# Table of Contents

CHAPTER I – INTRODUCTION
- SECTION 1.01 PURPOSE ........................................... 4
- SECTION 1.02 TOWNSHIP CHAIN-OF-COMMAND ........... 5

CHAPTER II – GENERAL PERSONNEL MATTERS
- SECTION 2.01 EMPLOYMENT STATUS .................................. 5
  - Full-time ..................................................................... 5
  - Part-time .................................................................... 6
  - Temporary/Seasonal .................................................... 6
- SECTION 2.02 EQUAL OPPORTUNITY EMPLOYMENT .......... 6
- SECTION 2.03 IMMIGRATION LAW COMPLIANCE ............... 6
- SECTION 2.04 BOND REQUIREMENTS ................................. 6
- SECTION 2.05 CRIMINAL BACKGROUND AND DRIVING RECORD CHECK ........................................... 7
- SECTION 2.06 PHYSICAL TESTING .................................... 7
- SECTION 2.07 PROBATIONARY PERIOD (FIREFIGHTERS ONLY) .......................................................... 8
  - Initial Hire ................................................................... 8
  - Promotion ................................................................... 8
- SECTION 2.08 HOURS OF WORK, PAYROLL PRACTICES & OVERTIME ........................................... 8
  - Hours of Work ............................................................ 8
  - Payroll ....................................................................... 9
  - Overtime ...................................................................... 9
  - Timesheets ................................................................... 9
- SECTION 2.09 PERSONNEL RECORDS ................................. 10
- SECTION 2.10 OUTSIDE EMPLOYMENT ............................... 11
- SECTION 2.11 DUAL POSITION EMPLOYMENT .................... 12
- SECTION 2.12 TEMPORARY ASSIGNMENTS ......................... 12
- SECTION 2.13 PERFORMANCE EVALUATIONS .................... 12
- SECTION 2.14 RESIGNATION ............................................ 12
- SECTION 2.15 REFERENCE CHECKS & EMPLOYMENT VERIFICATION ........................................... 12
- SECTION 2.16 MEDICAL INFORMATION ............................. 13

CHAPTER III – BENEFITS
- SECTION 3.01 GROUP HEALTH INSURANCE .......................... 13
- SECTION 3.02 CONTINUATION OF GROUP HEALTH INSURANCE COVERAGE (COBRA) ........................................... 14
- SECTION 3.03 WORKERS’ COMPENSATION INSURANCE ............. 14
  - Eligibility .................................................................... 14
  - Reporting ..................................................................... 14
- SECTION 3.04 DEFERRED COMPENSATION .......................... 15
- SECTION 3.05 RETIREMENT .............................................. 15
- SECTION 3.06 PAID HOLIDAYS ........................................... 15
  - Saturday/Sunday Observance ........................................ 16
  - Holidays Occurring during an Employee’s Vacation/Sick Leave ........................................... 16
  - Work on Holidays ....................................................... 16
- SECTION 3.07 VACATION .................................................. 16
  - Prior Service ............................................................. 16
  - Accrual, Crediting, Carryover, and Forfeiture ....................... 17
SECTION 5.11  PURCHASE REQUISITIONS ................................................................. 36
SECTION 5.12  INVENTORY .................................................................................. 36
SECTION 5.13  EMPLOYEE COMMUNICATION ...................................................... 36
  Effective Communications .................................................................................. 36
  Complaint Handling Procedure ......................................................................... 37
  Information Regarding Unlawful Activities ...................................................... 37
SECTION 5.14  SEVERE WEATHER AND OTHER EMERGENCIES ......................... 37-40
SECTION 5.15  ETHICS ............................................................................................. 41
  Conflicts of Interests .......................................................................................... 41
  Gift Policy .......................................................................................................... 42
CHAPTER VI – DISCIPLINE .................................................................................. 42
  SECTION 6.01  AUTHORITY TO ......................................................................... 42
  SECTION 6.02  VIOLATIONS OF POLICIES AND PROCEDURES ....................... 42
  SECTION 6.03  DUTY TO COOPERATE DISCIPLINE .......................................... 43
CHAPTER VII – JOB DESCRIPTIONS ................................................................... 44
  TITLE: ROAD LABORER I, LABORER I-NEW HIRE & LABORER ....................... 44-46
  TITLE: ROAD LABORER II, LABORER II-NEW ............................................... 47-49
  TITLE: ROAD SUPERINTENDENT ...................................................................... 50-53
  TITLE: BUILDING SERVICES/JANITOR ............................................................. 54-55
  TITLE: CEMETERY SEXTON, CEMETERY CLERK & SEXTON ASSISTANT ..... 56-69
  TITLE: ZONING SECRETARY/ADMINISTRATIVE ASSISTANT ....................... 70-72
  TITLE: ZONING INSPECTOR ............................................................................. 73-76
  TITLE: FIRE CHIEF ............................................................................................. 77-81
  TITLE: ASSISTANT CHIEF .................................................................................. 82-85
  TITLE: CAPTAIN ................................................................................................ 86-89
  TITLE: LIEUTENANT ........................................................................................... 90-92
  TITLE: FIRE SAFETY INSPECTOR .................................................................... 93-96
  TITLE: FIREFIGHTER .......................................................................................... 97-99
APPENDIX A – DEFERRED COMPENSATION ...................................................... 100-101
APPENDIX B – DRIVING AND VEHICLE OPERATION .......................................... 102-109
APPENDIX C – PUBLIC RECORDS ........................................................................ 110-128
APPENDIX D – RECORD RETENTION .................................................................. 129
APPENDIX E – PURCHASE REQUISITION ......................................................... 130-131
APPENDIX F – ALCOHOL & ILLEGAL DRUG USE POLICY ................................. 132-135
APPENDIX G – HIPPA PRIVACY POLICY & NOTICE OF PRIVACY PRACTICES ....................................................................... 136-147
APPENDIX H – CREDIT CARD POLICY ............................................................... 148
ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK ....................... 149
UPDATES MADE TO EMPLOYEE HANDBOOK .................................................... 150
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:

