

Berlin Township

Employee Handbook

Effective January 1, 2012

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CHAPTER I – INTRODUCTION

SECTION 1.01 PURPOSE

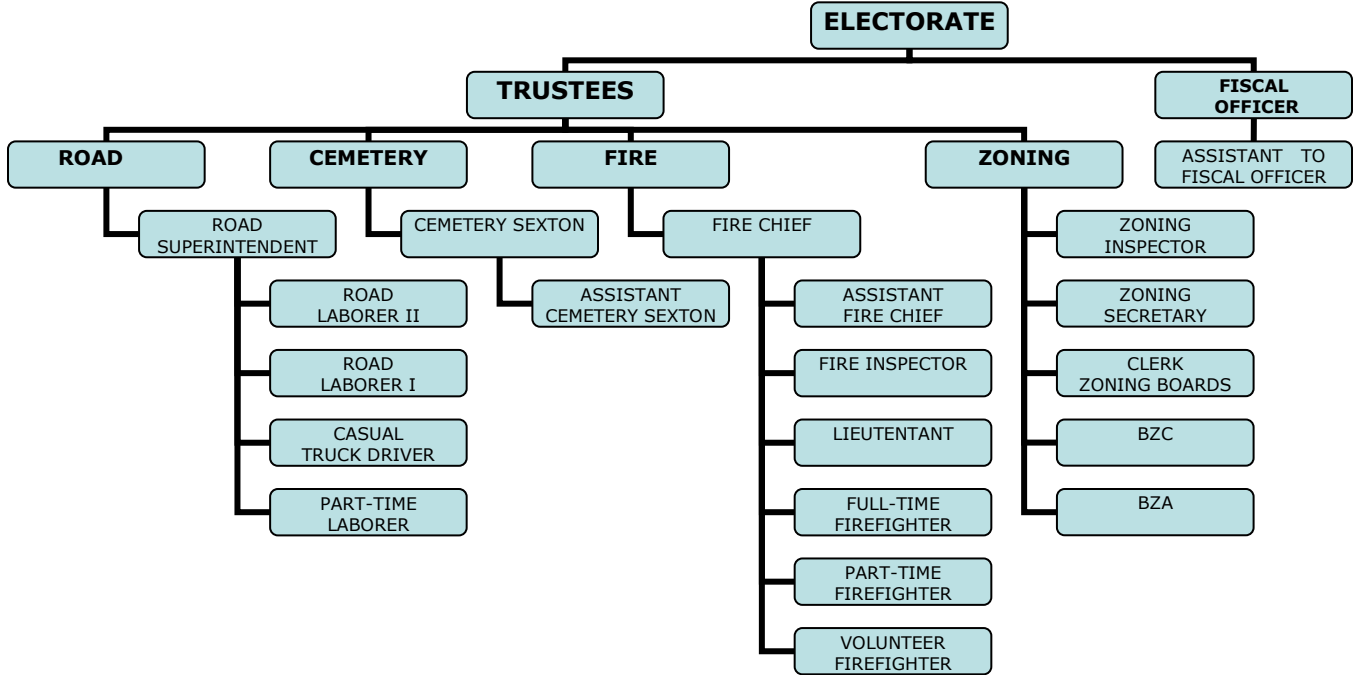
The policies and procedures contained in this Employee Handbook (the "Handbook") are meant to guide the employees of Berlin Township (the "Township") and are to be used as a reference tool for any questions that may be raised concerning Township policies. In this handbook, employees are being made aware of expectations the Township has of them; at the same time, employees will see in the following pages the benefits that the Township provides to eligible employees.

While the Township's Board of Trustees (the "Board") believes in and intends to follow these personnel policies, these policies do not in any way constitute, nor shall they be construed in such a manner so as to create any contractual or vested rights for employees, either express or implied, regarding their employment including benefits, conditions, or rights or guarantees of employment except those created through applicable state or federal law. They are not intended to create any contractual obligation by the Board to any employee.

This Handbook provides guidelines for employees that will be enforced as of the effective date of this Handbook and until modified, revoked, suspended, terminated, or changed by the Board. The Board reserves the rights to modify, revoke, suspend, terminate, or change any or all such policies and procedures, in whole or in part, at any time, with or without notice and not necessarily in writing. Employees will receive new or updated policies needed and as adopted by the Board.

The policies in this Handbook supersede any and all previous policies of the Township, written or unwritten, on subject matters covered or referred to herein. If any provision, amendment, or revision of this Handbook is held to be unenforceable, invalid, contrary to law, or otherwise restrained from its full force and effect by a court of competent jurisdiction, the remaining provisions of the Handbook, to the extent that they remain unaffected by such declaration or restraint, shall continue in full force and effect. The Board reserves the right to effectuate a lawful alternative to any policy or procedure declared unenforceable, invalid, or contrary to law.

SECTION 1.02 TOWNSHIP CHAIN-OF-COMMAND



CHAPTER II – GENERAL PERSONNEL MATTERS

SECTION 2.01 EMPLOYMENT STATUS

UNLESS OTHERWISE PROVIDED BY LAW, ALL EMPLOYEES OF THE TOWNSHIP ARE EMPLOYEES AT WILL AND SERVE AT THE PLEASURE OF THE BOARD. Each employee is to be employed by the Township on an indefinite basis until the Board or the employee terminates such employment.

This Handbook is not a contract of employment and an employee or the Township, by majority vote of the Board, may terminate the employee's employment with the Township at any time, with or without cause, for any reason or for no reason whatsoever, and, in the case of the Township, in the sole and absolute discretion of the Board.

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.

Employees of the Township are generally characterized as follows:

Full-time

Full-time employees will generally be scheduled to work, and expected to work, forty (40) or more hours per week.

Part-time

Employees working less than forty (40) hours per week are considered to be part-time employees and will be paid an hourly wage but will generally not be eligible for benefits provided by the Township unless they are hired with the expectation that they will work at least fifteen hundred (1,500) hours per year, in which case they may be eligible to receive group health insurance benefits.

Temporary/Seasonal

Employees hired to fulfill temporary work needs are temporary/seasonal employees and will be paid an hourly wage but are generally not be eligible for benefits provided by the Township. Temporary/seasonal appointments are college interns, student help, and interim and intermittent employees and may work either full-time or part-time schedules.

SECTION 2.02 EQUAL OPPORTUNITY EMPLOYMENT

The Township is an equal opportunity employer. It is the policy of the Township to provide equal employment opportunities to employees and candidates for employment in accordance with applicable state and federal laws, rules, regulations and guidelines. Discrimination against employees and applicants due to race, color, religion, sex, national origin, disability, age, or veteran status is illegal.

In order to provide equal employment and advancement opportunities to all individuals, the Township's employment decisions will be based on merit, qualifications, and abilities. The Township will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment including selection, job assignment, compensation, termination, and access to benefits and training.

SECTION 2.03 IMMIGRATION LAW COMPLIANCE

The Township employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with the Immigration Reform and Control Act of 1986.

Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Township within the past three years or if their previous I-9 is no longer retained or valid.

SECTION 2.04 BOND REQUIREMENTS

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

SECTION 2.05 CRIMINAL BACKGROUND AND DRIVING RECORD CHECK

Following a conditional offer of employment, but prior to placement, the Township Fiscal Officer (the "Fiscal Officer") shall make a photocopy of the prospective employee's driver's

license and submit it to the Ohio Department of Motor Vehicles in order to obtain a current driving record. The Fiscal Officer shall also submit the prospective employee's information to the Delaware County Sheriff's office for investigation. When necessary in the opinion of the Board, background checks of pending charges and criminal conviction records may be conducted by the state Bureau of Criminal Information and Investigation (BCII) and Federal Bureau of Investigations (FBI) The criminal background check report, is considered public information. The Township will procure a background check report only with the written permission of the individual. Refusal to provide written permission to conduct a criminal background check is grounds for withdrawal of any offers of employment or contract services. Background check reports will be stored in the employee's personnel file upon hire or in the application file if the candidate is not hired. Individuals are required to disclose information concerning criminal convictions, and the Township reserves the right to obtain information regarding convictions from outside sources. The Township will not ask an individual to disclose information concerning any arrest that did not result in conviction, nor will the Township seek this information from any other source, except that the Township may ask an individual about pending charges based upon an arrest for which he or she is currently released on bail or on his or her own recognizance pending trial. Both the prospective employee's driving record and the results of the background investigation shall be made available to the Board of Trustees for its review and consideration. The Board of Trustees reserves the right, in its sole and absolute discretion, to withdraw conditional offers of employment based upon a prospective employee's driving record, the results of the background investigation, or for any other reason. In making this determination, the Township may consider the following factors: the relationship between each conviction and the responsibilities of the position; the nature and number of convictions; the facts surrounding each offense; the length of time between the conviction(s) and the employment decision; the employment history of the individual before and after the conviction; the rehabilitation efforts of the individual; and the possibility that a particular conviction would prevent job performance in an acceptable businesslike manner.

SECTION 2.06 PHYSICAL TESTING

The Township may require applicants for employment and current employees to submit to a physical examination to determine the ability of an individual to perform essential job-based functions. The Township will only require physical examinations for legitimate job-related purposes such as Alcohol and Illegal drug use policy Appendix F. The refusal of an individual to submit to a physical examination and/or to provide the individual's written consent to such an examination, or test results which indicate that the individual is incapable of performing the essential functions of the job, with or without reasonable accommodations, may result in the withdrawal of offers for employment or termination. The Township will maintain physical examination results in strict confidence and in a separate medical file, as otherwise set forth in this Handbook. Test records will be released only if compelled by law.

SECTION 2.07 PROBATIONARY PERIOD (FIREFIGHTERS ONLY)

Initial Hire

Upon appointment, each firefighter hired by the Township will be required to successfully complete a six (6) month probationary period. 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 may be terminated at any time during this probationary period at will and without just cause. Any

firefighter so terminated shall have no right to appeal or otherwise challenge such termination in any court or other tribunal.

The Township, through the Board, may, from time to time and in its sole and absolute discretion, extend a firefighter's probationary period, as set forth above, for an additional period not to exceed six (6) months. In the event of such an extension, the affected firefighter shall continue as a probationary member for such time as determined by the Board (not to exceed six (6) months). During an extended probationary period and notwithstanding Ohio Revised Code Sections 505.38 and 733.35 et seq., the affected firefighter may be terminated at any time at will and without just cause. The affected firefighter shall have no right to appeal or otherwise challenge such termination in any court or other tribunal.

Promotion

A newly promoted firefighter shall be required to successfully complete a six (6) month promotional probationary period in the member's newly appointed position. The probationary period for a newly promoted firefighter shall begin on the effective date of the promotion. If service at any point during this time is deemed unsatisfactory, the firefighter subject to a promotional probationary period may, at the sole and absolute discretion of the Board, and upon recommendation of the Fire Chief, be returned to the firefighter's former rank and salary with full credit for service during the promotional probationary period. If so returned, the firefighter shall have no right to appeal or otherwise challenge such return in a court or any other tribunal.

