maintain a positive attitude with the general public, fellow employees and members of Township boards and commissions.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill the essential job functions of this position, with or without a reasonable accommodation;
- The incumbent must be able to continuously work in a stationary position for up to the entire workday; continuously engage in repetitive movements; frequently operate office and computer equipment, such as computer, printers, word processors, phones, fax machines; frequently communicate, such as providing information or answering questions or interacting with the public or Township officials; frequently move or traverse throughout indoor locations; occasionally reach; occasionally move supplies or equipment of up to 35 pounds by lifting, pushing, carrying or pulling;
- The work environments of this position are performed mainly in a climate-controlled office setting.

Updated: July 10, 2022

TITLE: ZONING INSPECTOR

JOB OBJECTIVES:

- Individual is responsible for the consistent enforcement and administration of the zoning codes, standards and Township regulations that promote public safety and welfare and conserve natural resources and monitor improvements to building and any other duties pursuant to O.R.C. 519.16 and as further assigned by the Berlin Township Board of Trustees (the “Board”). Individual reports to the Board, individual Trustees or the Board’s designee.

QUALIFICATIONS:

- High school education plus a minimum of 2 years of general office experience which must include working collaboratively and serving clients or customers.
- Must have a working knowledge of Microsoft Office – Word, Outlook, Excel, PowerPoint and other software programs such as Google products and Zoning technology.
- Must possess strong communication skills (written and verbal).
- Must possess a valid driver’s license.
- Must remain bonded and/or insurable under the applicable Township policies.
- Ideal applicants will possess a college degree in the field of planning or the equivalent to at least 1 to 2 years of work experience preferred that contains some combination of private, municipal, or another governmental role in the area of planning/zoning or a related field.

ESSENTIAL JOB FUNCTIONS:

- Answers questions regarding specific zoning of parcels;
- Performs weekly or other periodic inspections within the unincorporated areas of the Township for zoning compliance and/or violations;
- Provides the Board with periodic updates on Zoning Department Activities;
- Informs public of zoning code requirements;
- Inspects proposed staked out building locations and monitors all building activities to ensure zoning permits are obtained and all regulations are adhered to;

- Notify alleged zoning violations, keep log of same, and assist in the prosecution of same;
- Process applications and amendments intended to initiate a proposed zoning change as well as applications for variances, appeals and conditional uses;
- Review subdivision plats and/or drawings to ensure compliance with Township zoning regulations;
- Maintain records and/or files of all zoning activities;
- Serve as liaison between the Board, Board of Zoning Appeals and the Zoning Commission;
- On a semi-monthly, monthly and yearly, or other basis, presents acceptable written and verbal reports to the Board and Trustee Liaison, BZA and Zoning Commission on Department activities, and provides information requested by Board and Commission members;
- Discusses and answers complaints of general public;
- Performs follow-up inspection on complaints to determine zoning compliance;
- Issues zoning permits after proof of compliance has been determined;
- Performs compliance inspection at project completion to confirm compliance with zoning standards;
- Supports building regulations programs and other programs by working with local agencies to include writing and monitoring contracts, attending meetings, conferences, workshops, training sessions, and performing a variety of public relations duties;
- Works overtime as may be required from time to time;
- Communicates with Township officials, Township officers, Township employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- Prepares professionally written correspondence, completes forms and develops reports associated with the public assistance operation;
- Handles client complaints and public inquiries regarding programs;
- Maintains regular, predictable in person attendance at the Township's work sites and locations;
- Work irregular hours (e.g., evenings, nights, weekends.) or overtime as necessary;

- Performs other duties as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

- Ability to operate a variety of technology office equipment such as computer, copier, typewriter, telephone, calculator, facsimile machine, small hand tools, probe, tape measure, measuring wheel, architect scale, engineer scale, and other equipment necessary to perform duties;
- Strong communication skills to work with township officials and residents.
- Ability to comprehend various construction drawings;
- Ability to read, comprehend and interpret zoning text;
- Ability to consistently enforce codes and regulations without backing down;
- Knowledge of general surveying terms and procedures;
- Knowledge of state and local zoning law;
- Ability to schedule work to achieve time critical objectives;
- Ability to request assistance when appropriate;
- Ability to read and understand blueprints;
- Knowledge of general construction, terminology, and general materials and methods;
- Ability to define and solve problems, collect data, establish facts, draw valid conclusions using judgment, and analytical skills;
- Extensive knowledge of and ability to apply program policies and procedures to assist staff in the performance of their responsibilities;
- Ability to communicate timely, professionally and effectively, both orally and written;
- Ability to work effectively with members of the public who may be upset, distraught, irate, emotionally or mentally or otherwise unable to function within reasonable range of constructive behaviors;
- Ability to work independently, under time sensitive deadlines, and to set and achieve goals;
- Ability to organize and maintain large volumes of information and paperwork; and

- Ability to effectively program plan independently and in collaboration with other staff units and outside agencies.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill the essential job functions of this position, with or without a reasonable accommodation;
- The physical requirements of the position are identified as sedentary work which may require the lifting of up to fifty (50) pounds. Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual's ability to perform essential job-based functions;
- The physical activity of the position includes communicating, reaching, lifting and walking;
- Individual must be able to see at close distances and beyond arm's reach;
- The work environments of this position are performed in both a climate-controlled office setting and outdoors in an uncontrolled setting, which may require the incumbent to work in inclement weather (cold, snow or ice, rain, heat, etc.) for long periods of continuous time, and around chemicals or other substances, on uneven footing and various surfaces.

Updated: July 10, 2022

TITLE: FIRE CHIEF

JOB OBJECTIVES:

- Individual is predominately responsible for the supervision of personnel and the operation and administration of a Township Fire Department, reporting to the Board of Trustees, engaging in community relations, and ensuring the Department's compliance with state, federal, and local mandates, rules, regulations, and other applicable laws. The position may be expected from time-to-time to provide emergency response to fires or medical calls, and any other duties as assigned by the Berlin Township Board of Trustees (the "Board"). The Fire Chief reports to the Board or any Board member or designee of the Board.

QUALIFICATIONS:

- Must possess a High school diploma or equivalent;
- Must have a minimum of ten (10) years of extensive experience in firefighting work of a progressively responsible nature, serving at least five (5) years as a Lieutenant or higher rank;
- Must have and maintain a valid Ohio driver's license with not more than four (4) points assessed as of the date of appointment and must maintain no more than six (6) points after appointment, and remain insurable under the Township's insurance policies;
- Possess State of Ohio Safe Boaters certification within one year of appointment;
- Completion of Fire Officers Training, Incident Command, Fire Service Management and related courses;
- Possess and maintain State of Ohio Firefighter I & II certification;
- Possess and maintain a State of Ohio Basic EMT-B certification;
- Possess and maintain Hazardous Materials Awareness & Operations certification; and
- Must remain insurable under the applicable Township's insurance policies.

ESSENTIAL JOB FUNCTIONS:

- Plan, organize, direct, participate and administer all operations of the fire Department including fire administration (public relations, management of budget, personnel, supplies, equipment, structures, and compliance/enforcement of regulations, policies and procedures), fire suppression, fire investigations, fire prevention, hazardous material response, rescue, other emergency services, and any other duties as assigned by the Board;
- Supervise Fire Department personnel, including both full-time and part-time positions. This position is expected to exercise discretion and independent judgment in interpreting and

applying policies, rules, and regulations and recommending hire, assignment, transfer, discipline and/or discharge for noncompliance with such policies, rules, and regulations, layoff, recall and promotion of employees. This position will have confidential access to personnel information and other non-public information and is expected to maintain confidentiality;

- Manage employee scheduling;
- Respond to and administer employee leaves of absence;
- Assure timely and accurate submission of Department payroll to the Fiscal Office;
- Evaluate Department personnel;
- Ensure that all Department personnel are trained and qualified for the duties they are expected to perform;
- Maintain communication among Township supervisors, area fire chiefs, and subordinates;
- Establishment of goals, objectives, and priorities for the continued operation of the Department;
- Delegate authority and responsibility for the achievement of the Department's goals, objectives, and priorities;
- Enforce rules, regulations, codes, and resolutions adopted by the Board;
- Attend certification classes and seminars outside of the immediate area, as well as meetings;
- Prepare, recommend, and administer the budget to achieve the goals and priorities of the Department;
- Determine, recommend, and purchase the equipment necessary to execute the functions of the Department;
- Conduct interviews, and determine eligible candidates for appointment to and promotions within the Department;
- Assist with the preparation of a master plan for future Department operations;
- Respond to emergency calls;
- Abide by all Township and Department rules, regulations and standard operating guidelines;
- Complete written reports of fires, medical emergencies, and inspections;