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Date Observed</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year’s Day</td>
<td>January 1 (8 hours)</td>
</tr>
<tr>
<td>Martin Luther King Day</td>
<td>Third Monday in January (8 hours)</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>Last Monday in May (8 hours)</td>
</tr>
<tr>
<td>Independence Day</td>
<td>July 4 (8 hours)</td>
</tr>
<tr>
<td>Labor Day</td>
<td>First Monday in September (8 hours)</td>
</tr>
<tr>
<td>Veteran's Day</td>
<td>November 11 (8 hours)</td>
</tr>
<tr>
<td>Thanksgiving</td>
<td>Fourth Thursday in November (8 hours)</td>
</tr>
<tr>
<td>Friday Following Thanksgiving*</td>
<td>Fourth Friday in November (8 hours)</td>
</tr>
<tr>
<td>Christmas Eve**</td>
<td>December 24 (4 hours)</td>
</tr>
<tr>
<td>Christmas Day</td>
<td>December 25 (8 hours)</td>
</tr>
<tr>
<td>New Year’s Eve**</td>
<td>December 31 (4 hours)</td>
</tr>
</tbody>
</table>

*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:

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

* 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 CREDIT CARD POLICY (Updated November 28, 2016)

I. DEFINITIONS

A. Board. Board means the Board of Trustees of Berlin Township, Delaware County, Ohio.

B. Credit Card. Credit Card means a credit card, debit card, charge card, or other similar financial transaction device, regardless of Issuer, issued to or held in the name of the Board and/or Township that is used as a method or means of payment, whether at the point of
purchase, via internet, by telephone, or by any other means, for obtaining goods and/or services on credit or by deducting the value of the transaction directly from an account held in the name of the Board or Township with a bank, savings and loan, credit union, or other financial institution.

C. Credit Card Information. Credit Card Information includes, but is not limited to, the Credit Card number, expiration date, security code, passwords, and any and all other similar numbers, codes, words, and/or other information used to identify the Credit Card, make purchases and/or access credit using the Credit Card, and/or access the Credit Card account.