The Township, through the Board, may, from time to time and in its sole and absolute discretion, extend a firefighter's promotional probationary period, as set forth above, for an additional period not to exceed six (6) months. During an extended promotional probationary period, the affected firefighter may be returned to the firefighter's former rank and salary with full credit for service during the extended promotional period. If so returned, the firefighter shall have no right to appeal or otherwise challenge such return in a court or other tribunal.

SECTION 2.08 HOURS OF WORK, PAYROLL PRACTICES & OVERTIME

Hours of Work

The regular work schedule for full-time Township employees shall be determined by the Board on a case-by-case basis, but will normally average forty (40) hours per work week and 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 for all non-fire department employees. A work week shall be 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. A work day shall be defined as the twenty-four (24) hour period of time beginning at midnight on one day and continuing until midnight on the following day.

Notwithstanding anything to the contrary contained herein, a Township employee shall work at such other and/or additional time and/or times as may, from time to time, be directed by the employee's supervisor and/or a board member. 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.

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.

Overtime

Overtime is defined as all hours *worked* by Township employees classified as "non-exempt" under the Fair Labor Standards Act ("F.L.S.A") (hereinafter referred to as "Non-Exempt Employees") over 40 hours in a given work week. **Unless informed otherwise by the Board, each Township employee is hereby put on notice that he or she is a Non-Exempt Employee.** Non-Exempt Employees shall receive overtime compensation according to the F.L.S.A at a rate of 1.5 times the employee's regular rate of pay for all hours worked in excess of forty (40) hours in a given work week. Non-Exempt Employees will receive overtime compensation only for work hours that are immediately necessary to the operation of the Township. No overtime will be authorized for Township work which could have been completed during a standard forty (40) hour work week. For the purpose of calculating overtime compensation, such compensation shall be based upon hours worked, except that hours spent on approved and paid holiday and vacation leave, shall be considered as hours worked when computing an employee's entitlement to overtime compensation. The process for approval of overtime shall be as follows:

- A Non-Exempt Employee who desires to work, or who is required to work, more than forty (40) hours in any given work week must have the overtime work approved in advance by either the employee's supervisor or a Board member. All overtime work must be reflected on an employee's timesheet.
- No Non-Exempt Employee shall begin work prior to the employee's scheduled work hours or continue to work after the employee's scheduled work hours or during a scheduled lunch period without prior approval of either the employee's supervisor or a Board member.

Township employees employed in exempt executive, administrative, or professional capacities (hereinafter referred to as "Exempt Employees") are not eligible to receive overtime pay.

Unless otherwise provided by the Board, attendance at lectures, meetings and training programs is not considered time worked if:

- The employee's attendance is outside regular working hours; and
- The employee's attendance is voluntary (i.e., not *required* by the Township); and

- The course, lecture, or meeting is not directly related to the employee's job; and
- The employee does not perform any productive work during such attendance.

Timesheets

Accurately recording time worked is the responsibility of every Non-Exempt Employee, whether hourly or salary. 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. Supervisor shall forward their timesheet 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 2.09 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 do its best to 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 of any changes in the following:

- Name;
- 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 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. Employees who, after inspecting their personnel files, believe that any material is inaccurate or irrelevant shall be permitted to place a written statement of disagreement in the file. 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.

SECTION 2.10 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. 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 2.11 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 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 2.12 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 2.13 PERFORMANCE EVALUATIONS

All Township employees, other than firefighters serving an initial probationary period, shall, 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.

SECTION 2.14 RESIGNATION

In the event that a Township employee voluntarily decides to leave the employ of the Township, **written notification should be given to the appropriate Board 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.

SECTION 2.15 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. Providing information which may be truthful, but which is not documented, may subject the person providing the information and the Township to liability.

In order to avoid potential liability, all requests for information regarding present or former employees should be handled by the Fiscal Officer. The only information that the Fiscal Officer will provide is verification of dates of employment and job title.

SECTION 2.16 MEDICAL INFORMATION

Applicable laws impose strict limitations on the use of employees' medical information. All medical information obtained by the Township shall be collected and maintained on separate forms and in separate medical files and shall further be treated as a confidential medical record. Medical-related materials shall not be placed in an employee's personnel file. The Fiscal Officer shall also take steps to guarantee the security of all employees' medical information, including:

- Keeping medical files in a separate, locked cabinet, apart from personnel files; and
- Designating only a specific person or persons to have access to medical files.

All medical-related information shall be kept confidential, with the following exceptions:

- The Board and/or supervisor may be informed about necessary restrictions on the work or duties of an employee and necessary accommodations;

- First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment, or if any specific procedures are needed in the case of fire or other evacuations;
- Government officials investigating compliance with the Americans with Disabilities Act ("ADA") and other federal and state laws prohibiting discrimination on the basis of disability or handicap shall be provided relevant information upon request;
- Relevant information may be provided to state workers' compensation offices in accordance with state workers' compensation laws; and
- Relevant information may be provided to insurance companies where the company requires a medical examination to provide health or life insurance for employees.

CHAPTER III – BENEFITS

SECTION 3.01 GROUP HEALTH INSURANCE

All full-time Township employees are eligible for group health insurance as provided by the Board. New employees who choose to participate, and their spouses and/or dependents, must enroll within thirty-one (31) days of the employee's date of hire, in which event coverage will begin the first day of the month following the employee's first full month of employment.

Changes in a full-time employee's group health insurance may only be made during Open Enrollment, or within thirty-one (31) days of an employee incurring a major life event (e.g. marriage, divorce, birth or adoption of a child, etc.). For employees making changes during Open Enrollment, coverage will begin at 12:00 A.M. on January 1 of the appropriate year. For employees incurring a major life event, coverage will begin at 12:00 A.M. on the next day following the date of the major life event. For more detailed information on the Township's group health care plan, please consult the Fiscal Officer.

SECTION 3.02 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 3.03 WORKERS' COMPENSATION INSURANCE

Workers' Compensation covers any accident or injury that occurs in the course of and arising out of employment. To be covered, an injury must be a direct result of job-related duties.

Eligibility

All Township employees are covered by the Ohio Workers' Compensation system for medical costs as a result of a work-related injury allowed by the Bureau of Worker's Compensation ("BWC"). If an incident occurs, an employee must report the injury to a Board member, his or her supervisor and the Fiscal Officer and complete a First Report of Injury Form. This form should be forwarded as soon as possible to the Fiscal Officer. If there is any question as to whether an accident or injury is work-related, an employee should contact a Board member, his or her supervisor and the Fiscal Officer for advice as to whether an incident report needs to be filed.

Reporting

In an emergency, employees should first seek medical treatment. If employees do not initially seek medical treatment but later see a doctor for the injury, a report must be submitted to a Board member, his or her supervisor and the Fiscal Officer within twenty-four (24) hours of treatment. In a non-emergency situation, an employee should seek medical treatment and report the injury as soon as possible to a Board member, his or her supervisor and the Fiscal Officer. Even if no medical attention is needed or time off required, an incident report shall still be completed and signed by the employee.

SECTION 3.04 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 attached to this Handbook as Appendix A and made a part hereof. To learn more or to enroll in this program, contact the Fiscal Officer.

SECTION 3.05 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 3.06 PAID HOLIDAYS

The following nine (9) days and two (2) half-days (totaling eighty (80) 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)
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 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 actually worked on the holiday. Holiday pay is not considered hours worked for purposes of calculating overtime.

SECTION 3.07 VACATION

Full-time employees shall accrue paid vacation leave each completed pay period according to the following schedule:

Length of Continuous Township Service*	Paid Vacation Days (Hours) Per Year	Accrual Rate Per Pay Period (Approximate)
Less than eight (8) years of continuous service.	10 days (80 hours)	3.08 hours (bi-weekly) 6.67 hours (monthly)
Eight (8) to fourteen (14) years of continuous service.	15 days (120 hours)	4.62 hours (bi-weekly) 10.00 hours (monthly)
Fifteen (15) to twenty-four (24) years of continuous service	20 days (160 hours)	6.15 hours (bi-weekly) 13.33 (monthly)
Twenty-five (25) or more years of continuous service	25 days (200 hours)	7.69 hours (bi-weekly) 16.67 (monthly)

* 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 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 employee anniversary date for purposes of computing the amount of the employee's vacation leave shall be the anniversary date of such prior service.

Accrual, Crediting, Carryover, and Forfeiture

Accrued vacation leave is not available for use until it is credited to the employee. Vacation leave accrued during the course of a year will be credited to the employee upon the employee's employment anniversary date for use during that year. An employee may carryover a maximum of 10 days (80 hours) of vacation leave to the following year. Vacation leave in excess of 10 days (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.

Death of an Employee

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.

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 four (4) hour increments, and shall be deducted from the employee's credit on the basis of one hour for every one 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;

- 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.

CHAPTER IV – LEAVE

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, or 10.00 hours of sick leave per monthly pay period, for a total of fifteen (15) days (120 hours) of sick leave per calendar year. An employee may use sick leave as it is earned without any waiting period. 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. Under no circumstances shall employees be paid or otherwise compensated for unused or accumulated sick leave. 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.

Charge of Sick Leave

Sick leave shall be used in one 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;
- 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. If professional medical attention is required by the employee or a member of the employee's immediate family, a certificate from a physician stating the nature of the condition may be required by a Board member, the fiscal officer and/or the employee's supervisor to justify the use of sick leave.

In the case of a condition that requires an employee to take a leave exceeding three (3) consecutive scheduled work days, 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.

In addition, the following two instances shall require documentation from the provider:

- Institutionalization or Hospitalization. When institutionalization or hospitalization is required, the employee shall be responsible for notifying the employee's supervisor or the appropriate Board liaison upon admission to and discharge from such institution or hospital, unless emergency conditions prevent such notification.
- Convalescence. When convalescence at home is required, the employee shall be responsible for notifying the employee's supervisor, the fiscal officer and/or a Board member at the start and termination of such period of convalescence.

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 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 work day, the employee should notify the employee's supervisor, fiscal officer and/or a Board member 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; 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 of the value of the employee's accrued, but unused, sick leave balance, up to a maximum payment of 120 hours.

SECTION 4.02 COURT LEAVE & JURY DUTY

Any Township employee, including part-time and seasonal employees, subpoenaed as a witness, or otherwise required to testify in a case or proceeding concerning the Township, shall be excused from the employee's regular Township duties and shall be paid at the employee's regular rate of pay for all time spent travelling to and from and attending required court proceedings. Upon receiving such a subpoena, an employee shall promptly provide a copy to the employee's supervisor, fiscal officer and/or a Board member.

Any full-time Township employee called for jury duty shall be granted paid leave subject to the following policies and procedures:

- Upon receiving a jury duty notice, an employee shall promptly provide a copy to the employee's supervisor, fiscal officer and/or a Board member;
- The employee shall be paid at the employee's regular rate of pay for up to eight (8) hours each day that the employee's services are required by the court, provided that the employee shall be required to remit any payment received from the court to the Fiscal Officer for deposit into the appropriate Township fund. In the event that compensation paid by the court exceeds that paid by the Township, the employee shall be permitted to retain the difference;
- If released from jury duty, or if on call and notified that the employee's services will not be required, before the end of the work day, the employee shall report to work as soon as reasonably possible.

When appearing in court for criminal or civil cases or proceedings involving an employee's personal matters during the employee's normal work hours, the employee must utilize vacation or unpaid leave.