- Provide the necessary services during natural or man-made disasters;
- Develop and coordinate plans for efficient and effective fire prevention, fire suppression and lifesaving services within the Department's jurisdiction and upon mutual aid or shared response, and make recommendations to the Board relative to the long-term needs for maintaining and improving effective operations;
- Develop and enforce Department policies and procedures, as approved by the Board, that are necessary for orderly Department operations;
- Maintain compliance with federal, state and recognized policy making entities (i.e. National Fire Protection Association);
- Oversee the administration of the Department's fire prevention program including building inspections, local code enforcement, as well as enforcement of federal and state laws, and conducting community education programs;
- Annually recommend a proposed operations budget for the Department and monitor expenditures for conforming to appropriations and purchasing regulations established by the Township;
- Supervise the maintenance, repair and replacement of all equipment and ensure that all equipment and buildings are properly maintained and in good working order, and that plans are made for short- and long-term replacements;
- On a semi-monthly, monthly and yearly, or other basis as requested, presents acceptable written and verbal reports to the Board and Trustee Liaison on Department activities, and provides information requested by Board members;
- Attend regular meetings of the Board of Trustees, and special meetings as requested;
- Participate on behalf of management in the preparation for and conduct of collective bargaining negotiations, and in management's review and adjustment of grievances, concerning the Fire Department;
- Attend training programs oriented to the duties of the fire chief;
- Oversee and provide for Department training at all levels to ensure safe and effective operations;
- Work with other Township Departments to develop mutual plans;
- Drive fire apparatus and operate pump and other equipment associated with firefighting, rescue, salvage and maintenance;

- Direct as well as participate in fire extinguishment and/or rescue;
- Provide for attendance/membership on all necessary associations, boards, committee's, etc. to insure Department representation;
- Respond to emergency calls as necessary and may assume command and direct activities under the Department's jurisdiction and authority;
- Maintain regular, predictable in person attendance at the Township's work sites and locations;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary;
- Perform other duties as assigned by the Board of Trustees or Trustee Liaison.

KNOWLEDGE, SKILLS & ABILITIES:

- Thorough knowledge of modern firefighting methods and techniques and ability to apply this knowledge to various fire control and fire prevention problems;
- Thorough knowledge of the use and operation of a wide variety of firefighting equipment and apparatus;
- Ability to plan, assign, and coordinate the work of a group of employees engaged in fire prevention and fire control activities;
- Considerable knowledge of Township fire administration;
- Ability to maintain discipline, to lead and command effectively, and direct firefighters and equipment under emergency conditions;
- Ability to establish and maintain effective working relationships within and outside of the Department;
- Ability to timely and professionally write correspondence, memoranda, emails, reports and budget documents;
- Ability to maintain professionalism with dissatisfied members of the public;
- Ability to make decisions in emergency and pressure situations;
- Ability to professionally perform job functions while tending to persons experiencing adverse trauma;

- Ability to perform all essential job functions, with or without a reasonable accommodation.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill the essential job functions of this position, with or without a reasonable accommodation;
- This position requires work indoors and outdoors, in extreme heat, cold, wind, rain, ice and snow, and around excessive noise and moving vehicles. This position requires working with chemicals and around blood or bodily fluids or other substances. Incumbents may be subjected to threats and verbal abuse by members of the public and will be required to work in physically and emotionally stressful situations;
- Individual may, from time to time, as determined by the Board, be required to pass a medical and/or physical examination to determine the individual's ability to perform essential job-based functions;
- Continuously work in a stationary position for up to the entire workday;
- Continuously engage in repetitive movements;
- Frequently operate office and computer equipment, such as computer, printers, word processors, phones, fax machines;
- Frequently communicate audibly, such by receiving and giving commands in emergency situations, answering questions or interacting with the public or Township officials;
- Occasionally move or traverse throughout indoor and outdoor locations in emergency situations, including on uneven or slippery ground, across breaks in elevation and on elevated platforms;
- Occasionally ascend or descend ladders, stairs, debris and building materials; occasionally extricate persons from dangerous situations;
- Occasionally stoop kneel, crouch or crawl, such as in inspection or suppressing fire or when rendering emergency medical care to a patient;
- Occasionally reach above or below oneself to grasp items or administer care;
- Occasionally move objects weighting more than 100 pounds, such as equipment or tools or persons;
- Frequently operate fire vehicles, equipment or apparatus on and off public roadways;

- Occasionally make visual observations of fire scenes and evidence to develop and implement strategies for emergency response or inspection;
- Occasionally work in endure heights and confined spaces;
- Occasionally work in extreme temperatures, heavy smoke conditions, and around chemical, physical, and mechanical hazards;
- Occasionally work in protective clothing and equipment, including self-contained breathing apparatus, in smoke-filled or confined space environments while carrying tools/equipment/hose weighing 125 pounds or more;
- Occasionally carry, drag, and or maneuver objects/people weighing a 150 pounds or more in emergency situations;
- Individual must be able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicles.

Updated: June 14, 2021

TITLE: ASSISTANT CHIEF

JOB OBJECTIVE:

- Under the supervision of the Fire Chief, individual plans, organizes, directs, and administers all operations of the fire Department assigned to him/her by the Fire Chief within the authority delegated, and performs any other duties as assigned by the Berlin Township Board of Trustees (the “Board”). Also, in the absence of the Fire Chief, the Assistant Fire Chief shall perform all applicable duties of the Fire Chief in a sufficient manner until arrival/return of the Fire Chief. The position may be expected from time-to-time to provide emergency response to fires or medical calls, and any other duties as assigned by the Berlin Township Board of Trustees (the “Board”).

QUALIFICATIONS:

- Must possess a High school diploma or equivalent;
- Minimum of five (5) years of extensive experience in firefighting work of a progressively responsible nature with at least two (2) years as a company level (Capt./ LT.) officer;
- Must have and maintain a valid Ohio driver’s license with not more than four (4) points assessed as of the date of appointment and must maintain no more than six (6) points after appointment, and remain insurable under the Township’s insurance policies;
- Possess State of Ohio Safe Boaters certification within one year of appointment;
- Completion of Essentials of Firefighting, Fire Officer training, Incident Command certification, Fire Service Management, and other related courses;
- Possess and maintain State of Ohio Firefighter I & II certification;
- Possess and maintain a State of Ohio Basic EMT-B certification;
- Possess and maintain Hazardous Materials Awareness & Operations certification; and
- Must remain insurable under the applicable Township’s insurance policies.

ESSENTIAL JOB FUNCTIONS:

- Develop and coordinate plans for efficient and effective operations within his assigned areas;
- Make recommendations to the Fire Chief relative to the long-term needs for maintaining, and improving effective operations within assigned areas;
- Oversee the administration of assigned areas;

- Annually recommend a proposed budget to the Fire Chief;
- Attend training programs oriented to the duties of the assistant Fire Chief;
- Oversee and provide for Department training at all levels to ensure safe and effective operations;
- Drive fire apparatus and operate pump and other equipment associated with firefighting, rescue, salvage and maintenance;
- Direct as well as participate in fire extinguishment and/or rescue;
- Advance charged and uncharged hose lines and applies extinguishing agents to fires;
- Protect property from unnecessary smoke and water damage by using salvage covers, positive pressure ventilation fans and water vacuum;
- Provide for attendance/membership on all necessary associations, boards, committee's, etc. to insure Department representation;
- Communicate with Township officials, Township officers, Township employees, outside agencies and residents with respect and dignity and in a professional and business-like manner;
- Respond to emergency calls as necessary and may assume command and direct activities (in the absence of the fire chief) under the Department's jurisdiction and authority;
- Position and climb ladders to gain access to upper floors or to accomplish rescue;
- Participate on behalf of management in the preparation for and conduct of collective bargaining negotiations, and in management's review and adjustment of grievances, concerning the Department;
- Responsible for all Department operations and activities within his assigned areas, and all Department operations and activities in the absence of the Fire Chief;
- Maintain communication among subordinates;
- Establishment of goals, objectives, and priorities for the continued operation of the Department within assigned areas;
- Delegate authority and responsibility for the achievement of areas goals, objectives, and priorities;
- Enforce rules, regulations, codes, and resolutions adopted by the Township;