D. Employee. Employee means all officers, elected officials, trustees, fiscal officers, employees (fulltime or part-time), seasonal employees, and/or appointees of the Township.

E. Fiscal Officer. Fiscal Officer means the Fiscal Officer of Berlin Township, Delaware County, Ohio.

F. Issuer. Issuer means a bank, savings and loan, credit union, other financial institution, or vendor (i.e. store or gas station) that issues the Credit Card.

G. Personal Expense. Personal Expense means any cost or expenditure other than a Work-Related Expense.

H. Policy. Policy means this Credit Card Use Policy.

I. Township. Township means Berlin Township, Delaware County, Ohio.

J. Work-Related Expense. Work-Related Expense means any cost or expenditure of Township funds authorized by the Board and related to the official business of the Township.

II. SCOPE

This Policy applies to all Employees.

III. PURPOSE

Credit Cards allow Employees to pay allowable Work-Related Expenses effectively and efficiently. The purpose of this Policy is to establish consistent rules and regulations for the proper, safe, and secure use of Credit Cards by Employees.

IV. EFFECTIVE

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

V. AUTHORITY

Pursuant to R.C. § 505.64, the Board may authorize an Employee of the Township to use a Credit Card to pay for Work-Related Expenses.

VI. COMPLAINECE

All Employees authorized to use a Credit Card are responsible for compliance with this Policy and shall comply with this Policy.

VII. PROCEDURE

A. Only the Board, in its sole discretion, may authorize an Employee of the Township to be issued, hold, and/or use a Credit Card. Such authorization shall be by resolution. (See R.C. § 505.64(A)).

B. Pursuant to R.C. § 507.11(A), the Board may authorize, by resolution, individual Employees to incur obligations of two thousand five hundred dollars ($2,500.00) or less on behalf of the Township. The established dollar limit of such authority shall apply to the aggregate of all obligations, including Credit Card transactions, incurred and outstanding at any one time by the Employee. The obligations incurred on behalf of the Township by an Employee acting pursuant to any such resolution shall be subsequently approved by the adoption of a formal resolution of the Board.

C. The transaction dollar limit for any single charge on a township credit card is two thousand dollars ($2,000.00). In the event of an emergency, the employee shall notify the Fiscal Officer prior to purchase if the two thousand dollars ($2,000.00) transaction dollar limit is exceeded.

D. The Fiscal Officer is responsible for overseeing all Credit Cards, including, but not limited to, the following:

1. Upon authorization of the Board, obtaining Credit Cards from the Issuer and issuing such Credit Cards to the authorized Employees;
2. Accounting for Credit Cards issued to Employees, to include, but not limited to, maintenance of a list of Employees who have been issued a Credit Card, the Issuer of such Credit Card and the Credit Card number, security code, and expiration date, the credit limit on such Credit Card, the date the Credit Card was issued to the Employee, the contact telephone number for the Issuer listed on the Credit Card, and the date the Employee returned the Credit Card;
3. Monitoring usage of Credit Cards issued to Employees, to include, but not limited to, reviewing all Credit Card statements as soon as possible to ensure compliance with this Policy;
4. Assuring that funds to pay expenses incurred by use of a Credit Card are appropriated for such purpose and allocated to the correct Township fund;
5. Immediately reporting to the Board any unauthorized charges, charges for Personal Expenses, or other charges that are inconsistent with this Policy;
6. Responding per this Policy to reports of loss, theft, fraud, or possible unauthorized use of a Credit Card; and,
7. Generally overseeing compliance with this Policy.

E. The debt incurred as a result of the use of a Credit Card shall be paid from moneys appropriated by the Board for such expenses. (See R.C. § 505.64(A)).

F. In accordance with R.C. § 505.11(B)(1), no money belonging to the Township shall be paid out, except upon an order signed by at least two (2) of the township trustees, and countersigned by the Fiscal Officer. This includes money paid to Issuers (i.e. bank, savings and loan, credit union, or other financial institution) to satisfy obligations incurred on a Credit Card.

G. When applicable, as required by R.C. § 5705.41(D), the Fiscal Officer shall certify the existence of sufficient unencumbered funds to pay for expenditures made by Credit Card.