SECTION 4.03 MILITARY LEAVE

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.

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.

Employees who have worked for the Township for at least ninety (90) calendar days will be granted an unpaid leave of absence to be inducted or otherwise enter military service unless they are members of reserve components as specified above.

Employees who are members of the Ohio National Guard will be granted military leave for mob, riot, flood, civil defense or other emergencies when so ordered by the Governor to assist civil authorities. If the emergency exceeds an employee's entitlement of twenty-two (22) calendar days (176 hours) of military leave in any one calendar year, the employee may request to use accrued vacation or sick leave during such period of service.

If the emergency service is caused by an executive order issued by the President of the United States, because of an act of Congress, or because of an order to perform duty issued by the Governor pursuant to Section 5919.29 of the Ohio Revised Code, the employee is entitled, during the period designated in the order or act, to leave of absence and to be paid, during each monthly pay period of that leave of absence, the lesser of the following:

- The difference between the permanent public employee's gross monthly wage or salary as a permanent employee and the sum of the permanent public employee's gross uniformed pay and allowance received that month; or
- Five hundred dollars (\$500).

No permanent public employee shall receive payments under the preceding paragraph if the sum of the public employee's gross uniform pay and allowances received in a pay period exceeds the employee's gross wage or salary as a permanent public employee for that period.

Employees must turn in a training schedule for the year as soon as it is received. Only 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 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 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 4.05 REQUESTS FOR LEAVE

Unless otherwise provided in this Handbook, "Request For Leave" (RFL) forms are to 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 a Board member, the Fiscal Officer and/or the employee's supervisor 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, a Board member, the Fiscal Officer and/or the employee's supervisor may approve vacation and sick leave without the approval of the entire Board. The Board must, however, approve in writing all military leave, sick leave exceeding three (3) consecutive scheduled work days, vacation leave exceeding eight (8) hours, and unpaid leaves of absence.

CHAPTER V – POLICIES & PROGRAMS

SECTION 5.01 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 manner. 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 investigated immediately. Any complaints about co-workers should be taken immediately to the appropriate Supervisor/Department Head or the Township Administrator. 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.

Personal Appearance

Each employee's dress, grooming, and personal hygiene shall be appropriate to the work situation. All employees are expected at all times to present a professional, businesslike image to the public and co-workers. Business casual attire is appropriate in most situations.

On occasion, and at the discretion of the Board, employees may be permitted to dress in a more casual fashion than normally required. On such occasions, employees are still expected to present a neat and orderly appearance. Certain employees may be required to meet special dress, grooming, and/or hygiene standards depending on the nature and/or the safety requirements of their job.

Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. No employee will be found not to meet the standards of this policy for any aspect of the employee's appearance resulting from a valid medical condition, or pertaining to the employee's religious beliefs or ethnic background.

Uniforms

An employee who wears the uniform of the Township is a representative of the Township. Because the Township wishes to maintain a positive image, employees provided with and required to wear uniform items shall wear the prescribed uniform while on duty and only during assigned work hours. No employee shall use the employee's uniform for personal use or gain, or in any manner that will negatively portray the Township. Uniforms will be selected by the department head of each department and approved by the Board or its assigned representative prior to the purchase of the uniform. In order to be approved, the department head must justify the articles requested as useful and necessary for the duties of the employees. Uniforms must be practical and cost effective.

SECTION 5.02 HARASSMENT

Harassment is against Township policy and is a violation of law. Any harassment, whether based on sex, race, color, religion, national origin, citizenship, age, disability, or veteran status is strictly prohibited. No Township employee or official shall engage in, or be subjected to, any form of harassment. Harassment includes:

Discrimination

Discrimination against any individual with respect to all phases of the employment relationship, including, but not limited to, recruiting, testing, hiring, upgrading, promotion/demotion, lay-off, termination, benefits, selection for training, or any other terms or conditions, or privileges of employment, because of the individual's race, color, gender, religion, national origin, citizenship, disability, or veteran status is illegal and will not be tolerated.

Sexual Harassment

For purposes of this policy, sexual harassment is defined as unwelcome and unwanted sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature when: (1) submission to or rejection of this conduct by an individual is used explicitly or implicitly as a factor in decisions affecting hiring, evaluation, promotion or other aspects of employment; or (2) this conduct substantially interferes with an individual's employment or creates an intimidating, hostile or offensive work environment.

Examples of sexual harassment include, but are not limited to: unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; repeated sexual jokes, flirtations, advances or propositions; verbal abuse of a sexual nature; graphic, verbal commentary about an individual's body, sexual prowess or sexual deficiencies;

leering; whistling; touching; pinching; assault; coerced sexual acts; suggestive, insulting, obscene comments or gestures; and display in the work place of sexually suggestive objects or pictures. This behavior by any Township official or employee is unacceptable in the work place and in any Township-related setting and will not be tolerated.

Other Forms of Prohibited Harassment

Examples of actions that constitute other forms of harassment in violation of this policy include racial or ethnic epithets, slurs, jokes, negative stereotyping or comments, name calling, and innuendos. Taunting or displaying written materials or communications demonstrating hostility toward a person because of his or her race, color, age, gender, religion, national origin citizenship, disability, or veteran status are also prohibited.

Reporting

The Township encourages individuals who believe they are being, or have been, harassed by a Township employee or official to clearly and promptly notify the offender that his or her behavior is unwelcome. If, for any reason, an individual does not wish to approach the offender directly or if such discussion does not successfully end the harassment, then the individual should notify a member of the Board or the Fiscal Officer. The Trustee or Fiscal Officer may talk to the alleged harasser or arrange for mediation between the individual and the alleged harasser with a third person acceptable to both. This informal procedure is not a required first step for the reporting individual.

If the reporting individual does not wish to pursue the informal procedure, or if the informal procedure does not produce a result satisfactory to the reporting individual, the following steps should be followed to report the alleged harassment and to initiate a formal procedure:

- **Notification**

An individual who believes he or she has been subjected to any form of harassment should report the incident to a member of the Board or the Fiscal Officer. The Fiscal Officer or the Trustee so informed must then immediately file a written report of the complaint with the Board.

- **Description of Misconduct**

An accurate record of objectionable behavior is necessary to resolve a formal complaint of harassment. All complaints of any harassment must be reduced to writing by either the reporting individual or the individual receiving the complaint.

- **Time for Reporting a Complaint**

Prompt reporting of harassment complaints is strongly encouraged as it allows for rapid response and resolution of objectionable behavior or conditions for the reporting individual and any other affected employees. The Township has chosen not to impose a limited time frame for the reporting of any harassment complaints, but the reporting individual should be aware that applicable statutes of limitations do limit the time for instituting outside legal action.

- **Protection Against Retaliation**

The Township will not retaliate against and will not permit any Township official or employee to retaliate against an individual who makes a report of harassment. Retaliation is a very serious violation of this policy and should be reported immediately.

- **Responsibility to Report**

Any Township official or employee who witnesses first hand any form of harassment in violation of this policy has an affirmative duty to report the same to the Board or Fiscal Officer.

Investigation

Any allegation of harassment brought to the attention of the Board or Fiscal Officer will be promptly investigated initially by the person to whom the complaint was reported unless the Board determines another person should be the investigator. Confidentiality will be maintained throughout the investigatory process to the extent allowed by law and appropriate under the circumstances.

Upon completing the investigation, the investigator will report to the Board. The Board will review the investigation, make findings and decide upon the appropriate action to take. The Board will communicate its findings and intended actions to the reporting individual and the alleged harasser.

SECTION 5.03 HEALTH, SAFETY & WELFARE

Safety

The Township shall strive to provide the safest working conditions possible for its employees and will comply with applicable state and federal laws and regulations pertaining to occupational health and safety. In order to assist the Township in this goal, it is necessary for all employees to follow appropriate and accepted Township safety practices and 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 a Board member, the Fiscal Officer and the employee's supervisor.

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 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 a Board member, the Fiscal Officer and the employee's supervisor. 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.

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.

Workplace Violence

The Township has a zero tolerance policy for workplace violence. To ensure the safety of other employees and to prevent workplace violence, any threats pertaining to employees, whether made by other Township employees or individuals not employed by the Township, shall be forwarded to the Fiscal Officer or Board immediately. The threatened employee, if other than the person hearing the threat, will also be notified by the Fiscal Officer or any member of the Board to forewarn such person so that the proper precautions can be taken by such employee. This requirement to report includes any serious threats made that could endanger an employee, an employee's property, or an employee's family.

With exception to law enforcement officers, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance in township owned or leased buildings, secured areas, or vehicles. A valid license does not authorize the licensee to carry a weapon onto these premises. Violators of this policy will be subject to discipline, up to and including immediate termination and potentially criminal prosecution.

Workplace Searches

The Township is committed to the safety and security of its workplace. To provide a safe, secure, and healthy workplace, from time-to-time, workplace searches may be necessary and will be conducted when probable cause and/or reasonable suspicion is present as part of an investigation into specific allegations, including but not limited to drug/alcohol use or possession in the workplace, illegal possession of weapons in the workplace, evidence of theft from the workplace, and inappropriate or unauthorized use of Township property.

All Township facilities, buildings, offices, furnishings, equipment, computers, and vehicles are property of the Township, and are provided to employees for their use in the conduct of Township business. The Township retains the right to search all Township buildings, offices, furnishings, equipment, computers, vehicles, and cellular telephones, and other items brought onto Township premises at any time, with or without notice or employee consent, including personal property employees may bring to work such as purses, briefcases, lunch boxes, backpacks, bags, etc. **Employees who bring personal property onto Township premises, or use Township equipment or materials for personal purposes, do so at their own peril and should not expect privacy.**

In addition, a Board member, the Fiscal Officer and/or the employee's supervisor has the authority to inspect packages or other articles leaving the Township's premises in the

possession of any employee if that employee is reasonably suspected of removing Township property without permission. The Township maintains the right to cut and remove personal locks from Township-owned property at any time. The Township also reserves the right to review records of Township-owned telephones, including cellular telephones.

If during an investigation or search, information indicating the possible commission of a crime or other illegal violations is discovered, the Township personnel may disclose that information to law enforcement authorities or to other appropriate persons.

Employees refusing to cooperate in a work-related search or security investigation will be disciplined, with penalties up to and including termination of employment.

Township Identification Cards

Township employees may, with the approval of the Board, be provided with an identification card providing access to Township buildings and facilities for work-related purposes. Employees should contact the Fiscal Officer immediately to replace 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 should become 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 5.04 TRAVEL

Travel can be defined in three (3) categories:

Routine Business Travel

Travel by an official or township employee in the administration of a particular program or activity, or travel which occurs in the performance of job-related duties and does not include overnight lodging.

Training Travel

Travel by an official or township employee to participate in educational and/or staff development programs separate from a conference or convention and does not include overnight lodging.

Conference Travel

Travel by an official or township employee in:

- traveling out of the area on township business, requiring overnight lodging; or
- attending a conference or convention of a job-related professional association.

Routine Business Travel requires no formal written authorization as it is usually part of an employee's job description or authorized directly by the Board.

An employee wishing to travel for Training Travel or Conference Travel is required to obtain approval of the Board prior to relevant registration deadlines.