- Required to attend certification classes and seminars outside of the immediate area, as well as pertinent board meetings;
- Assist with determining and recommending the equipment necessary to execute the functions of the Department;
- Abide by all Township and Department rules, regulations and standard operating guidelines;
- Assist with testing, interviewing, and determining eligible candidates for appointment to and promotions within the Department;
- Communicate with Township officials, officers, employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- Maintains regular, predictable in person attendance at the Township's work sites and locations;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary;
- Perform other duties as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

- Thorough knowledge of modern firefighting methods and techniques and ability to apply this knowledge to various fire control and fire prevention problems;
- Thorough knowledge of the use and operation of a wide variety of firefighting equipment and apparatus;
- Ability to plan, assign, and coordinate the work of a group of employees engaged in fire prevention and fire control activities;
- Considerable knowledge of Township fire administration;
- Ability to maintain discipline, to lead and command effectively, and direct firefighters and equipment under emergency conditions;
- Ability to establish and maintain effective working relationships within and outside of the Fire Department;
- Ability to timely and professionally write correspondence, memoranda, emails, reports and budget documents;
- Ability to maintain professionalism with dissatisfied members of the public;

- Ability to make decisions in emergency and pressure situations;
- Ability to professionally perform job functions while tending to persons experiencing adverse trauma;
- Ability to perform all essential job functions, with or without a reasonable accommodation;
- Ability to complete written reports of fires, medical emergencies, and inspections;
- Ability to communicate effectively.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill the essential job functions of this position, with or without a reasonable accommodation;
- This position requires work indoors and outdoors, in extreme heat, cold, wind, rain, ice and snow, and around excessive noise and moving vehicles. This position requires working with chemicals and around blood or bodily fluids or other substances. Incumbents may be subjected to threats and verbal abuse by members of the public and will be required to work in physically and emotionally stressful situations;
- Individual may, from time to time, as determined by the Board, be required to pass a medical and/or physical examination to determine the individual's ability to perform essential job-based functions;
- Continuously work in a stationary position for up to the entire workday;
- Continuously engage in repetitive movements;
- Frequently operate office and computer equipment, such as computer, printers, word processors, phones, fax machines;
- Frequently communicate audibly, such by receiving and giving commands in emergency situations, answering questions or interacting with the public or Township officials;
- Frequently move or traverse throughout indoor and outdoor locations in emergency situations, including on uneven or slippery ground, across breaks in elevation and on elevated platforms;
- Frequently ascend or descend ladders, stairs, debris and building materials; occasionally extricate persons from dangerous situations;

- Frequently stoop, kneel, crouch or crawl, such as in inspection or suppressing fire or when rendering emergency medical care to a patient;
- Frequently reach above or below oneself to grasp items or administer care;
- Occasionally move objects weighting more than 100 pounds, such as equipment or tools or persons;
- Frequently operate fire vehicles, equipment or apparatus on and off public roadways;
- Occasionally make visual observations of fire scenes and evidence to develop and implement strategies for emergency response or inspection;
- Able to endure heights and confined spaces;
- Able to endure extreme temperatures, heavy smoke conditions, chemical, physical, and mechanical hazards;
- Able to work in protective clothing and equipment, including self-contained breathing apparatus, in smoke-filled or confined space environments while carrying tools/equipment/hose weighing 125 pounds or more;
- Able to occasionally carry, drag, and or maneuver objects/people weighing a 150 pounds or more;
- Able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicles.

Updated: June 14, 2021

TITLE: FIRE CAPTAIN

JOB OBJECTIVE:

- The Captain is responsible for administrative, supervision, and management of the Fire Department under the supervision of the Fire Chief and Assistant Chief. The Captain is assigned to a shift that is responsible for fire suppression, hazardous material response, rescue operations and emergency medical services.

QUALIFICATIONS:

- Possess a high school diploma or its equivalent;
- Possess and maintain a valid Ohio driver's license with no more than four (4) points assessed as of the date of appointment and must maintain no more than six (6) points after appointment, and remain insurable under the Township's insurance policies;
- Possess State of Ohio Safe Boaters certification within one year of appointment;
- Possess and maintain State of Ohio Firefighter I & II certification;
- Possess and maintain a State of Ohio Basic EMT-B certification;
- Possess and maintain Hazardous Materials Awareness & Operations certification; and
- Minimum of three (3) years at the rank of Lieutenant or six (6) years Firefighter;

ESSENTIAL JOB FUNCTIONS:

- Perform duties serving as a confidential staff advisor to the Fire Chief or his/her designee in researching, recommending, crafting, implementing and enforcing policies, directives and procedures;
- Implement Department goals and objectives through a comprehensive administration program and coordinate Department operations, inspections, maintenance and training under the direction of the Fire Chief or his/her designee;
- Perform the roll of officer-in-charge of all fire, rescue and medical operations for assigned shift. Assume the role of incident commander and determine an overall plan to resolve incidents until command is transferred. Direct subordinates company officers and fire crews to appropriate assignments to ensure the plan of action is followed in a safe and efficient manner;
- Determine how to deploy personnel during periods requiring special fire Department responses and assigned activities. Using independent judgement initiative and skills makes

recommendation to Fire Chief or his/her designee regarding all matters concerning fire protection, rescue procedures and emergency medical systems;

- Supervise and develop the scheduling and coordination of shift levels, changes, and activities. Responsible to ensure proper staffing levels. Supervise Fire Lieutenants and subordinates staff in their assigned duties as directed;
- Assist in long range planning and implementation of Department budget. Assist the Fire Chief or his/her designee in the planning process for capital projects and the drawing of specifications for new equipment;
- Assist in the development of minimum standards of training and technical competence for all fire Department personnel: delivers training as scheduled. Responsible for specific training programs for new employees and officer development. Ensure the readiness of personnel and equipment under their supervision. Become knowledgeable and ensures the unitization of the National Fire Incident Management System (NFIS) and the National Response Plan (NRP);
- Maintain discipline and insure that personnel follow Department rules and regulations. Evaluate work performance of subordinates. Prepare employee evaluations and effectively recommends and participates in hiring, transfers, promotions, suspensions and other disciplinary matters of subordinates;
- Assist in the development and maintenance of effective system of records and reports of alarm response, fire and causality reports, personnel actions, quarters, training, apparatus and equipment;
- Supervise the completion, maintenance and/or quality assurances of incident reports, personnel report on sick leave, vacations, shift exchanges, disciplinary actions, accident and injury reports, training and such other Department forms as needed;
- Establish and maintain the highest level of customer service by providing a positive working relationship with all stakeholders;
- Perform station inspection on a monthly basis and drafts reports and plans for issues of importance to the Fire Chief or his/her designee;
- Responsible for building and equipment maintenance readiness.
- Develop specifications, assigns duties, and supervises work of subordinates and contractors;
- Carry-out duties in conformance with Federal, State, County and Berlin Township laws and resolutions;
- Coordinate activities with other supervisors of Berlin Township and exchange information with officers in other fire departments;

- Maintain contact with general public, Department officers and other Township officials in the performance of the Department activities;
- Attend Department head meetings and Township Board Meetings at the direction of the Fire Chief or his/her designee;
- Attend all command staff and open staff meetings;
- Attend training courses, meetings and conferences as directed by Fire Chief or his/her designee;
- May be required to confer with citizens on problems, concerns, and accidents;
- Assist in planning and implementing public safety education programs for civic, educational, business and public;
- Confer with Fire Chief or his/her designee on a regular basis, discussing work processes, problems and plans and receives advice counseling and instruction;
- May respond as a member of a medical team to bring basic emergency medical care to the citizens of the community;
- Perform emergency aid activities including administering first aid and providing other assistance as required.
- Perform as a certified Firefighter/EMT according to criteria and standards set forth by the Department when assigned;
- Perform duties of a Firefighter as necessary in emergencies;
- Maintain regular, predictable in person attendance at the Township's work sites and locations;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary;
- Perform other duties as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

- Considerable ability to plan, organize, manage and administer activities required coordination with others;
- Ability to work effectively with employees, other agencies and the public;