H. Credit Card balances shall be paid in-full each month so as not to incur interest or late fees. Credit Cards shall not be used to defer all or any part of the purchase price or create an installment payment plan for any expenditure. (See OAG 84-050).

I. The Board is and shall remain the holder of all Credit Cards issued to the Board. The Credit Cards remain the property of the Issuer.

J. All department heads and supervisors are responsible to ensure that personnel under their supervision are adequately trained, fully understand, and comply with this Policy.

VIII. USE

A. Credit Cards shall **ONLY** be used to pay for Work-Related Expenses authorized by the Board pursuant to R.C. § 507.11.

B. Employees are responsible for assuring funds for any Credit Card expenditure or purchase have been properly appropriated by the Board for the expenditure or purchase prior to using the Credit Card.

C. Employees shall obtain from the vendor and produce to the Fiscal Officer a receipt for all expenditures or purchases made using a Credit Card. The receipt shall be provided to the Fiscal Officer at or prior to the next Board meeting following the expenditure or purchase.
D. Use of a Credit Card is an expenditure of Township funds. Employees should use common sense and follow the same procedures as used with all expenditures of Township funds.

E. Employees shall not allow anyone else, including other Employees, to use the Credit Card.

F. Employees shall not intentionally destroy the Credit Card. When the Credit Card expires, is no longer needed, or upon termination of employment or service with the Township, Credit Cards shall be returned to the Fiscal Officer.

G. Credit Cards shall NOT be used to pay for any expense not approved by the Board or any unauthorized expense.

H. Credit Cards shall NOT be used to pay for any Personal Expense or for any personal purpose or purchase.

I. Credit Cards shall NOT be used to obtain cash advances, cash withdrawals, or to obtain cash back from a transaction.

J. Credit Cards shall NOT be used to obtain personal services.

K. Credit Cards shall NOT be used to pay for entertainment, except as otherwise authorized by the Board.

L. Credit Cards shall NOT be used to purchase alcohol or tobacco.

M. Credit Cards shall NOT be used for casino gaming, betting, wagering, or gambling and shall not be used to obtain cash advances for such purposes.

N. Credit Cards shall NOT be used for any purpose or to pay for any expense prohibited by federal or state law or by any Township policy or practice. This includes the payment of state sales tax of which townships are exempt. The Fiscal Officer will provide each employee with a “Sales and Use Tax Blanket Exemption Certificate” to present to the vendor. Employees will be personally responsible for the payment of sales taxes when using the Credit Card.

O. Credit Cards shall be used in accordance with all applicable Credit Card rules and regulations and in accordance with all state and federal laws.

IX. SECURITY

A. Employees shall only disclose Credit Card Information as is necessary or to make an authorized expenditure or purchase. Credit Card Information shall not be disclosed to any unauthorized person or entity. Questions regarding disclosure of Credit Card Information should be directed to the Fiscal Officer.
B. Employees shall keep secure and protect all Credit Card Information from unauthorized disclosure and shall maintain such information as confidential as if were the Employee’s own personal credit card information.

C. All Credit Card transactions shall be reviewed by the Board and Fiscal Officer.

D. All online or internet expenditures or purchases using a Credit Card shall only be made using a computer protected by updated and current anti-virus/anti-malware software and only through a secure network where transmitted information is encrypted.

E. An Employee who is authorized to use a Credit Card and who suspects the loss, theft, fraud, or possibility of unauthorized use of the Credit Card shall verbally notify the Fiscal Officer immediately after the suspected loss, theft, fraud, or possibility of unauthorized use becomes known to the Employee. Upon receipt of such notice, the Fiscal Officer shall immediately take any action that the Fiscal Officer considers prudent and necessary to prevent or arrest any possible or additional unauthorized use of the Credit Card including, but not limited to, notifying the Issuer and/or law enforcement, as appropriate, and shall notify the Board of such action.

The Employee shall immediately follow verbal notice to the Fiscal Officer by written notice to the Board of the suspected loss, theft, fraud, or possible unauthorized use. The Fiscal Officer should be copied on such notice. The Employee may be held liable in person and upon any official bond the Employee has given to the Township for up to fifty ($50) dollars in unauthorized debt incurred before the Board receives such notification. (See R.C. § 505.64(C)).