Reimbursement

An Employee incurring expenses from travel (mileage, parking, etc.) may apply for reimbursement by completing an Expense Report, attaching original receipts for all expenses, and presenting the report to the Board for approval no later than three (3) days following the end of the month in which the expense(s) occurred. All approved expense reports shall immediately be given to the Fiscal Officer. Reimbursement for mileage will be determined on a per mile basis established by the Board. The Township will not reimburse employees for travel to and from an employee's home and a Township facility or job site, whether such job site be a home office or field assignment and the Township will not reimburse employees for travel expenses in the event that the employee is not authorized by the Board to drive on Township business.

SECTION 5.05 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 B and made a part hereof.

SECTION 5.06 TOWNSHIP COMPUTERS

Employees utilizing Township computers shall follow the guidelines outlined below. These guidelines have been put in place to insure the integrity of the Township's network of computers and to maintain the highest levels of professionalism.

Computer Use

All Township computer resources, including but not limited to, equipment/hardware, software, documentation, and data are to be used primarily for Township business. Limited personal use of Township computers is permitted, provided that such use does not violate any provision of this Handbook, and provided further that such use does not interfere with the employee's performance of work-related duties or negatively impact the employee's productivity. Any use of Township computer resources for personal use, which would result in any charge accruing to the Township is strictly prohibited. An employee's ability to utilize Township computer resources for limited personal use may be revoked by the Board at any time, and will be revoked if abused.

Privacy

The privacy of Township files and systems must be respected and guarded. The Township retains the right, at the direction of the Board, to review, audit, and monitor all directories, files, and emails, and to monitor internet activity. Employees should have no expectation of privacy in their use of Township computers and related equipment. The Township will cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through the Township system.

Notwithstanding the Township's right to review, audit, and monitor all email messages such messages should be treated as confidential by other employees and accessed only by their intended recipient, absent specific authorization by the Board. No employee shall utilize any password(s) not on file with the Fiscal Officer.

Security

Each employee is responsible for the employee's individual account and shall take all reasonable precautions to prevent others from being able to access that account. Under no conditions shall an employee provide the employee's password(s) to any other person. No employee shall attempt to access another employee's account, without the express authorization of the Board. Employees shall immediately notify the system administrator and the Fiscal Officer in the event they identify a potential security risk.

Email and Internet

Employees will be held accountable for their use and misuse of the internet and email. The following guidelines shall be followed by employees utilizing email and accessing the internet via Township computer resources:

- Township email is intended to be used for Township business purposes only;
- Email shall not be used for operating a business for personal gain, sending chain letters, or soliciting money for religious or political causes;
- Email shall not contain offensive or harassing statements, including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious, or political beliefs;
- Email shall not contain incendiary statements which might incite violence or describe or promote the use of weapons or devices associated with terrorist activities;
- Email shall not be used to send or solicit, nor shall the internet be used to access or download, sexually explicit messages or images;
- Email shall not be used to disseminate or print copyrighted materials (including articles and software) in violation of copyright laws;
- Due to the threat posed by computer viruses, employees shall not download any email attachments or anything from a website that they are not convinced is safe; and
- Employees shall not utilize email or the internet to commit any illegal act or engage in any illegal activity.

Ownership and Property Rights of Software

Only software and hardware that the Township has purchased and installed may be utilized on Township equipment. Copying software, data, or documentation for personal use or for use on personal machines is strictly prohibited by the Township and by law.

SECTION 5.07 TOWNSHIP TELEPHONES

Office Telephones

Township telephones are to be used for business purposes in serving the interests of our citizens and in the course of normal Township operation. On occasion, personal calls may be necessary, but employees are asked to limit them to emergencies or essential personal business and to keep them brief. Personal calls on Township provided cell phones are strictly prohibited.

Cell Phones

The Township may provide cell phones to certain employees for use by that employee in the execution of Township duties. The Board of Trustees will determine which employees are required to use cell phones as part of their official duties. Those assigned a phone are required to respond when contacted. The Township will designate the appropriate service provider(s) for cellular service, the appropriate service plan for each employee and the required phone model(s). Certain employees may be required to utilize a specific service provider and equipment based upon the employee's job and/or department requirements. The employee assigned the phone shall be responsible for the physical security of the cell phone. Under no circumstances shall an employee utilize a Township provided cell phone to make personal calls. The employee assigned the phone will be responsible for any unauthorized calls made from the phone.

SECTION 5.08 PUBLIC RECORDS

Any request for a copy of a document maintained by the Township should be forwarded to the Fiscal Officer for processing in accordance with the Township's Public Records Policy, a copy of which is attached to this Handbook as Appendix C and made a part hereof. All public records shall be disposed of in accordance with the Township's Record Retention Policy, a copy which is attached to this Handbook as Appendix D and made a part hereof.

SECTION 5.09 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 5.10 PURCHASE CARDS

In order to assist departments with the payment of work-related and/or emergency expenses, purchase cards (i.e. credit cards) may be made available to certain Township employees. Township employees to whom purchase cards are issued shall be responsible for their proper use. Township cards will be issued solely in the name of the requesting department(s)/employee(s). Department(s)/employee(s) requesting an application for a township purchase card must be submitted to and approved by the Board of Trustees. Each application must include the employee(s) name that will be authorized to use the card. Employee name(s) can be added and/or withdrawn from the authorized use list at any time by the Board of Trustees. At the beginning of each fiscal year, supervisors will be required to submit an authorized use list of employee name(s). Township purchase card shall only be

used by those employees to whom they have been issued and those other employees specifically authorized by the Board. The use of purchase cards for any purpose other than official Township business, as authorized by the Board, and within limits established by the Board, is strictly prohibited. Examples of purposes for which purchase cards might properly be used are:

- Office and other necessary supplies directly related to Township business;
- Township-related telephone use;
- Gas and oil for township owned or leased vehicles;
- Minor maintenance of township owned or leased vehicles; and
- Emergency repair of township owned or leased vehicles.

If any Township employee suspects the loss, theft, or unauthorized use of a Township purchase card, that employee shall immediately notify a Board member, the Fiscal Officer and the employee's supervisor. Any Township employee found to have engaged in the unauthorized use of a Township purchase card may be subject to criminal prosecution and will be disciplined accordingly, up to and including termination.

SECTION 5.11 PURCHASE REQUISITIONS

Employees shall abide by the Township's Purchase Requisition Policy, a copy which is attached to this Handbook as Appendix E and made a part hereof

SECTION 5.12 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 5.13 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 a Board member, the Fiscal Officer and/or the employee's supervisor.

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 or 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. Your cooperation in reporting any suspected violations will be treated with confidentiality, professionalism and the utmost urgency.

SECTION 5.14 SEVERE WEATHER AND OTHER EMERGENCIES

Emergencies, such as, but not limited to severe weather, fires, and power failures can disrupt Township operations, and in extreme cases, may require the closing of Township facilities. When operations are officially closed by the Township based upon the above or when a Level 2 Snow Emergency is declared by the Delaware County Sheriff, non-essential Township employees should not report for work and any such time off from scheduled work will be paid. However, employees in essential operations (e.g. fire department personnel, emergency communications personnel, maintenance personnel as may be determined by the Board of Trustees on a case-by case basis, and road maintenance personnel) may be required to work at times when operations are officially closed or when a Level 2 Snow Emergency has been declared.

Township employees who cannot report to work during an emergency, such as during snow and ice emergencies, when Township operations remain open, will not be paid for such time off. In instances such as these, employees may utilize vacation leave or unpaid personal leave, subject to the approval of the Board, but may not utilize sick leave.

SECTION 5.15 ETHICS

Conflicts of Interests

The Ohio Ethics Law applies to all Township employees and officials. In addition, in order to maintain the integrity of the Township and the public's confidence, it is essential that Township employees and officials not utilize their positions with the Township for personal gain. In order to achieve this goal, all employees must act in an ethical manner and avoid conflicts of interest as described by law. Therefore, employees are prohibited from involving themselves in any conflict of interest, including, but not limited to:

- Authorizing, or using the employee's position to secure authorization of the investment of public funds in any kind of security to benefit the employee, a family member, or a business associate;
- Receiving any benefit from a contract entered into by the Township;
- Hiring or securing any contract benefits for the employee's spouse, parents, grandparents, children, grandchildren, or any other relatives living with the employee;
- Soliciting or accepting substantial or improper things of value, including gifts, or travel, meals, and lodging;

- Participating in matters where something of value will result for the employee, or for the employee's family, business associates, or others with whom the employee has a close tie that could impair the employee's objectivity;
- Disclosing or using information deemed confidential by law; or
- Representing parties, before any public agency, in a matter in which the employee was involved as a public servant both during and for one year after leaving public service.

Gift Policy

The purpose of this policy is to establish, in accordance with the Ethics Law of Ohio, appropriate restrictions and procedures with respect to the acceptance by Township employees of gifts, meals, and other things of value. This policy is intended to avoid both the reality and appearance of impropriety on the part of Township employees in dealing with persons doing or seeking to do business with the Township, and to ensure the integrity of the Township in all respects.

It is the Township's policy that employees shall not accept gifts, meals, or other things of value from persons doing or seeking to do business with the Township if it may create a conflict of interest or even the appearance of impropriety. For purposes of this policy, persons doing or seeking to do business includes, but is not limited to vendors, legislative agents and executive agency lobbyists.

CHAPTER VI – DISCIPLINE

SECTION 6.01 AUTHORITY TO DISCIPLINE

Supervisors may, in appropriate circumstances, impose discipline on employees using any of the progressive steps outlined below. However, only the Board of Trustees shall impose discipline in the form of a suspension or termination of employment.

SECTION 6.02 VIOLATIONS OF POLICIES AND PROCEDURES

Violators of the policies and procedures contained in this Manual may lead to discipline up to and including termination of employment.

Discipline of employees found to be in violation of applicable policies and procedures may be applied in a constructive way, with the interests of both the Township and the employee as a goal. The steps listed below provide a framework for how this process is to proceed; however the Board of Trustees in its sole discretion may use any or none of the following:

1. Verbal Warning/Consultation – A discussion between the supervisor and the employee intended to point out the disciplinary problem and identify any steps necessary for correcting that problem. A written notation will be added to a separate file maintained for such notifications.
2. Written Warning/Consultation – A second occurrence of disciplinary problems within a three year time period will warrant a second meeting between the supervisor and the employee in addition to a written warning to be added to the employee's personnel file.

3. Written Reprimand - A third occurrence of disciplinary problems within three years of the second occurrence will warrant a third meeting between the supervisor and employee in addition to a written reprimand and notice to the employee to be signed by both parties and added to the employee's personnel file. The notice will stipulate that continued disciplinary problems will result in suspension and/or termination.
4. Suspension – A fourth occurrence of disciplinary problems within three years of the previous occurrence will warrant suspension without pay for a period that the Township determines is appropriate given the seriousness of the offense. Notification of this action will be given in writing and added to the employee's personnel file.
5. Discharge – A fifth occurrence of disciplinary problems within three years of the fourth occurrence shall result in termination of employment.