- Ability to accept responsibility, to make decisions, to delegate responsibility and to motivate people toward a coordinated effort;
- Ability to establish and maintain effective interpersonal relationship with employees, other divisions and the public;
- Ability to communicate effectively, verbally and in writing;
- Ability to ensure compliance with and follow standard safety practices and procedures common to fire safety programs;
- Ability to research and obtain pertinent information through various resources including state statutes and administrative regulations;
- Ability to read and understand codes and ordinances. Ability to work independently with only occasional review of work performance or records;
- Ability to use personnel computer equipment to access, retrieves, or input information;
- Ability to operate fire suppression and other emergency equipment;
- Ability to apply training to others to learn standard firefighting, emergency aid, hazardous materials and fire prevention techniques;
- Ability to perform strenuous or peak physical effort during emergency, training or station maintenance activities for prolonged periods of time under conditions of extreme heights, intense heat, cold or smoke;
- Ability to act effectively in emergency and stressful situations;
- Skilled in all types of equipment and vehicle operations;
- Ability to deal with difficult working conditions and all types of weather;
- Ability to work in high places and in hazardous areas;
- Ability to ensure and follow safety practices and procedures;
- Ability to understand, speak and write the English language fluently and use proper grammar, punctuation and spelling;
- Ability to prepare, organize and maintain office data, reports and systems;
- Knowledge of Fire Department administration;

- Effective communication, oral and written, with supervisors, peers and the public;
- Understanding and following work rules, and operating guidelines;
- Read, write, add and subtract;
- Knowledge of national, state and local laws and fire/safety codes;
- Organize, direct, and coordinate written and oral reports;
- Skilled in report writing, driving of emergency vehicles, and use of computers on vehicles, two – way radios;
- Knowledge in fire protection systems, water supply, building construction, direct fire and rescue operations, disaster control, extinguishment of combustibles and flammable materials;
- Skills in firefighting, EMT, fire inspection, fire scene command and public relations.

Tools and Equipment Used:

- Fire apparatus, fire pumps, hoses and other standard firefighting equipment, ladders first aid equipment, radio, computer, phone, camera, drafting equipment, measuring devices, power tools, hand tools, rescue equipment, air monitoring devices, chain saws, shovels, brooms, ladders, air tools, exhaust fans and generators;
- Must be able to operate car, truck, fire apparatus, boats, Kubota 461, snowplow, Township tractors, and any other Berlin Township equipment as deemed by the Fire Chief;
- Must be able to apply patient restraints, first-aid equipment, oxygen blood pressure equipment, defibrillators test equipment, general medical equipment, patient lifting devices and breathing apparatus;
- Must wear steel tip boots, hearing and eye protection, firefighting turnout clothing, hi-visibility vest, and hazardous materials protective clothing.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill the essential job functions of this position, with or without a reasonable accommodation;
- This position requires work indoors and outdoors, in extreme heat, cold, wind, rain, ice and snow, and around excessive noise and moving vehicles. This position requires working with chemicals and around blood or bodily fluids or other substances. Incumbents may be subjected to threats and verbal abuse by members of the public and will be required to work in physically and emotionally stressful situations;

- Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual's ability to perform essential job-based functions;
- Continuously work in a stationary position;
- Continuously engage in repetitive movements;
- Occasionally operate office and computer equipment, such as computer, printers, word processors, phones, fax machines;
- Frequently communicate audibly, such by receiving and giving commands in emergency situations, answering questions or interacting with the public or Township officials;
- Frequently move or traverse throughout indoor and outdoor locations in emergency situations, including on uneven or slippery ground, across breaks in elevation and on elevated platforms;
- Frequently ascend or descend ladders, stairs, debris and building materials; occasionally extricate persons from dangerous situations;
- Frequently stoop, kneel, crouch or crawl, such as in inspection or suppressing fire or when rendering emergency medical care to a patient;
- Frequently reach above or below oneself to grasp items or administer care;
- Occasionally move objects weighting more than 100 pounds, such as equipment or tools or persons;
- Frequently operate fire vehicles, equipment or apparatus on and off public roadways;
- Occasionally make visual observations of fire scenes and evidence to develop and implement strategies for emergency response or inspection;
- Able to endure heights and confined spaces;
- Able to endure extreme temperatures, heavy smoke conditions, chemical, physical, and mechanical hazards;
- Able to work in protective clothing and equipment, including self-contained breathing apparatus, in smoke-filled or confined space environments while carrying tools/equipment/hose weighing 125 pounds or more;
- Able to occasionally carry, drag, and or maneuver objects/people weighing a 150 pounds or more;

- Able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicle.

Updated: June 14, 2021

TITLE: LIEUTENANT

JOB OBJECTIVES:

- Under the supervision of the Fire Chief and/or Assistant Chief. Plans, organizes, directs, administers all operations of the fire Department assigned to him/her by the Fire Chief within the authority delegated, and performs any other duties as assigned by the Berlin Township Board of Trustees (the “Board”), any Board member or designee of the Board. Also, in the absence of a chief officer shall perform all applicable duties.

QUALIFICATIONS:

- Must possess a High school diploma or equivalent;
- Minimum of three (3) years of extensive experience in firefighting work of a progressively responsible nature;
- Must have and maintain a valid Ohio driver’s license with not more than four (4) points assessed as of the date of appointment and must maintain no more than six (6) points after appointment, and remain insurable under the Township’s insurance policies;
- Possess State of Ohio Safe Boaters certification within one year of appointment;
- Completion of Essentials of Firefighting, RIT, Incident Command certification;
- Possess and maintain State of Ohio Firefighter I & II certification;
- Possess and maintain a State of Ohio Basic EMT-B certification;
- Possess and maintain Hazardous Materials Awareness & Operations certification; and
- Must remain insurable under the applicable Township’s insurance policies.

ESSENTIAL JOB FUNCTIONS:

- Develop and coordinates plans for assigned tactical objectives at an emergency scene;
- Direct as well as participates in fire extinguishment and/or rescue;
- Communicate with Township officials, officers, employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- Attend training programs oriented to the duties of a company officer;

- Respond to emergency calls as necessary and may assume command and direct activities (in the absence of a chief officer) under the Department's jurisdiction and authority;
- Perform all the essential functions and examples of duties of the classification of firefighter;
- Maintain communication among subordinates;
- Required to attend certification classes and seminars outside of the immediate area, as well as pertinent meetings;
- Assist in preparation of a master plan for future Department operations;
- Maintains regular, predictable in person attendance at the Township's work sites and locations;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary;
- Performs other duties as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

- Considerable ability to plan, organize, manage and administer activities required coordination with others;
- Ability to work effectively with employees, other agencies and the public;
- Ability to accept responsibility, to make decisions, to delegate responsibility and to motivate people toward a coordinated effort;
- Ability to establish and maintain effective interpersonal relationship with employees, other divisions and the public;
- Ability to communicate effectively, verbally and in writing;
- Ability to ensure compliance with and follow stand safety practices and procedures common to fire safety programs;
- Ability to research and obtain pertinent information through various resources including state statutes and administrative regulations;
- Ability to read and understand codes and ordinances. Ability to work independently with only occasional review of work performance or records;
- Ability to use personnel computer equipment to access, retrieves, or input information;

- Ability to operate fire suppression and other emergency equipment;
- Ability to apply training to others to learn standard firefighting, emergency aid, hazardous materials and fire prevention techniques;
- Ability to perform strenuous or peak physical effort during emergency, training or station maintenance activities for prolonged periods of time under conditions of extreme heights, intense heat, cold or smoke;
- Ability to act effectively in emergency and stressful situations;
- Skilled in all types of equipment and vehicle operations;
- Ability to deal with difficult working conditions and all types of weather;
- Ability to work in high places and in hazardous areas;
- Ability to ensure and follow safety practices and procedures;
- Ability to understand, speak and write the English language fluently and use proper grammar, punctuation and spelling;
- Ability to prepare, organize and maintain office data, reports and systems;
- Knowledge of Fire Department administration;
- Effective communication, oral and written, with supervisors, peers and the public;
- Understanding and following work rules, and operating guidelines;
- Read, write, add and subtract;
- Knowledge of national, state and local laws and fire/safety codes;
- Organize, direct, and coordinate written and oral reports;
- Skilled in report writing, driving of emergency vehicles, and use of computers on vehicles, two – way radios;
- Knowledge in fire protection systems, water supply, building construction, direct fire and rescue operations, disaster control, extinguishment of combustibles and flammable materials;
- Skills in firefighting, EMT, fire inspection, fire scene command and public relations.