F. The Employee shall fully cooperate in any investigation by the Board, the Issuer, and/or law enforcement of any loss, theft, fraud, or possible unauthorized use of the Credit Card.

X. MISUSE

A. Employees shall be liable in person and upon any official bond the Employee has given to the Township for the unauthorized use of a Credit Card. The Delaware County Prosecuting Attorney shall recover the amount of any unauthorized expenses incurred by the Employee and associated costs by civil action in any court of appropriate jurisdiction. Neither R.C. § 505.64 nor this section limit any other liability of an Employee for unauthorized use of a Credit Card. (See R.C. § 505.64(B)).

B. Misuse of a Credit Card by an Employee is a violation of R.C. § 2913.21 and may be a violation of other federal and/or state criminal laws and will be prosecuted accordingly. (See R.C. § 505.64(D)).

C. In addition to any criminal charges and/or any civil actions for recovery, an Employee that misuses a Credit Card or uses a Credit Card in violation of this Policy or to pay for a
Personal Expense may be subject to appropriate discipline as solely determined by the Board, up to and including termination.

XI. TERMINATION OF EMPLOYMENT

A. An Employee shall not use a Credit Card after termination of the Employee’s employment or service with the Township.

B. Upon termination of employment or service with the Township, an Employee shall immediately return and relinquish any Credit Card in the Employee’s possession to the Fiscal Officer.

XII. DISTRIBUTION AND ACKNOWLEDGMENT

This Policy shall be distributed to all Employees authorized to use a Credit Card. Each Employee shall complete, sign, and return Appendix A to the Fiscal Officer prior to using a Credit Card. The Fiscal Officer shall hold and maintain the signed Appendix A for as long as the Employee remains an official of and/or is employed by or in the service of the Township and, in addition thereto, in accordance with the applicable retention schedule.

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
(Revised 6/9/2014 Resolution # 14-06-16)

1. Purpose

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

2. Scope

This Policy applies to all Employees.

3. Definitions

A. Board. Board means the current Board of Trustees of the Township.

B. County. County means Delaware County, Ohio.

C. Emergency. Emergency means a state resulting from an unexpected and/or usually dangerous event. Examples of an Emergency are a fire, flood, tornado, earthquake, severe weather, power outage and/or other unusual and/or unexpected severe event. This list of examples is not exhaustive or exclusive.

D. Employee. Employee means an Employee of the Township.

E. Essential Employee. Essential Employee means an Employee assigned to a position that is necessary to everyday operations and/or functions of the Township. Essential Employees include, but are not limited to, all fire department personnel, all emergency communications personnel, all maintenance personnel, and all road department personnel. Essential Employee includes zoning personnel required for a zoning hearing if a zoning hearing is scheduled and the hearing is not rescheduled or cancelled. Essential Employee also includes cemetery personnel required for a funeral if a funeral is scheduled and the funeral is not rescheduled. The Board, in its sole discretion, may designate any other Employee as an Essential Employee as a matter of policy or on an as needed basis.
F. Fiscal Officer. Fiscal Officer means the current Fiscal Officer of the Township.

G. Leave. Leave means vacation leave or compensatory time accrued and unused by the Employee and available for use by the Employee.

H. Non-Essential Employee. Non-Essential Employee means an Employee assigned to a position not designated by this Policy or the Board as an Essential Employee.

I. Policy. Policy means this Severe Weather and Emergency Policy.

J. Severe Weather Event. Severe Weather Event means a weather event that results in the Sheriff declaring a Snow Emergency.

K. Sheriff means the duly elected Sheriff or his or her designee of any of the 88 Counties in Ohio.

L. Snow Emergency. Snow Emergency means a Level 1, Level 2, or a Level 3 Snow Emergency declared by the Sheriff in accordance with the laws of the State of Ohio.