Certain behavior may result in high levels of discipline or termination without implementation of the five-step process. Below is a list of examples of such behavior. This list is not intended to be an exclusive or all-inclusive list. Such behavior may include:

- Theft of Township or other property.
- Insubordination or refusal to obey work instructions of a supervisor.
- Falsification of records, such as time sheets.
- Use or threat of use of violence in a dispute with anyone.
- Possession or sale of illegal drugs on Township premises or while conducting Township business.
- Sexual misconduct while on duty.
- Other offenses that are similarly serious in nature.

Notwithstanding the foregoing, a supervisor and/or the Board of Trustees may use or implement any form of discipline, at any level, at any time it deems appropriate.

SECTION 6.03 DUTY TO COOPERATE

On occasion, it may be necessary for the Board of Trustees and/or a supervisor to collect facts, documents, statements, evidence, and information and to otherwise conduct investigations into incidents that 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 cooperate in these investigations. Failure to cooperate in an investigation, such as the withholding of information, refusing to respond, providing false statements, and other similar acts of intransigence or deceit, shall be cause for serious disciplinary action.

CHAPTER VII - JOB DESCRIPTIONS

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.

ESSENTIAL JOB FUNCTIONS:

- 0 – 2 Year Experience;
- 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 overtime as may be required from time to time; and
- Performs general maintenance and repair of facilities.

NON-ESSENTIAL JOB FUNCTIONS:

- Performs related essential and non-essential functions as needed.

I. SKILLS AND KNOWLEDGE:

Equipment

- 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.

Critical Skills/Expertise

- 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;
- Ability to read and write and to comprehend and act upon written and oral instructions, policies, and procedures pertaining to assigned duties;
- 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.

Job Standards

- 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.

II. RESPONSIBILITY:

- Work consists of routine tasks, following established procedures. Trustees provide direct and detailed direction in following established practices and clear-cut policies. Errors in work are readily detected and corrected through Trustees' review. Errors in work are localized and result in limited loss of resources and/or minor inconvenience to the public.

III. PHYSICAL EFFORT AND WORK ENVIRONMENT:

Physical Requirements

- 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.

Physical Activity

- Individual performs the following physical activities: climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, and performing repetitive motions.

Visual Activity

- 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).

Working Conditions

- 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.

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ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

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.

ESSENTIAL JOB FUNCTIONS:

- 2 – 5 Years' Experience;
- 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 overtime as may be required from time to time; and
- Performs general maintenance and repair of facilities.

NON-ESSENTIAL JOB FUNCTIONS:

- Performs related essential and non-essential functions as needed.

IV. SKILLS AND KNOWLEDGE:

Equipment

- 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.

Critical Skills/Expertise

- 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;
- Ability to read and write and to comprehend and act upon written and oral instructions, policies, and procedures pertaining to assigned duties;
- 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.

Job Standards

- 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.

V. RESPONSIBILITY:

- Work consists of routine tasks, following established procedures. Trustees provide direct and detailed direction in following established practices and clear-cut policies. Errors in work are readily detected and corrected through Trustees' review. Errors in work are localized and result in limited loss of resources and/or minor inconvenience to the public.

VI. PHYSICAL EFFORT AND WORK ENVIRONMENT:

Physical Requirements

- 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.

Physical Activity

- Individual performs the following physical activities: climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, and performing repetitive motions.

Visual Activity

- 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).

Working Conditions

- 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.

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ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

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.

ESSENTIAL JOB FUNCTIONS:

- 5 + Years of experience;
- 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, bridge and facility maintenance, repair, and construction 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;
- 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 employees 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;
- 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.

NON-ESSENTIAL JOB FUNCTIONS:

- Performs related essential and non-essential functions as needed.

I. SKILLS AND KNOWLEDGE:

Equipment

- 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.

Critical Skills/Expertise

- Ability to read and write and 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 use power/air driven tools, light to medium 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 and often outside scheduled work hours;
- Ability to communicate effectively with residents and other government agencies;
- 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.

Job Standards

- 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 maintain a telephone at place of residence and be available for work on short notice and outside scheduled work hours.

II. RESPONSIBILITY:

- Work consists of routine tasks, following established procedures. Trustees provide general direction in following established practices and clear-cut policies. Errors in work may cause delays in work or losses in expenditures for materials and/or equipment or unjustified work time. Errors are readily detected and corrected through Trustees review. Errors in work are localized and result in limited loss of resources and/or minor inconvenience to the public.

III. PHYSICAL EFFORT AND WORK ENVIRONMENT:

Physical Requirements

- 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.

Physical Activity

- Individual performs the following physical activities: climbing, climbing ladders, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, 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.

Visual Activity

- 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.

Working Conditions

- 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, 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-toe shoes, and any other safety equipment necessary to complete work duties.

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ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

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 and/or the Board's designee.

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 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; and
- Performs such other duties and assumes such other tasks as may be assigned by the Board or its designee.

JOB REQUIREMENTS

- 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;
- Knowledge of standard methods, practices, tools, and equipment of the janitorial service;
- Ability to follow instructions.

JOB STANDARDS

- High School diploma or equivalent;
- Prior maintenance and janitorial experience; and
- Must have and maintain an Ohio driver's license.

PERSONAL WORK RELATIONSHIPS

- Must have the ability to maintain a positive attitude with the general public and Township employees and officials.

PHYSICAL REQUIREMENTS

- The physical activity of the position is talking, hearing, listening, reaching, bending, lifting and walking.
- Lifting of supplies, equipment and furniture up to 35 pounds.

VISUAL ACTIVITY

- Individual must be able to see at close distances and beyond arm's reach.

JOB LOCATION

- The minimum work conditions for the position indicate that the individual is not exposed to adverse environmental conditions.

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ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

TITLE: CEMETERY SEXTON

JOB OBJECTIVES:

- Individual is responsible for accurate recordkeeping of all grave lot sales, burial records, inurnments, interments, disinterment's, re-interments and foundation orders, and any other duties as assigned by the Berlin Township Board of Trustees (the "Board"). The sexton will collect money for cemetery activities, prepare a receipt in triplicate and give all collected monies to the Township Fiscal Officer within 24 hours of collection. Cemetery Sexton reports directly to the Board or its designee.

ESSENTIAL JOB FUNCTIONS:

- Required to have in home phone with answering machine;
- Corresponds with clients and provides copy of correspondence to Township Fiscal Officer;
- Handles client complaints and public inquiries regarding the cemetery;
- Make records available to public upon request;
- Prepare detailed monthly cemetery activity report and provide to Township Fiscal Officer;
- Be available to meet with prospective buyer;
- Provide prospective buyer with available grave lot information;
- Upon sale collect money, prepare receipt in triplicate;
- Provide original receipt to buyer;
- Provide receipt copy and money collected to Township Fiscal Officer within 24 hours for preparation of deed;
- Enter sale information in cemetery record;
- Stake grave lot 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;
- Collect monies for grave closing and receive burial permit;

- Provide original receipt to funeral director;
- 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;
- Close grave;
- Prepare grave lot for monument foundation by digging hole, building foundation forms, ordering concrete, pouring and leveling concrete in concert with road department;
- 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;
- Notify monument company when monument can be set on foundation and mark location of foundation; and
- Prepare grave lot for military marker foundation and set military foundation.

NON-ESSENTIAL JOB FUNCTIONS:

- Performs related essential and non-essential functions as needed.

I. SKILLS AND KNOWLEDGE:

Equipment

- Ability to use the following equipment: a variety of small hand and power tools, e.g. shovel, rake, weed eater, chain saw, power saw, etc., light to medium duty vehicles, heavy duty trucks, tractor, truck and other related equipment as required to complete work assignments; and
- Ability to use computer with PONTEM software.

Critical Skills/Expertise

- Ability to read and write and to comprehend and act upon written and oral instructions, policies, and procedures pertaining to assigned duties;
- 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 understand construction, repair and maintenance procedures for cemetery markers and foundations, and the ability to make practical application to the work assignments;

- Ability to use power/air driven tools, light to medium 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;
- Ability to work well with the public;
- Knowledge of the policies, procedures, and methods of the Cemetery Department and the relationship they have to work assignments; and
- Knowledge of Occupational Safety and Health Administration policies and procedures relative to cemetery maintenance operations.

Job Standards

- High school diploma or equivalent plus minimum of one (1) year relevant work experience in cemetery sales and maintenance. Must be licensed by State of Ohio for cemetery lot sales as a condition of employment. Must maintain a telephone at place of residence and be available for work on short notice.

II. RESPONSIBILITY:

- Work consists of routine tasks, following established procedures.

III. PHYSICAL EFFORT AND WORK ENVIRONMENT:

Physical Requirements

- 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.

Physical Activity

- Incumbent performs the following physical activities: climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, and performing repetitive motions.

Visual Activity

- 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.

Working Conditions

- Individual works outside, in the Cheshire Cemetery, 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 must be exacting and incumbent may work alone. Work is also performed in the home or in the Township administrative building.

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ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

TITLE: ZONING SECRETARY/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 and/or the Board's designee.

ESSENTIAL JOB FUNCTIONS

- 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 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;
- 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;
- 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; and
- Prepare the township newsletter.

JOB REQUIREMENTS

- Ability to operate a variety of office equipment including but not limited to: computer, calculator, copier, typewriter, telephone and facsimile machine;
- Knowledge of zoning regulations and issues;

- Working knowledge of DALIS database system;
- Knowledge of meeting room rental and general maintenance requirements; and
- Knowledge of township administrative procedures.

JOB STANDARDS

- 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.

PERSONAL WORK RELATIONSHIPS

- Must have the ability to maintain a positive attitude with the general public on all township issues.

PHYSICAL REQUIREMENTS

- The physical activity of the position is talking, hearing, listening, reaching, lifting and walking.
- Lifting of supplies up to 35 pounds.

VISUAL ACTIVITY

- Individual must be able to see at close distances and beyond arm's reach.

JOB LOCATION

- The minimum work conditions for the position indicate that the individual is not exposed to adverse environmental conditions.

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ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

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.

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;
- 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 correspondence, completes forms and develops reports associated with the public assistance operation; and
- Handles client complaints and public inquiries regarding programs.

NON-ESSENTIAL JOB FUNCTIONS:

- Performs related essential and non-essential functions as required.

I. JOB REQUIREMENTS:

Equipment

- 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.

Critical Skills/Expertise

- 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 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 effectively, both orally and written;

- Ability to work effectively with clients 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.

II. JOB STANDARDS

- High school diploma or equivalent and minimum of two (2) years of related work experience. Individual having a general knowledge of surveying and zoning is preferred. Working knowledge of DALIS database and system.

III. DIFFICULTY OF WORK

- Work consists of complex, varied, standardized and non-standardized tasks requiring application of numerous laws, rules, regulations, and procedures. Individuals are required to provide technical assistance to staff personnel on programs, policies, the interrelationship of programs, the computer system and the application of this under extremely complex and difficult situations. It requires the individual to be continually aware of changes occurring which must be learned and passed on to staff. Procedures must be developed for implementing changes at the local level.