Tools and Equipment Used:

- Fire apparatus, fire pumps, hoses and other standard firefighting equipment, ladders first aid equipment, radio, computer, phone, camera, drafting equipment, measuring devices, power tools, hand tools, rescue equipment, air monitoring devices, chain saws, shovels, brooms, ladders, air tools, exhaust fans and generators;
- Must be able to operate car, truck, fire apparatus, boats, Kubota 461, snowplow, Township tractors, and any other Berlin Township equipment as deemed by the Fire Chief;
- Must be able to apply patient restraints, first-aid equipment, oxygen blood pressure equipment, defibrillators test equipment, general medical equipment, patient lifting devices and breathing apparatus;
- Must wear steel tip boots, hearing and eye protection, firefighting turnout clothing, hi-visibility vest, and hazardous materials protective clothing.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill the essential job functions of this position, with or without a reasonable accommodation;
- This position requires work indoors and outdoors, in extreme heat, cold, wind, rain, ice and snow, and around excessive noise and moving vehicles. This position requires working with chemicals and around blood or bodily fluids or other substances. Incumbents may be subjected to threats and verbal abuse by members of the public and will be required to work in physically and emotionally stressful situations;
- Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual's ability to perform essential job-based functions;
- Continuously work in a stationary position;
- Continuously engage in repetitive movements;
- Occasionally operate office and computer equipment, such as computer, printers, word processors, phones, fax machines;
- Frequently communicate audibly, such by receiving and giving commands in emergency situations, answering questions or interacting with the public or Township officials;
- Frequently move or traverse throughout indoor and outdoor locations in emergency situations, including on uneven or slippery ground, across breaks in elevation and on elevated platforms;

- Frequently ascend or descend ladders, stairs, debris and building materials; occasionally extricate persons from dangerous situations;
- Frequently stoop, kneel, crouch or crawl, such as in inspection or suppressing fire or when rendering emergency medical care to a patient;
- Frequently reach above or below oneself to grasp items or administer care;
- Occasionally move objects weighting more than 100 pounds, such as equipment or tools or persons;
- Frequently operate fire vehicles, equipment or apparatus on and off public roadways;
- Occasionally make visual observations of fire scenes and evidence to develop and implement strategies for emergency response or inspection;
- Able to endure heights and confined spaces;
- Able to endure extreme temperatures, heavy smoke conditions, chemical, physical, and mechanical hazards;
- Able to work in protective clothing and equipment, including self-contained breathing apparatus, in smoke-filled or confined space environments while carrying tools/equipment/hose weighing 125 pounds or more;
- Able to occasionally carry, drag, and or maneuver objects/people weighing a 150 pounds or more;
- Able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicle.

Updated: June 14, 2021

TITLE: FIRE SAFETY INSPECTOR

JOB OBJECTIVE:

- Under the supervision of the Fire Chief and/or Assistant Chief. Plans, organizes, directs, and administers all operations of the fire Department relating to fire inspection, fire prevention and fire education, and performs any other duties as assigned by the Berlin Township Board of Trustees (the “Board”), any Board member or designee of the Board.

QUALIFICATIONS:

- Must possess a High school diploma or equivalent;
- Minimum of three (3) years of extensive experience in firefighting work of a progressively responsible nature;
- Must have and maintain a valid Ohio driver’s license with not more than four (4) points assessed as of the date of appointment and must maintain no more than six (6) points after appointment, and remain insurable under the Township’s insurance policies;
- Possess State of Ohio Safe Boaters certification within one year of appointment;
- Possess and maintain Ohio Fire Inspector certification;
- Completion of Essentials of Firefighting, Incident Command, Hazardous Materials Awareness, and Fire Investigation Techniques and maintain an Ohio EMT-B certification;
- Must have and maintain State of Ohio Firefighter I & II certifications; and
- Must remain insurable under the applicable Township’s insurance policies.

ESSENTIAL JOB FUNCTIONS:

- Develop and coordinate plans for efficient and effective operations within assigned areas;
- Oversee the administration of assigned areas;
- Attend training programs oriented to their duties;
- Coordinate pre-fire planning within the Department;
- Drive fire apparatus and operate pump and other equipment associated with firefighting, rescue, salvage and maintenance;
- Enter burning buildings to accomplish extinguishment and/or rescue;

- Advance charged and uncharged hose lines and apply extinguishing agents to fires;
- Position and climb ladders to gain access to upper floors or to accomplish rescue;
- Protect property from unnecessary smoke and water damage by using salvage covers, positive pressure ventilation fans and water vacuum;
- Responds to emergency calls as necessary and may assume command and direct activities (in the absence of higher-ranking personnel) under the Department's jurisdiction and authority; and
- Assist the Chief for Safety and Training on the fire ground or his designee with various aspects of fire ground safety including but not limited to on scene safety, establishment of hot zone, accountability and staging of apparatus and personnel.
- Responsible for all Department operations and activities within assigned areas;
- Maintain communication among subordinates and peers;
- Establishment of goals, objectives, and priorities for the continued operation of the Department within assigned areas;
- Delegate authority and responsibility for the achievement of goals, objectives, and priorities;
- Enforce rules, regulations, codes, and resolutions adopted by the Township;
- Required to attend certification classes and seminars outside of the immediate area;
- Communicates with Township officials, officers, employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- Abide by all Fire Department rules, regulations and standard operating guidelines;
- Maintains regular, predictable in person attendance at the Township's work sites and locations.
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary.
- Performs other duties as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

- Considerable ability to plan, organize, manage and administer activities required coordination with others;

- Ability to work effectively with employees, other agencies and the public;
- Ability to accept responsibility, to make decisions, to delegate responsibility and to motivate people toward a coordinated effort;
- Ability to establish and maintain effective interpersonal relationship with employees, other divisions and the public;
- Ability to communicate effectively, verbally and in writing;
- Ability to follow stand safety practices and procedures common to fire safety programs;
- Ability to read and understand codes and ordinances. Ability to work independently with only occasional review of work performance or records;
- Ability to use personnel computer equipment to access, retrieves, or input information;
- Ability to operate fire suppression and other emergency equipment;
- Ability to apply training to others to learn standard firefighting, emergency aid, hazardous materials and fire prevention techniques;
- Ability to perform strenuous or peak physical effort during emergency, training or station maintenance activities for prolong periods of time under conditions of extreme heights, intense heat, cold or smoke;
- Ability to act effectively in emergency and stressful situations;
- Skilled in all types of equipment and vehicle operations;
- Ability to deal with difficult working conditions and all types of weather;
- Ability to work in high places and in hazardous areas;
- Ability to follow safety practices and procedures;
- Ability to understand, speak and write the English language fluently and use proper grammar, punctuation and spelling;
- Ability to prepare, organize and maintain office data, reports and systems;
- Effective communication, oral and written, with supervisors, peers and the public;
- Ability to understand and follow work rules, and operating guidelines;

- Ability to read, write, add and subtract;
- Knowledge of national, state and local laws and fire/safety codes;
- Ability to organize, direct, and coordinate written and oral reports;
- Skilled in report writing, driving of emergency vehicles, and use of computers on vehicles, two – way radios;
- Knowledge in fire protection systems, water supply, building construction, direct fire and rescue operations, disaster control, extinguishment of combustibles and flammable materials;

Tools and Equipment Used:

- Fire apparatus, fire pumps, hoses and other standard firefighting equipment, ladders first aid equipment, radio, computer, phone, camera, drafting equipment, measuring devices, power tools, hand tools, rescue equipment, air monitoring devices, chain saws, shovels, brooms, ladders, air tools, exhaust fans and generators;
- Must be able to operate car, truck, fire apparatus, boats, Kubota 461, snowplow, Township tractors, and any other Berlin Township equipment as deemed by the Fire Chief;
- Must be able to apply patient restraints, first-aid equipment, oxygen blood pressure equipment, defibrillators test equipment, general medical equipment, patient lifting devices and breathing apparatus;
- Must wear steel tip boots, hearing and eye protection, firefighting turnout clothing, hi-visibility vest, and hazardous materials protective clothing.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill the essential job functions of this position, with or without a reasonable accommodation;
- This position requires work indoors and outdoors, in extreme heat, cold, wind, rain, ice and snow, and around excessive noise and moving vehicles. This position requires working with chemicals and around blood or bodily fluids or other substances. Incumbents may be subjected to threats and verbal abuse by members of the public and will be required to work in physically and emotionally stressful situations;
- Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual's ability to perform essential job-based functions;
- Continuously work in a stationary position;