M. Township. Township means Berlin Township, Delaware County, Ohio.

N. Township Offices. Township Offices means all offices and departments operated by the Township.

4. **Severe Weather Policy**

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

- **Level 1 Snow Emergency:**
  
  The Township will be open. All Employees, unless otherwise excused, are expected to be at work.

- **Level 2 Snow Emergency:**

  **Overnight Severe Weather Event**
  
  If a Severe Weather Event occurs overnight, the following applies:
  
  All Essential Employees, unless otherwise excused, are expected to be at work at the Essential Employee’s scheduled shift start time or as otherwise ordered and are
expected to remain at work until the end of the Essential Employee’s scheduled shift or as otherwise directed.

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

**Workday Severe Weather Event**

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

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

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

- **Level 3 Snow Emergency:**

  Township Offices are closed.

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

  Non-Essential Employees should not report to work.

5. **Employee Determination that Conditions Are Unsafe or Prevent Attendance at Work**

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

6. Severe Weather Event in Another County

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

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

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

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

7. Emergency Policy

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

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

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

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

9. Adoption

This Policy shall be in full force and effect from the date adopted by the Board.

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.

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.

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 (Revised 9/11/17)

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 employee’s timesheets;
☐ Supervises and inspects Township road projects;
☐ Supervises and inspects driveway culvert installations;
☐ Reports all accidents and injuries to Fiscal Officer;
☐ Works overtime as may be required from time to time;
☐ Communicates with township officials, township officers, township employees, outside agencies and residents in with respect and dignity and in a professional and business-like manner;
Cemetery Related Functions

Burials

- Typically, an undertaker will contact the township office regarding a burial. We need to verify if it is a full size/vault and casket, and oversized vault, child, infant (hand dug) and if the vaults are steel or concrete (a little wider) or a cremation.

- Inquire the name of person to be buried and determine if they (spouse or parent) are owners of the grave space. If the name does not coincide with the deed, ask the undertaker to verify who the next of kin is, permission may be necessary. Living relatives are required to relinquish rights of grave space. If owner of said lot is still living, they can give permission. It is imperative that this is followed. We do not want to have to worry about future complications.

- Find out the date and time of burial.

- Contact our contractor to dig grave.

- Lay grave out. Use metal detector and other head stones to find exact spot for burial 40” X 8’6” if possible.

- The day of the funeral check out grave for any standing water or caving in on the sides.

- One hour before the funeral time make sure the vault man is here and everything is set.

- Check with vault man for preferred driveway usage and let the undertaker know. Inquire as to how many cars are to be expected. Allow parking on both sides of the road. Whichever undertaker contacts us in the beginning will be your contact through the process, keep name and number handy. Make sure head of casket is in the right location- the head should be at the north and the feet at the south.

- Do any courtesy work and stay out of the way of graveside service.

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

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, fingerling, grasping, feeling, talking, hearing, and performing repetitive motions.
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.

---

**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;
- Obey 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.

-----------------------------------------------------------------------------------------------------------------------------------

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 (Revised June 25, 2014)

JOB STANDARDS:

High school diploma or equivalent plus minimum of two (2) years relevant work experience in cemetery sales and maintenance is preferred.

- A license by State of Ohio for cemetery lot sales is preferred.
- Must have the resources to communicate with township officials and respond on short notice.
- Must have the ability to communicate with township officials, township officers, township employees, outside agencies and residents with respect and dignity and in a professional and business-like manner;

DUTIES: Direct operations of Cheshire, Townhouse, Blockhouse and Peachblow Cemeteries and any other active and/or inactive cemetery under the care and direction of the Berlin Township Trustees (the “Board”).

Any other duties as assigned by the Berlin Township Trustees (the “Board”).

RESPONSIBILITIES:

Work consists of routine tasks, following established procedures.

- Accurate record keeping of grave lot sales, grave lot deeds, burial records, interments, inurnments, dis-interments, re-interments, foundation orders, and pouring foundations.
- Provide information for database input.
- Any other duties as assigned by the Berlin Township Trustees (the “Board”).