IV. RESPONSIBILITY

- Trustees provide general guidance allowing the individual the ability to plan the procedures and methods to attain objectives. Individual makes choices or decisions without supervisory input on most daily activities, such as scheduling appointments, establishing priorities, making referrals to other agencies, developing contracts with businesses and agencies, and forming collaborative relationships with other service providers in the county. Individual operates independent of supervision in handling staffing and daily operations, normally receiving trustees' input when needed. Errors in work may cause inaccuracies in reports, records, or technical data resulting in inaccurate or incomplete information, and may cause inaccuracies in reports, records, or technical data resulting in inaccurate or incomplete information, and may cause overpayment or underpayment in benefits issued in which may cause fiscal sanction against the Township.

V. PERSONAL WORK RELATIONSHIPS

- Contact is with co-workers, employees from public and private sector organizations and the public. The purpose of these contacts is to guide and direct, check on progress of work assigned, coordinating services, job

development/referrals and handle questions about department, programs and client concerns.

VI. PHYSICAL EFFORT AND WORK ENVIRONMENT

Physical Requirements

- 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.

Physical Activity

- The physical activity of the position is talking, hearing, listening, reaching, lifting and walking.

Visual Activity

- Individual must be able to see at close distances and beyond arm's reach.

Job Location

- The minimum work conditions for the position indicate that the individual is not exposed to adverse environmental conditions.

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ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

TITLE: FIRE CHIEF

DEFINITION:

- Reports directly to the Berlin Township Trustees (the "Board"). Plans, organizes, directs, participates and administers 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.

EXAMPLES OF DUTIES:

- Develops and coordinates plans for efficient and effective fire prevention, fire suppression and lifesaving services within the department's jurisdiction, and makes recommendations to the Board relative to the long term needs for maintaining, and improving effective operations;
- Develops and enforces department policies and procedures necessary for orderly department operations and maintain compliance with federal, state and recognized policy making entities (i.e. National Fire Protection Association);
- Oversees 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 recommends a proposed operations budget for the department. Monitors 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;
- Presents monthly and yearly reports to the Board on department activities;
- Attends training programs oriented to the duties of the fire chief;
- Oversees and provides for departmental training at all levels to ensure safe and effective operations;
- Works with other Township departments to develop mutual plans;
- Works overtime as may be required from time to time;
- Drives fire apparatus and operates pump and other equipment associated with firefighting, rescue, salvage and maintenance;
- Directs as well as participates in fire extinguishment and/or rescue;

- Advances charged and uncharged hose lines and applies extinguishing agents to fires;
- Positions and climbs ladders to gain access to upper floors or to accomplish rescue;
- Protects property from unnecessary smoke and water damage by using salvage covers, positive pressure ventilation fans and water vacuum; 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;
- 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;
- Provides for attendance/membership on all necessary associations, boards, committee's, etc. to insure department representation; and
- Responds to emergency calls as necessary and may assume command and direct activities under the department's jurisdiction and authority.

DESIRABLE KNOWLEDGE and SKILLS:

- 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; and
- Ability to maintain discipline, to lead and command effectively, and direct firefighters and equipment under emergency conditions.

REQUIRED EDUCATION, TRAINING, and EXPERIENCE:

- Must possess a High school diploma or equivalent;
- Minimum of ten (10) years of extensive experience in firefighting work of a progressively responsible nature, serving at least 5 years as a Lieutenant or higher rank;
- Must have and maintain a valid Ohio driver's license;
- Completion of Fire Officers Training, Incident Command, Fire Service Management and related courses; and
- Completion of Hazardous Materials First Responder course and maintains an Ohio EMT-B certification.

ESSENTIAL JOB FUNCTIONS:

- Responsible for all fire department operations and activities, and ensures that all 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;
- Required to attend certification classes and seminars outside of the immediate area, as well as meetings;
- Ability to supervise subordinates, maintains discipline, directs training, and cooperates with other officers and employees;
- Ability to communicate verbally and in writing to superiors and the public in the form of presentations, reports, and training;
- 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;
- Supervise fire department personnel;
- 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;
- Ability to complete written reports of fires, medical emergencies, and inspections; and
- Must provide the necessary services during natural or man-made disasters;

PHYSICAL DEMANDS:

- Hearing, seeing, speaking;
- Climbing, balancing, reaching, standing, pushing, lifting, fingering, grasping, walking, bending, stooping, kneeling, crouching and/or crawling; and performing other repetitive motions;
- Can expect to be called at any time regardless of time or weather conditions;
- 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;
- Able to endure heights and confined spaces;
- Able to endure extreme temperatures, heavy smoke conditions, chemical, physical, and mechanical hazards;
- Must have the ability to lift/carry heavy equipment and objects, either alone or with the assistance of others;
- Must be 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 minimum of 125 pounds; and
- Must be able to carry, drag, and or maneuver objects/people weighing a minimum of 150 pounds.

VISUAL ACTIVITY:

- 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.

MENTAL DEMANDS:

- Reading, writing, communications;
- Having contact with persons experiencing adverse trauma;
- Having contact with residents and businesses regarding fire hazard violations;
- Ability to make decisions in emergency and pressure situations;
- Communicating verbally and in writing;
- Ability to comprehend and complete tasks based on verbal and written objectives; and
- Ability to work under pressure situations.

ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

TITLE: ASSISTANT CHIEF

DEFINITION:

- Under the supervision of the Fire Chief, 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.

EXAMPLES OF DUTIES:

- Develops and coordinates plans for efficient and effective operations within his assigned areas. Makes recommendations to the Fire Chief relative to the long-term needs for maintaining, and improving effective operations within his assigned areas;
- Oversees the administration of his assigned areas;
- Annually recommends a proposed budget with respect to his area to the Fire Chief;
- Attends training programs oriented to the duties of the assistant fire chief;
- Oversees and provides for departmental training at all levels to ensure safe and effective operations;
- Drives fire apparatus and operates pump and other equipment associated with firefighting, rescue, salvage and maintenance;
- Directs as well as participates in fire 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;
- Provides for attendance/membership on all necessary associations, boards, committee's, etc. to insure department representation;
- 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;
- Responds 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; and

- Positions and climbs ladders to gain access to upper floors or to accomplish rescue.

DESIRABLE KNOWLEDGE AND SKILLS:

- 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; and
- Ability to maintain discipline, to lead and command effectively, and direct firefighters and equipment under emergency conditions.

REQUIRED EDUCATION, TRAINING, AND EXPERIENCE:

- 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 2 years as a company level (Capt./ LT.) officer;
- Must have and maintain a valid Ohio driver's license; and
- Completion of Essentials of Firefighting, Fire Officer training, Incident Command, Hazardous Materials First Responder and maintain an Ohio EMT-B certification.

ESSENTIAL FUNCTIONS:

- Responsible for all fire department operations and activities within his assigned areas, and all fire 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 his 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;

- Ability to supervise subordinates, maintains discipline, direct training, and cooperates with other officers and employees;
- Ability to communicate verbally and in writing to superiors and the public in the form of presentations, reports, and training;
- Prepare and recommend a budget to achieve the goals and priorities of his area;
- Assist with determining and recommending the equipment necessary to execute the functions of the department;
- Respond to emergencies;
- Abide by all Fire Department rules, regulations and standard operating guidelines;
- Works overtime as required from time to time;
- Assist with testing, interviewing, and determining eligible candidates for appointment to and promotions within the department;
- 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;
- Assist in preparation of a master plan for future department operations;
- Ability to complete written reports of fires, medical emergencies, and inspections.

PHYSICAL DEMANDS:

- Hearing, seeing speaking;
- Climbing, balancing, reaching, standing, pushing, lifting, fingering, grasping, walking, bending, stooping, kneeling, crouching and/or crawling; and performing other repetitive motions;
- Able to endure heights and confined spaces;
- Able to endure extreme temperatures, heavy smoke conditions, chemical, physical and mechanical hazards;
- Can expect to be called at any time regardless of time or weather conditions;
- 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;
- Must have the ability to lift/carry heavy equipment and objects, either alone or with the assistance of others;

- Must be 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 minimum of 125 pounds; and
- Must be able to carry, drag, and or maneuver objects/people weighing a minimum of 150 pounds.

VISUAL ACTIVITY:

- 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.

MENTAL DEMANDS:

- Reading, writing, communications;
- Having contact with persons experiencing adverse trauma;
- Having contact with residents and businesses regarding fire hazard violations;
- Ability to make decisions in emergency and pressure situations;
- Communicating verbally and in writing to superior officers;
- Ability to comprehend and complete tasks based on verbal and written objectives; and
- Ability to work under pressure situations.

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ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

TITLE: LIEUTENANT

DEFINITION:

- 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"). Also, in the absence of a chief officer shall perform all applicable duties.

EMERGENCY OPERATION:

- Duties of the Fire Chief in a sufficient manner until arrival of a chief officer.

EXAMPLES OF DUTIES IN ADDITION TO THOSE OF A FIREFIGHTER:

- Develops and coordinates plans for assigned tactical objectives at an emergency scene;
- Assist in the development and coordination of Recruitment and Retention programs;
- Directs as well as participates in fire extinguishment and/or rescue;
- 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;
- Attends training programs oriented to the duties of a company officer; and
- Responds 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.

DESIRABLE KNOWLEDGE AND SKILLS:

- 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; and
- Ability to maintain discipline, to lead and command effectively, and direct firefighters and equipment under emergency conditions.

REQUIRED EDUCATION, TRAINING, and EXPERIENCE:

- 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; and
- Completion of Essentials of Firefighting, RIT, Incident Command, Hazardous Materials First Responder and maintain an Ohio EMT-B certification.

ESSENTIAL FUNCTIONS:

- 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;
- Ability to supervise subordinates, maintains discipline, and cooperates with other officers and employees;
- Ability to communicate verbally and in writing to superiors in the form of presentations, reports;
- Works overtime as required from time to time;
- Abide by all Fire Department rules, regulations and standard operating guidelines;
- 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;
- Assist in preparation of a master plan for future department operations; and
- Ability to complete written reports of fires, emergencies, and inspections.

PHYSICAL DEMANDS:

- Hearing, seeing speaking;
- Climbing, balancing, reaching, standing, pushing, lifting, fingering, grasping, walking, bending, stooping, kneeling, crouching and/or crawling; and performing other repetitive motions;
- Can expect to be called at any time regardless of time or weather conditions;
- Able to endure heights and confined spaces;
- Able to endure extreme temperatures, heavy smoke conditions, chemical, physical, and mechanical hazards;

- Must have ability to lift/carry heavy equipment and objects, either alone or with the assistance of others;
- 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;
- Must have the ability to lift/carry heavy equipment and objects, either alone or with the assistance of others;
- Must be 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 minimum of 125 pounds; and
- Must be able to carry, drag, and or maneuver objects/people weighing a minimum of 150 pounds.

VISUAL ACTIVITY:

- 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.

MENTAL DEMANDS:

- Reading, writing, communications;
- Having contact with persons experiencing adverse trauma;
- Ability to make decisions in emergency and pressure situations;
- Communicating verbally and in writing to superior officers; and
- Ability to comprehend and complete tasks based on verbal and written objectives.

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ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

TITLE: FIRE SAFETY INSPECTOR

DEFINITION:

- 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").

EXAMPLES OF DUTIES:

- Develops and coordinates plans for efficient and effective operations within assigned areas;
- Oversees the administration of assigned areas;
- Attends training programs oriented to their duties;
- Coordinates pre-fire planning within the department;
- 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;
- Positions and climbs ladders to gain access to upper floors or to accomplish rescue;
- Protects property from unnecessary smoke and water damage by using salvage covers, positive pressure ventilation fans and water vacuum;
- 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;
- 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.