- Continuously engage in repetitive movements;
- Occasionally operate office and computer equipment, such as computer, printers, word processors, phones, fax machines;
- Frequently communicate audibly, such by receiving and giving commands in emergency situations, answering questions or interacting with the public or Township officials;
- Frequently move or traverse throughout indoor and outdoor locations in emergency situations, including on uneven or slippery ground, across breaks in elevation and on elevated platforms;
- Frequently ascend or descend ladders, stairs, debris and building materials; occasionally extricate persons from dangerous situations;
- Frequently stoop, kneel, crouch or crawl, such as in inspection or suppressing fire or when rendering emergency medical care to a patient;
- Frequently reach above or below oneself to grasp items or administer care;
- Occasionally move objects weighting more than 100 pounds, such as equipment or tools or persons;
- Frequently operate fire vehicles, equipment or apparatus on and off public roadways;
- Occasionally make visual observations of fire scenes and evidence to develop and implement strategies for emergency response or inspection;
- Able to endure heights and confined spaces;
- Able to endure extreme temperatures, heavy smoke conditions, chemical, physical, and mechanical hazards;
- Able to work in protective clothing and equipment, including self-contained breathing apparatus, in smoke-filled or confined space environments while carrying tools/equipment/hose weighing 125 pounds or more;
- Able to occasionally carry, drag, and or maneuver objects/people weighing a 150 pounds or more;
- Able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicle.

Updated: June 14, 20

TITLE: FIREFIGHTER

JOB OBJECTIVE:

- Under the direct supervision of the Lieutenant, Assistant Fire Chief and Fire Chief. Protects lives and property through activities associated with fire prevention, rescue, firefighting, hazardous materials and emergency medical incidents and participates in the training and maintenance activities necessary to achieve that end, and performs any other duties as assigned by the Berlin Township Board of Trustees (the “Board”), any Board member or designee of the Board.

QUALIFICATIONS:

- Must possess a High school diploma or its equivalent;

Must possess and maintain a valid Ohio driver’s license with no more than four (4) points assessed as of the date of appointment and must maintain no more than six (6) points after appointment, and must remain insurable under the applicable Township insurance policies; and

- Part-Time Firefighter Position:
 - If hired after October 1, 2005, possess and maintain State of Ohio Firefighter I & II certification, (if hired prior to October 1, 2005, possess and maintain State of Ohio 36 hour certification);
 - If hired after October 1, 2005, possess and maintains a State of Ohio EMT-Basic certification;
 - Possess and maintain Hazardous Materials Awareness & Operations at the time of appointment;
 - Possess State of Ohio Safe Boaters certification within one year of appointment;
- Full-Time Firefighter Position:
 - Possess and maintains State of Ohio Firefighter I & II certification;
 - Possess and maintains a State of Ohio Basic EMT-B certification;
 - Possess and maintains Hazardous Material Awareness & Operations certification;
 - Possess State of Ohio Safe Boaters certification within one year of appointment.

ESSENTIAL FUNCTIONS:

- Responds promptly to fire alarms and other emergency calls when on duty or when available

off duty;

- Drives fire apparatus and operates pump and other equipment associated with firefighting, rescue, salvage and maintenance;
- Enters burning buildings to accomplish extinguishment and/or rescue;
- Advances charged and uncharged hose lines and applies extinguishing agents to fires;
- Protects property from unnecessary smoke and water damage by using salvage covers, positive pressure ventilation fans and water vacuum;
- Positions and climbs ladders to gain access to upper floors or to accomplish rescue;
- Climbs, crawls and runs as necessary to accomplish fire extinguishment, rescue and personal safety;
- Communicates with Township officials, Township officers, Township employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- Abide by all Fire Department rules, regulations and standard operating guidelines;
- Works overtime as may be required from time to time;
- Carries or moves heavy equipment and/or objects necessary to accomplish fire extinguishment or rescue;
- Effectively communicates verbally by means of two-way radio as well as person-to-person and in writing through completion of various records, reports, memos and letters;
- Provides emergency medical service to fire or accident victims and assists the local emergency medical service provider as necessary or when requested;
- Inspects buildings for fire hazards and completes pre-fire plans as appropriate;
- Maintains apparatus, equipment, buildings and grounds;
- Participates in all phases of training necessary to acquire the knowledge and skills required of the position;
- Assists Company Officer in maintaining records and submitting reports;
- Serves as Acting Lieutenant (or company/shift officer) when so designated;

- Performs other duties as required.

KNOWLEDGE, SKILLS & ABILITIES:

- Considerable ability to plan, organize, manage and administer activities required coordination with others;
- Ability to work effectively with employees, other agencies and the public;
- Ability to accept responsibility, to make decisions, to delegate responsibility and to motivate people toward a coordinated effort;
- Ability to establish and maintain effective interpersonal relationship with employees, other divisions and the public;
- Ability to communicate effectively, verbally and in writing;
- Ability to follow stand safety practices and procedures common to fire safety programs;
- Ability to read and understand codes and ordinances. Ability to work independently with only occasional review of work performance or records;
- Ability to use personnel computer equipment to access, retrieves, or input information;
- Ability to operate fire suppression and other emergency equipment;
- Ability to apply training to others to learn standard firefighting, emergency aid, hazardous materials and fire prevention techniques;
- Ability to perform strenuous or peak physical effort during emergency, training or station maintenance activities for prolong periods of time under conditions of extreme heights, intense heat, cold or smoke;
- Ability to act effectively in emergency and stressful situations;
- Skilled in all types of equipment and vehicle operations;
- Ability to deal with difficult working conditions and all types of weather;
- Ability to work in high places and in hazardous areas;
- Ability to follow safety practices and procedures;
- Ability to understand, speak and write the English language fluently and use proper grammar,

- punctuation and spelling;
- Ability to prepare, organize and maintain office data, reports and systems;
 - Effective communication, oral and written, with supervisors, peers and the public;
 - Ability to understand and follow work rules, and operating guidelines;
 - Ability to read, write, add and subtract;
 - Knowledge of national, state and local laws and fire/safety codes;
 - Ability to organize, direct, and coordinate written and oral reports;
 - Skilled in report writing, driving of emergency vehicles, and use of computers on vehicles, two – way radios;
 - Knowledge in fire protection systems, water supply, building construction, direct fire and rescue operations, disaster control, extinguishment of combustibles and flammable materials;

Tools and Equipment Used:

- Fire apparatus, fire pumps, hoses and other standard firefighting equipment, ladders first aid equipment, radio, computer, phone, camera, drafting equipment, measuring devices, power tools, hand tools, rescue equipment, air monitoring devices, chain saws, shovels, brooms, ladders, air tools, exhaust fans and generators;
- Must be able to operate car, truck, fire apparatus, boats, Kubota 461, snowplow, Township tractors, and any other Berlin Township equipment as deemed by the Fire Chief;
- Must be able to apply patient restraints, first-aid equipment, oxygen blood pressure equipment, defibrillators test equipment, general medical equipment, patient lifting devices and breathing apparatus;
- Must wear steel tip boots, hearing and eye protection, firefighting turnout clothing, hi-visibility vest, and hazardous materials protective clothing.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill the essential job functions of this position, with or without a reasonable accommodation;
- This position requires work indoors and outdoors, in extreme heat, cold, wind, rain, ice and snow, and around excessive noise and moving vehicles. This position requires working with

chemicals and around blood or bodily fluids or other substances. Incumbents may be subjected to threats and verbal abuse by members of the public and will be required to work in physically and emotionally stressful situations;

- Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual's ability to perform essential job-based functions;
- Continuously work in a stationary position;
- Continuously engage in repetitive movements;
- Occasionally operate office and computer equipment, such as computer, printers, word processors, phones, fax machines;
- Frequently communicate audibly, such by receiving and giving commands in emergency situations, answering questions or interacting with the public or Township officials;
- Frequently move or traverse throughout indoor and outdoor locations in emergency situations, including on uneven or slippery ground, across breaks in elevation and on elevated platforms;
- Frequently ascend or descend ladders, stairs, debris and building materials; occasionally extricate persons from dangerous situations;
- Frequently stoop, kneel, crouch or crawl, such as in inspection or suppressing fire or when rendering emergency medical care to a patient;
- Frequently reach above or below oneself to grasp items or administer care;
- Occasionally move objects weighting more than 100 pounds, such as equipment or tools or persons;
- Frequently operate fire vehicles, equipment or apparatus on and off public roadways;
- Occasionally make visual observations of fire scenes and evidence to develop and implement strategies for emergency response or inspection;
- Able to endure heights and confined spaces;
- Able to endure extreme temperatures, heavy smoke conditions, chemical, physical, and mechanical hazards;
- Able to work in protective clothing and equipment, including self-contained breathing apparatus, in smoke-filled or confined space environments while carrying

tools/equipment/hose weighing 125 pounds or more;

- Able to occasionally carry, drag, and or maneuver objects/people weighing a 150 pounds or more;
- Able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicle.

Updated: June 14, 2021

TITLE: ROAD SUPERINTENDENT

JOB OBJECTIVES:

- The Road Superintendent is a management level employee who shall be the Department Head and supervisor of personnel for all aspects of the roads, right of ways and Township facilities. Supervision will include the responsibility for road maintenance, facilities and grounds maintenance, and equipment maintenance. The Road Superintendent will work with the Township Fiscal Officer and Board of Trustees and be responsible for the Department budget, personnel management, routine maintenance, capital purchasing, contract management, and reporting.
- The Road Superintendent shall have charge of maintenance and repair of roads within the Township.
- The Road Superintendent will also carry-out or direct care of the cemetery buildings and grounds per the directives of the Board of Trustees.
- Individual is responsible for performing skilled to semi-skilled routine labor tasks for the maintenance and repair of Township roads, bridges, and culverts using a variety of hand and small power tools. Incumbent is also responsible for scheduling and supervising the routine tasks of equipment maintenance, the repairing, maintaining and constructing Township roads and culverts, and for any other duties as assigned by the Berlin Township Board of Trustees (the "Board").
- The Road Superintendent reports to the Board of Trustees or any Board member or designee of the Board, and serves at the pleasure of the Board.

QUALIFICATIONS:

- 5+ Years Experience;
- High school diploma or equivalent plus a minimum of one (1) year relevant work experience in general roadway maintenance, construction and/or the operation of medium to heavy duty truck;
- Must possess a valid State of Ohio Commercial Driver's License with a Class B Endorsement and an acceptable driving record;
- Must remain insurable under the applicable Township's insurance policies;
- Must maintain a telephone at place of residence and be available for work on short notice and outside scheduled work hours.

ESSENTIAL JOB FUNCTIONS:

- Act as the Township Superintendent in accordance with Ohio Rev. Code 5571.02.
- Plan, schedule, organize and direct staff operations of the Roads and Cemetery Departments.
- Effectively manage others in the Department including preparation and delivery of performance reviews, corrective action, and delivering overall effective leadership.
- Maintain the confidentiality in non-public information, including non-public personnel information.
- Recommend the hire, transfer, discipline, layoff, recall, promotion or assignment of employees.
- Recommend the Township's response to and adjustment of grievances.
- Assists the Board of Trustees in the preparation for and conduct of any collective bargaining negotiations with any bargaining units within these Departments and administer such collective bargaining agreements.
- Know, follow and implement all sections of the Township Employee Handbook and other Township policies within the Department.
- Prepare and submit the Department Annual Budget and operate the Department within the final budget approved by the Board of Trustees.
- Direct the maintenance, repair and improvement of roads consistent with duties imposed upon the Township Superintendent by the Ohio Revised Code and the Board of Trustees.
- Monitor roads within the Township and remedy clear obstructions and hazards.
- Communicate with other government entities, such as the Delaware County Sheriff's office and Delaware County Engineer's Office about the condition of roads in the Township.
- Coordinate with the Delaware County Engineer and outside contractors for road related projects.
- Operates light to medium equipment, such as power saws, weed eaters, chain saws, jack hammer, compactor, etc. to perform construction, repair, and maintenance work for Township roadway and bridge systems to include loading/unloading dirt, spreading gravel, stone, mix and/or tar, establishing level and/or grade, repairing/installing culverts, digging ditches, digging footers, landscaping, backfilling, signing, painting, and other similar activities;
- Transports tools, supplies, and materials to and from various job sites as needed;

- Directs and performs manual labor tasks, such as washing vehicles, tractors, golf carts and gators, loading/unloading trucks, patching roads, filling potholes, cutting brush and trees, removing tree limbs and other debris from the roadway/roadside, mixing and pouring concrete, and cleaning culverts;
- Inspects, maintains and replaces roadway signs and related components, clears brush and other obstructions to alleviate problems of visibility of signage, erects and inspects various warning and detour signs;
- Directs and performs general maintenance of Township buildings (i.e. painting, light replacement, fan maintenance, etc...);
- Directs and performs flagging activities to control traffic flow as needed;
- Directs and performs inspections of Township roads during inclement weather, and communicate road conditions to the Delaware County Sheriff and Engineer;
- Directs and performs snow removal activities and spreads salt/grit mixture for snow and ice control as needed;
- Directs and performs preventive maintenance to tools and equipment to include cleaning, lubricating, adding fluids and performing routine adjustments, and maintains equipment records;
- Directs and performs ground maintenance duties to include, but not limited to, mowing grass, raking grass, leaves and other debris, and disposing of same in an environmentally acceptable manner;
- Maintains road records consistent with Township records policies;
- Initiates purchase order requests;
- Maintains equipment inventories (signs, posts, salt, gravel, etc.);
- Supervises road Department laborers and approves employee's timesheets;
- Supervises and inspects Township road projects;
- Supervises and inspects driveway culvert installations;
- Reports all accidents and injuries to Fiscal Officer;
- Works overtime as may be required from time to time;
- Communicates with Township officials, Township officers, Township employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;

- On a semi-monthly, monthly and yearly, or other basis, presents acceptable written and verbal reports to the Board and Trustee Liaison on Department activities, and provides information requested by Board members;
- Performs general custodial duties such as sweeping, mopping, and/or cleaning of facilities, clearing facility sidewalks and parking lot of snow; and
- Performs general maintenance and repair of facilities;
- Maintains regular, predictable in person attendance at the Township's work sites and locations;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary;
- Perform other duties as assigned.

Additional Essential Cemetery Related Functions

- Assist contractor in digging graves;
- The day of the funeral check out grave for any standing water or caving in on the sides;
- One hour before the funeral time make sure the vault man is here and everything is set;
- Check with vault man for preferred driveway usage and let the undertaker know. Inquire as to how many cars are to be expected. Allow parking on both sides of the road. Whichever undertaker contacts us in the beginning will be your contact through the process, keep name and number handy. Make sure head of casket is in the right location- the head should be at the north and the feet at the south;
- Do any courtesy work and stay out of the way of graveside service;
- Overlook the lowering of the casket to make sure it is lined correctly as well as the cement lid. Road Department should then start backfilling the grave with dirt. It is imperative that the vault not be left unattended until the vault/casket is covered with dirt.
- Follow other processes as established by the Board.

KNOWLEDGE, SKILLS & ABILITIES:

- Ability to use the following equipment: a variety of hand and small power tool, e.g. shovel, rake, weed eater, power saw, etc., light duty vehicles, tractors, heavy duty trucks, two-way radio, and other related equipment as required to complete work assignments.
- Communication skills to comprehend and act upon written and oral instructions, policies, and procedures pertaining to assigned duties;
- Ability to work at heights of 18 feet or greater;

- Ability to understand general highway and bridge construction, repair and maintenance procedures, and the ability to make practical application to the work assignments;
- Ability to perform a variety of unskilled labor tasks relevant to construction, repair, and maintenance of Township roads, bridges and culverts.
- Ability to use power/air driven tools, light to medium equipment to complete work assignments;
- Ability to work well with others and to function individually or as a member of a work crew;
- Knowledge of organizational and work zone safety practices and procedures and the ability to apply to the work environment;
- Ability to perform heavy manual labor for prolonged periods, often under adverse weather conditions and often outside scheduled work hours;
- Ability to timely and professionally communicate effectively with residents and other government agencies;
- Ability to timely and professionally write correspondence, memoranda, emails, reports and budget documents;
- Knowledge of the policies, procedures, and methods of the Road Department and the relationship they have to work assignments; and
- Knowledge of policies and procedures relative to the Department.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill all essential job functions of this position with or without a reasonable accommodation;
- Individual performs heavy work which may require lifting more than fifty (50) pounds frequently. The work of this position is primarily performed outside and requires sustained physical exertion while doing a variety of facility, road and cemetery maintenance and repair activities. Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual's ability to perform essential job-based functions;
- Individual performs the following physical activities: climbing, climbing ladders, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, communicating, and performing repetitive motions. Physical qualifications set forth in 49 CFR 391, Subpart E, Section 391.41 for holding a valid State of Ohio Commercial Driver's License are included herein by reference;

- Individual must be able to see at close distances and beyond arm's reach. Depth perception and peripheral vision are required to safely operate vehicle(s) and other heavy equipment. Neck mobility is necessary when operating snowplow equipment;
- Individual works inside and outside, with exposure to extremes in temperatures and weather conditions, noise, dirt and mechanical hazards. Individual is frequently exposed to vibrations, atmospheric conditions, substances like oil, and various other hazards. Work can be exacting and incumbent may work alone or in teams. The incumbent must be able to work at various heights to complete work assignments.