DESIRABLE KNOWLEDGE AND SKILLS:

- Thorough knowledge of modern firefighting methods and techniques and ability to apply this knowledge to various fire control and fire prevention problems and fire investigation techniques;

- Ability to plan, assign, and coordinate the work of a group of employees engaged in fire prevention and fire control activities; and
- Ability to maintain discipline, to lead and command effectively, and direct firefighters and equipment under emergency conditions.

REQUIRED EDUCATION, TRAINING, and EXPERIENCE:

- Must possess a High school diploma or equivalent;
- Minimum of four (4) years of extensive experience in firefighting work of a progressively responsible nature;
- Must have and maintain a valid Ohio driver's license and Ohio Fire Inspector certification; and
- Completion of Essentials of Firefighting, Incident Command, Hazardous Materials First Responder, Fire Investigation Techniques and maintain an Ohio EMT-B certification.

ESSENTIAL FUNCTIONS:

- Responsible for all fire department operations and activities within the assigned areas;
- 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 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;
- 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;
- Abide by all Fire Department rules, regulations and standard operating guidelines;
- Ability to supervise subordinates, maintain discipline, direct training, and cooperate with other officers and employees; and
- Ability to complete written reports of fires, medical emergencies, and inspections.

PHYSICAL DEMANDS:

- Hearing, seeing speaking;
- Climbing, balancing, reaching, standing, pushing, lifting, fingering, grasping, walking, bending, stooping, kneeling, crouching and/or crawling; and performing other repetitive motions;
- Able to endure heights and confined spaces;
- Able to endure extreme temperatures, heavy smoke conditions, chemical, physical and mechanical hazards;
- Must have the ability to lift/carry heavy equipment and objects, either alone or with the assistance of others;
- Must be 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 minimum of 125 pounds;
- Must be able to carry, drag, and or maneuver objects/people weighing a minimum of 150 pounds;
- Can expect to be called at any time regardless of time or weather conditions;
- 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.

VISUAL ACTIVITY:

- 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.

MENTAL DEMANDS:

- Reading, writing, communications;
- Having contact with persons experiencing adverse trauma;
- Having contact with residents and businesses regarding fire hazard violations;
- Ability to make decisions in emergency and pressure situations;
- Communicating verbally and in writing to superior officers;
- Ability to comprehend and complete tasks based on verbal and written objectives; and
- Ability to work under pressure situations.

.....

ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

TITLE: FIREFIGHTER

DEFINITION:

- 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").

ESSENTIAL FUNCTIONS AND EXAMPLES OF DUTIES:

- 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; and
- 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.

OTHER IMPORTANT DUTIES:

- 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 when so designated; and
- Performs other duties as required.

PHYSICAL DEMANDS:

- Must be able to lift and move ladder and climb ladder;
- Climbing, balancing, reaching, standing, pushing, lifting, fingering, grasping, walking, bending, stooping, kneeling, crouching and/or crawling; and performing other repetitive motions;
- Able to endure heights and confined spaces;
- Able to endure extreme temperatures, heavy smoke conditions, chemical, physical and mechanical hazards;
- Must have the ability to lift/carry heavy equipment and objects, either alone or with the assistance of others;
- Must have agility to climb through rafters, on roofs and crawl through tubes;
- Must be able to open and close valves and be able to advance with hose while discharging water;
- Must be 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 minimum of 125 pounds;
- Must be able to carry, drag, and or maneuver objects/people weighing a minimum of 150 pounds;
- Must be able to carry heavy loads up and down stairs;
- Must be able to run and drag hose;
- Must be able to hear alarms and respond;

- Must be able to effectively communicate via two-way radio and over the telephone; and
- Must be able to grasp and safely use hand tools such as axe, pike pole, rope, chain saw, shovel, etc.
- 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.

VISUAL ACTIVITY:

- 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.

ACCEPTABLE EXPERIENCE AND EDUCATION:

- Must possess a High school diploma or its equivalent;
- Must possess and maintain a valid Ohio driver's license with no more than 4 points at time of hire or no more than 6 points after hire;
- Must possess and maintain a State of Ohio 36 hour (for Part-Time) 240 hour (for Full-Time) Basic Firefighter certification;
- Must maintain an Emergency Medical Technician Ambulance certification (if appointed after March 1, 2003) and will have two years after appointment to receive; and
- Must possess and maintain a Hazardous Materials Operations level certification or will have one year after appointment to receive.

MENTAL DEMANDS:

- Reading, writing, communications;
- Having contact with persons experiencing adverse trauma;
- Ability to make decisions in emergency and pressure situations;
- Communicating verbally and in writing to superior officers;
- Ability to comprehend and complete tasks based on verbal and written objectives; and
- Ability to work under pressure situations.

.....

ACKNOWLEDGMENT

I acknowledge that the above description is a representation of the major duties and responsibilities of this position.

Employee

Date

Employee's Supervisor

Date

APPENDIX A – DEFERRED COMPENSATION

RESOLUTION

11-01-19

**DEFERRED COMPENSATION POLICY AS
PREVIOUSLY APPROVED**

EXHIBIT #7

DEFERRED COMPENSATION

Deferred Compensation for all eligible employees to be calculated per Resolution 05-11-53 adopted November 28, 2005.

RESOLUTION 05-11-53

AUTHORIZATION FOR THE TOWNSHIP OF BERLIN, DELAWARE COUNTY, OHIO, TO PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES OF THE TOWNSHIP OF BERLIN, DELAWARE COUNTY, OHIO PURSUANT TO I.R.C. SECTION 414(h)(2).

WHEREAS, pursuant to federal and Ohio laws, the employees of the Township of Berlin, Delaware County, Ohio, could defer the federal and state income taxes on a portion of their wages or salaries if the Township of Berlin, Delaware County, Ohio, would "pick up" (assume and pay) the statutorily required contribution by such elected officials and covered employees to the Ohio Public Employees Retirement System; and

WHEREAS, the Township of Berlin, Delaware County, Ohio, will not incur any additional costs in the deferment of federal and state income taxes.

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP OF BERLIN, DELAWARE COUNTY, OHIO, THAT:

SECTION 1: Effective January 1, 2006 the full amount of the statutorily required contributions to the Ohio Public Employees Retirement System shall be withheld from the gross pay of each person within any of the classes established in Section 2 herein and shall be "picked up" (assumed and paid to the Ohio Public Employees Retirement System) by the Township of Berlin, Delaware County, Ohio. This "pick up" by the Township of Berlin, Delaware County, Ohio, is, and shall be designated as, public employee contributions and shall be in lieu of contributions to the Ohio Public Employees Retirement System by each person within any of the classes established in Section 2 herein. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to the Ohio Public Employees Retirement System directly instead of having it "picked up" by the Township of Berlin, Delaware County, Ohio, or of being excluded from the "pick up".

The Township of Berlin, Delaware County, Ohio shall, in reporting and making remittance to the Ohio Public Employees Retirement System report that the public employees contribution for each person subject to this "pick up" has been made as provided by the statute.

SECTION 2: The "pick up" by the Township of Berlin, Delaware County, Ohio, provided by this resolution shall apply to all persons that:

Are employees of the Township of Berlin, Delaware County, Ohio, who are or become contributing members of the Ohio Public Employees Retirement System.

SECTION 3: The Township's method of payment of salary to employees who are participants in OPERS is hereby modified as follows, in order to provide for a salary reduction pick-up of employee contributions to OPERS.

SECTION 4: The total salary for each employee shall be the salary otherwise payable under the Township policies. Such total salary of each employee shall be payable by the Township in two parts: (a) deferred salary and (b) cash salary. An employee's deferred salary shall be equal to that percentage of that employee's total salary which is required from time to time by OPERS to be paid as an employee contribution by that employee, and shall be paid by the Township to OPERS on behalf of that employee as a pick-up and in lieu of the OPERS employee contribution otherwise payable by that employee. An employee's cash salary shall be equal to that employee's total salary less the amount of the pick-up for that employee, and shall be payable, subject to applicable payroll deductions, to that employee. The Township shall compute and remit its employer contributions to OPERS based upon an employee's total salary. The total combined expenditures of the Township for such employees' total salaries payable under applicable township policies and the pick-up provisions of this Resolution shall not be greater than the amounts it would have paid for those items had this provision not been in effect.

SECTION 5: The Treasurer and/or the Clerk are hereby authorized and directed to implement the provisions of this Resolution to institute the "pick up" of the statutorily required contributions to the Ohio Public Employees Retirement System for those persons reflected in Section 2 herein so as to enable them to obtain the result in federal and state tax deferments and other benefits.

Adopted, November 28, 2005, **Amended January 1, 2008**

- 1.) All employees – mandatory participation.

AMENDMENT # 1-January 1, 2008 (EXCEPTION: full-time fire department personnel are required to participate in OP&F; part-time fire department personnel are required to participate in social security EXCEPT: Craig Hall who is required to participate in OPERS due to being grandfathered in that policy)

Motion: Panzarella
Second: Bullard
Vote: Bullard yea, Panzarella yea and D'Amico yea.

APPENDIX B – DRIVING AND VEHICLE OPERATION

POLICIES

Overview

As a Berlin Township employee, you are constantly in the public eye. Every time you drive a vehicle or piece of equipment in the performance of your duties, you are representing Berlin Township. You are not only responsible for your 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

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), will 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.

3. More than three moving violations in the last two year period, including traffic citations received as a result of an accident.
4. 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 that shall be considered an attachment to this policy and procedures 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
-
1. No employee under the age of 18 is allowed to drive Berlin Township owned or personal vehicles during the course of their employment.
 2. Authorization for temporary/seasonal employees to operate vehicles shall be limited where practical. However, if authorized, these employees must sign the License/Insurance/Maintenance Requirements Form and be approved by Berlin Township Trustees.

3. Vehicle Operators must possess a current Operators license appropriate to the vehicle being driven.
4. 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.
5. Drivers will not operate vehicles when under the influence of alcohol or illicit and/or driving impairing drugs.
6. Drivers will use the proper signals when stopping, turning, or slowing down.
7. All drivers will give a pedestrian the right of way.
8. 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.
9. All traffic laws of the State, including signs and speed limits will be obeyed.
10. Employees driving vehicles during their employment are responsible for insuring that the vehicle is properly maintained and in a generally safe operating condition.
11. 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** below.
12. No one is permitted to ride outside the passenger compartment when a vehicle is in motion (except in the case of certain fire engines).
13. Employees driving personal vehicles while in the employment of the township will maintain primary automobile liability insurance coverage on the vehicle being driven. 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.
14. Personal vehicles will not be used to pull trailers or haul equipment while being used in township related business.
15. 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.

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 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, except with respect to police cruisers that will be inspected before each shift. 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 of designee immediately. It will be the Department Head's responsibility to insure 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 work-site, 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 Appendix B "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 in Appendix A. 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 insure 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 insuring 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 AN 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.

If you have any questions concerning the suspension of driving privileges, please do not hesitate to contact me.