Safety Equipment

- Individual is regularly required to use hard hat, eye protection, hearing protection, rubber/leather gloves, highway safety vest, reflective roadway markers, vehicle lights, safety/seat belts, steel-toe shoes, and any other safety equipment necessary to complete work duties.

Updated: September 15, 2021

TITLE: PART-TIME BERLIN TOWNSHIP ASSISTANT ZONING INSPECTOR

JOB OBJECTIVES:

- The Assistant Zoning Inspector will perform a variety of tasks related to Township zoning activities and assist in the daily operations of the Zoning Department and prepare documents for authorization by the Zoning inspector. The Assistant Zoning Inspector reports to the Board, individual Trustees, or the Board's designee.

Applicant should be willing to work independently six (6) to ten (10) hours on the weekend and should have strong organization and communication skills to interact with the public.

- Independent judgment is exercised, based on knowledge of duties. Work involves regular contact with residents, employees, supervisors, potential builders, fire, and elected officials.

QUALIFICATIONS:

- High school education plus a minimum of 2 years of general office experience which must include working collaboratively and serving clients or customers.
- Must have a working knowledge of Microsoft Office – Word, Outlook, Excel, PowerPoint and other software programs.
- Must possess a valid driver's license.
- Must remain bonded and/or insurable under the applicable Township policies.
- Ideal applicants will possess a college degree in the field of planning or the equivalent to at least 1 to 2 years of work experience preferred that contains some combination of private, municipal, or another governmental role in the area of planning/zoning or a related field.

ESSENTIAL JOB FUNCTIONS - May include, but not limited to the following:

- Preparing zoning permit forms that comply with the Zoning Resolution
- Perform on-site inspections to verify zoning compliance or review site conditions
- Review zoning procedures and make recommendations for improvement to the Zoning liaison
- Explain the application process and review procedures with applicants for variances/appeals, conditional use permits, site plan review applications; review subdivision plans for zoning compliance
- Perform zoning related work as assigned

- Communicates with Township officials, Township officers, Township employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
- Prepares professionally written correspondence, completes forms and develops reports associated with the public assistance operation;
- Handles client complaints and public inquiries regarding programs;
- Maintains regular, predictable in person attendance at the Township's work sites and locations;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary;
- Performs other duties as assigned.

KNOWLEDGE, SKILLS AND ABILITIES:

- Ability to operate a variety of office equipment such as computer, copier, typewriter, telephone, calculator, facsimile machine, small hand tools, probe, tape measure, measuring wheel, architect scale, engineer scale, and other equipment necessary to perform duties;
- Ability to comprehend various construction drawings;
- Ability to read, comprehend and interpret zoning text;
- Ability to consistently enforce codes and regulations without backing down;
- Knowledge of general surveying terms and procedures;
- Knowledge of state and local zoning law;
- Ability to schedule work to achieve time critical objectives;
- Ability to request assistance when appropriate;
- Ability to read and understand blueprints;
- Knowledge of general construction, terminology, and general materials and methods;

- Ability to define and solve problems, collect data, establish facts, draw valid conclusions using judgment, and analytical skills;
- Extensive knowledge of and ability to apply program policies and procedures to assist staff in the performance of their responsibilities;
- Ability to communicate timely, professionally and effectively, both orally and written;
- Ability to work effectively with members of the public who may be upset, distraught, irate, emotionally or mentally or otherwise unable to function within reasonable range of constructive behaviors;
- Ability to work independently, under time sensitive deadlines, and to set and achieve goals;
- Ability to organize and maintain large volumes of information and paperwork; and
- Ability to effectively program plan independently and in collaboration with other staff units and outside agencies.

WORKING REQUIREMENTS & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill the essential job functions of this position, with or without a reasonable accommodation;
- The physical requirements of the position are identified as sedentary work which may require the lifting of up to fifty (50) pounds. Individual may, from time to time, as determined by the Board, be required to pass a physical examination to determine the individual's ability to perform essential job-based functions;
- The physical activity of the position includes communicating, reaching, lifting and walking;
- Individual must be able to see at close distances and beyond arm's reach;
- The work environments of this position are performed in both a climate-controlled office setting and outdoors in an uncontrolled setting, which may require the incumbent to work in inclement weather (cold, snow or ice, rain, heat, etc.) for long periods of continuous time, and around chemicals or other substances, on uneven footing and various surfaces.

Updated: July 10, 2022

TITLE: BERLIN TOWNSHIP OPERATIONS SPECIALIST

JOB OBJECTIVES:

- Provides administrative (clerical, technical, general office) support to Zoning, Cemetery, and other departments as needed, performing a wide variety of routine and complex administrative tasks related to specific projects and the day-to-day operations of the Township. This is a full-time, non-exempt position. This position reports to the Board, individual Trustees, or the Board's designee.
- This is an administrative position providing relatively complex office work specific to zoning, cemetery, parks and trails, media, and technology.
- Independent judgment is exercised, based on knowledge of duties. Work involves regular contact with residents, employees, supervisors, potential builders, fire, and elected officials.

QUALIFICATIONS:

- High school education plus a minimum of 2 years of general office experience which must include working collaboratively and serving clients or customers.
- Must have a working knowledge of Microsoft Office – Word, Outlook, Excel, PowerPoint and other software programs. Must possess a valid driver's license.

ESSENTIAL JOB FUNCTIONS: - May include, but not limited to the following:

- Greet visitors to the township hall maintaining office hours 8am-4:30pm Monday through Friday
- Provide general office, clerical, technical and related administrative support service
- Respond to personal telephone, written, or electronic internal or external inquiries
- Screen callers and determines proper referral of callers using courtesy, tact, and diplomacy
- Process paperwork for cemetery services
- Maintain the township website
- Maintain the township Facebook page and other township social media authorized by the Board
- Establish, modify, and maintain filing and recordkeeping systems and retention files.
- Maintain, sort and distribute of all incoming mail and distribution
- Organize supply closet and order supplies as needed.
- Maintain purchase order records, distribution, and receipts.
- Complete necessary departmental filing needs.
- Communicates with Township officials, Township officers, Township employees, outside

agencies and residents in with respect and dignity and in a professional and business-like manner;

- Prepares professionally written correspondence, completes forms and develops reports associated with the public assistance operation;
- Handles client complaints and public inquiries regarding programs;
- Maintains regular, predictable in person attendance at the Township's work sites and locations;
- Work irregular hours (evenings, nights, weekends, etc.) or overtime as necessary;
- Performs other duties as assigned.

REQUIRED SKILLS AND ABILITIES:

- Must possess strong communication skills exercising professionalism, courtesy, tact, and diplomacy in dealing with others.
- Must be process driven and meticulously detail oriented.
- Must be available to work in person and arrive dependably and punctually.
- Must be able to operate and use modern office equipment, including computers, printers.
- Establish and maintain effective working relationships with those contacted in the course of work including Township officials and the general public.
- Prior experience working in a local government is preferred.
- Knowledge of Township administrative procedures;
- Ability to maintain a positive attitude with the general public, fellow employees and members of Township boards and commissions.

WORKING ENVIRONMENT & CONDITIONS:

- The working conditions and physical and mental demands of this job are as necessary to fulfill the essential job functions of this position, with or without a reasonable accommodation;
- The incumbent must be able to continuously work in a stationary position for up to the entire workday; continuously engage in repetitive movements; frequently operate office and computer equipment, such as computer, printers, word processors, phones, fax machines; frequently communicate, such as providing information or answering questions or interacting with the public or Township officials; frequently move or traverse throughout indoor locations; occasionally reach; occasionally move supplies or equipment of up to 50 pounds by lifting, pushing, carrying or pulling;
- The work environments of this position are performed mainly in a climate-controlled office setting.

Updated: July 10, 2022