APPENDIX C – PUBLIC RECORDS

BERLIN TOWNSHIP PUBLIC RECORDS POLICY

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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	\$ 0.10
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 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:
 - 1. The opportunity for legal review,
 - 2. The volume of records requested, and
 - 3. 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:
 - 1. Put a records request in writing,
 - 2. Provide his or her identity, or
 - 3. The intended use of the requested public record.

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)).
- E. 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:
 - 1. The requestor does not have to complete Form 3, and
 - 2. 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:
 - 1. Voluminous/Copying or Reproduction Time Required Request: (Form 5)

- a. 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.
- b. The requestor shall be informed of the estimated length of time required to respond.
- c. 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.
- d. 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.
- e. The requestor shall be informed of any items within the request that may be exempt from disclosure.
- f. 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.
- g. All such information as required above shall be provided to the requestor in no more than three (3) days after receiving the request.
- h. Considering the volume of records requested, the requested records should be made available to the requestor within a reasonable period of time.

2. Legal Issue Concerning Release: (Form 6)

- a. 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.
- b. 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.
- c. 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.
- d. 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:

1. Advance payment is required prior to providing copies of public records,
2. 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.
3. 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.
4. 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

- 1. The requested records have never been maintained by the office where the request is made,
- 2. 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),
- 3. 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),
- 4. 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:

- 1. The request may be denied.
- 2. 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

- 1. 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.

- a. Any denial of public records requested must include an explanation, including legal authority.
 - b. 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.
 - c. Employees shall consult legal counsel if they are unsure of whether the record requested should be withheld from disclosure.
2. 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.
 3. If the initial request was provided in writing then the explanation shall also be provided in writing.
 4. 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

1. Definition and Effect of a Redaction
 - a. "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)).
 - b. 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)).
2. Redaction Procedure
 - a. 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.
 - b. 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.
 - c. 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.

- d. 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)).
- e. 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.
- f. If the initial request was provided in writing then the explanation shall also be provided in writing.
- g. 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

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.

- A. 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.
- B. 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 &
POLICY REGARDING FEES FOR COPIES &
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, DELAWARE COUNTY
OHIO
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 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"/>	Prepaid
--------------------------	----------------

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

<input type="checkbox"/>	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. <table border="1" data-bbox="228 415 1406 453"> <tr> <td>Cite for the applicable state or federal law.</td> <td></td> </tr> </table>	Cite for the 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. <table border="1" data-bbox="228 863 1406 900"> <tr> <td>Non-releasable material has been redacted</td> </tr> </table> <table border="1" data-bbox="228 940 1406 1014"> <tr> <td>Cite for the applicable state or federal law permitting redaction.</td> <td></td> </tr> </table>	Non-releasable material has been redacted	Cite for the applicable state or federal law permitting redaction.	
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. <table border="1" data-bbox="228 1199 1406 1236"> <tr> <td>Cite for the applicable state or federal law.</td> <td></td> </tr> </table>	Cite for the applicable state or federal law.		
Cite for the applicable state or federal law.				

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

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 D – RECORD RETENTION

Berlin Township has a public records policy adopted pursuant to O.R.C. § 149.43.

Records and Public Records are defined respectively in R.C. §§ 149.011(G) and 149.43(A)(1)

Public records are available Monday through Friday, during regular office hours, excluding legal holidays.

For assistance in reviewing public records and/or obtaining copies of public records please contact the records

custodian:

Claudia Smith

At

(740) 548 -6350 ext. 100

Public records will be promptly prepared and made available in a reasonable period of time.

If a public records request requires research and/or review, you will receive a written response and/or the records within a reasonable period of time.

See posted fee schedule and/or Berlin Township Public Records Policy for cost of copies.

Poster pursuant to O.R.C. § 149.43 (E)(2)

APPENDIX E – PURCHASE REQUISITION

Purchase requisitions-

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-Department 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.

- 3.) **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.

Motion: Panzarella
Second: Bullard

DISCUSSION: Bullard said, "I'm looking for the change we made for the fire department and the road department to \$10,000 or \$11,000."

Panzarella said, "I thought this was for before we have a competitive contract. I want to know if we've had problems." Bullard made reference to resolution #10-06-20 adopted in June 2010. Bullard said, "If we adopt what has been proposed, we put it back like it was."

Vote: Bullard naye, D'Amico naye and Panzarella naye.

Bullard said he would support a revised resolution including wording allowing requisitions of up to \$10,000 for the road and fire departments as was stated in June 2010 resolution #10-06-20.

Panzarella said, "You just did cancel a motion for \$1,000 requisitions requiring three (3) quotes."

Bullard said, "It's everything in the proposed resolution #11-01-05 including the June 2010 approved resolution 10-06-20."

APPENDIX F – ALCOHOL & ILLEGAL DRUG USE POLICY

Prior to the first time an employee performs official duties for Berlin Township, the employee will be tested for alcohol and controlled substances. Positive tests for drugs and alcohol may result in failure of the individual to be hired.

Berlin Township has a responsibility and a strong commitment to provide its employees a safe workplace, and a responsibility to ensure the public that their safety and trust in Berlin Township are protected. Berlin Township prohibits the use, possession, manufacture, dispensation, or sale of illegal drugs, drug paraphernalia, controlled substances, or alcohol on Berlin Township premises, in Berlin Township vehicles, and/or while conducting business on Berlin Township's behalf, whether during or after normal work hours. Employees are required to be free from the influence of illegal drugs and alcohol while working or on call.

Township reserves the right to have employees tested, screened and/or searched on Berlin Township property for illegal drug and alcohol use as Berlin Township deems necessary as long as these procedures do not violate any existing laws.

If you have reason to believe that a fellow employee is under the influence of alcohol or illegal drugs, or has otherwise violated this policy, contact your Department Head, Berlin Township Administrator, or Board of Trustees immediately.

The terms of this policy do not alter any employment-at-will relationship with employees. All employees subject to this policy remain subject to all other policies, procedures, rules, and regulations, established by Berlin Township. All employees also remain subject to all other relevant federal, state, and local laws and regulations.

Voluntary Rehabilitation

Berlin Township encourages any employee with a drug or alcohol abuse problem to voluntarily admit problems to their supervisor and seek treatment.

Authorized Use of Prescribed Medicine

Employees undergoing prescribed medical treatment with any prescription drugs which may alter their behavior or physical or mental ability must report this treatment to the Department Head or Berlin Township Administrator.

A determination will be made if Berlin Township should temporarily change the employee's job assignment during the period of treatment.

Employees must keep all prescribed medicine in the original container, which identifies the drug, date of prescription and prescribing doctor.

Conviction Under Criminal Drug Statute

Employees must immediately notify their Department Head of any conviction under a criminal drug statute.

Prohibitions

BERLIN TOWNSHIP's policy prohibits the following:

- Use, possession, manufacture, distribution, dispensation or sale of alcohol, illegal drug or drug paraphernalia on Berlin Township premises, in Berlin Township vehicles at any time.
- Unauthorized use or possession, or any manufacture, distribution, dispensation or sale of a controlled substance on Berlin Township premises, in Berlin Township vehicles at any time.
- Storing in a locker, desk, automobile, or other repository on Berlin Township premises any illegal drug or drug paraphernalia, any controlled substance, or any alcohol whose use is unauthorized.
- Being under the influence of an unauthorized controlled substance, illegal drug or alcohol on Berlin Township premises, in Berlin Township vehicles, while doing business, or during working hours.
- Being "under the influence" of alcohol is defined as a blood alcohol content of 0.04%.
- Being "under the influence" of an unauthorized controlled substance or illegal drug is defined as testing positive at a specified mg/ml level.
- Switching or adulterating any urine sample submitted for testing.
- Refusing consent to submit a breath, saliva, urine or blood sample for testing when requested.
- Failing to adhere to the requirements of any illegal drug or alcohol treatment or counseling program in which the employee is enrolled.
- Conviction under any criminal drug statute and failure to immediately notify Berlin Township.
- Failure to report to the Department Head or Berlin Township Administrator use of a prescribed drug which may alter the employee's behavior or physical or mental ability.
- Failure to keep prescribed medicine in its original container.

Enforcement

Berlin Township requires that every newly hired employee be free of alcohol or illegal drugs. Each offer of employment is conditioned upon the passing of a breath, saliva, blood and/or urine test for alcohol and illegal drugs. Berlin Township will not hire any applicant who fails to pass the pre-employment illegal drug test.

Whenever Berlin Township suspects that an employee's work performance or on-the-job behavior may have been affected in any way by alcohol or illegal drugs, or that an employee has otherwise violated the Alcohol and Illegal Drug Abuse Policy, Berlin Township may require the employee to submit a breath, saliva, urine and/or blood specimen for alcohol and illegal drug testing. An employee who tests positive for alcohol or illegal drugs will be in violation of this Policy.

Whenever Berlin Township's standard policy requires an employee to undergo a physical exam, that examination will include a breath, saliva, urine and/or blood test for alcohol and illegal drugs. An employee who tests positive for alcohol or illegal drugs will be in violation of this Policy.

Whenever an employee is involved in any kind of an accident (including vehicular even if not cited), Berlin Township will require the employee to submit a breath, saliva, urine and/or blood specimen for alcohol or illegal drug testing. An employee testing positive for alcohol or illegal drugs will be in violation of this Policy.

Berlin Township will afford applicants and employees subject to testing the opportunity, prior to testing, to list all prescription and non-prescription drugs they have used in the last thirty (30) days and to explain circumstances surrounding use of these drugs.

Applicants and employees subject to testing must sign, prior to testing, an approved form consenting to the testing and consenting to the release of the test results to Berlin Township.

Prior to taking any action, Berlin Township will give all applicants and employees who test positive for alcohol or illegal drugs the opportunity to explain the test results.

All positive alcohol or illegal drug tests will be reported to Berlin Township Administrator on a need-to-know basis.

Inspections

Whenever Berlin Township suspects that an employee's work performance or on-the-job behavior may have been affected in any way by alcohol or illegal drugs, Berlin Township may search the employee, the employee's locker, desk or other property under the control of the employee.

Whenever Berlin Township suspects that an employee has sold, purchased, used or possesses alcohol, illegal drugs or illegal drug paraphernalia on Berlin Township premises, Berlin Township may search the employee, the employee's locker, desk or other property under the control of the employee.

Consequences for Violation of the Alcohol and Illegal Drug Abuse Policy

Violation of T Berlin Township's Alcohol and Illegal Drug Policy may result in severe disciplinary action, including discharge for a first offense, at Berlin Township's sole discretion.

Berlin Township will promptly terminate any employee who tests positive for alcohol or illegal drugs while undergoing Berlin Township required counseling and treatment for alcohol or illegal drug abuse or who tests positive on a periodic unannounced test for alcohol or illegal drugs during the twenty-four (24) month period following completion of the rehabilitation program.

Condition of Employment

Compliance with Berlin Township's Alcohol and Illegal Drug Abuse Policy is a condition of employment.

Failure or refusal of an employee to cooperate fully, sign any required document, submit to any inspection or test or follow any prescribed course of substance abuse treatment will be grounds for termination.

Acknowledgment of Receipt of Employee Handbook

I hereby acknowledge that I have received on the date listed below the Employee Handbook for Berlin Township, 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, 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: _____