JOB - REQUIREMENTS:

- Respond to public inquiries regarding cemetery;
- Correspond with clients and provide copy of correspondence to Township Fiscal Officer;
- Respond to client complaints regarding cemetery;
- Make records available to public upon request;
- Be available to meet with prospective buyer;
- Provide prospective buyer with available grave lot/space information;
- Upon sale of grave lot/space collect money, prepare receipt in triplicate;
- Collect signature of buyer on rules of cemetery;
- Provide original receipt and copy of signed rules to buyer;
• Provide sale data (setup & manage grave(s)) for input in cemetery software database;
• Prepare deed for sale of lot/grave space (s);
• Provide deed to the Board and Township Fiscal Officer for signatures;
• Mail deed and rules to buyer;
• Provide signed rules signature page, receipt copy and collected money to Township Fiscal Officer within 24 hours of collection;
• Stake grave space for interment;
• Notify excavator and township maintenance personnel as to date and time of interment;
• Check to make sure grave has been dug and interment setup has been done by vault company;
• Be available to direct traffic at cemetery;
• Assist funeral director as needed in closing grave;
• Provide receipt to funeral director;
• Provide burial permit and interment information (manage occupant) for database input;
• Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment/inurnment;
• Hand dig grave for infant interment and/or cremation inurnment;
• Prepare gravesite for graveside service by putting grass carpet and chairs at grave site;
• Assist funeral director as needed in closing grave;
• Provide receipt to funeral director;
• Provide burial permit and interment/inurnment information (manage occupant) for input in database;
• Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment/inurnment;
• Prepare grave lot/space for monument foundation by staking foundation area, digging hole, building foundation forms, ordering concrete, pouring and leveling concrete in concert with road maintenance department;
• Notify monument company when monument can be set on foundation and mark location of foundation;
• Prepare grave lot/grave space(s) for military marker foundation and set military foundation;
• Provide foundation information for database input;
• Prepare detailed monthly cemetery activity report and provide to Township Fiscal Officer;
• Be available to meet with prospective buyer;
• Provide prospective buyer with available grave lot/space information;
• Upon sale of grave lot/space collect money, prepare receipt in triplicate;
• Collect signature of buyer on rules of cemetery;
• Provide original receipt and copy of signed rules to buyer;
• Provide sale data (setup & manage grave(s)) for input in cemetery software database;
• Prepare deed for sale of lot/grave space(s);
• Provide deed to the Board and Township Fiscal Officer for signatures;
• Mail deed and rules to buyer;
• Provide signed rules signature page, receipt copy and collected money to Township Fiscal Officer within 24 hours of collection;
• Stake grave space for interment;
• Notify excavator and township maintenance personnel as to date and time of interment;
• Check to make sure grave has been dug and interment setup has been done by vault company;
• Be available to direct traffic at cemetery;
• Assist funeral director as needed in closing grave;
• Collect burial permit and fee for closing grave;
• Provide receipt to funeral director;
• Provide burial permit and interment information (manage occupant) for database input;
• Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment;
• Hand dig grave for infant interment and/or cremation inurnment;
• Prepare gravesite for graveside service by putting grass carpet and chairs at grave site;
• Assist funeral director as needed in closing grave;
• Close grave;
• Collect burial permit and fee for closing grave;
• Provide receipt to funeral director;
• Provide burial permit and interment/inurnment information (manage occupant) for input in database;
• Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment/inurnment;
• Prepare grave lot/space for monument foundation by staking foundation area, digging hole, building foundation forms, ordering concrete, pouring and leveling concrete in concert with road maintenance department;
• Notify monument company when monument can be set on foundation and mark location of foundation;
• Prepare grave lot/grave space(s) for military marker foundation and set military foundation;
• Provide foundation information for input in database;
• Prepare detailed monthly cemetery activity report and provide to Township Fiscal Officer;

SKILLS AND KNOWLEDGE:

Critical Skills/Expertise
• Ability to read, write, comprehend and act upon written and/or oral instructions, policies and procedures pertaining to assigned duties;
• Ability to comprehend cemetery software (Pontem) and database input is preferred;
• Ability to understand construction, repair and maintenance procedures for cemetery markers and foundations and the ability to make practical application to the work assignments;
• Ability to work well with the public;
• Ability to work well with others and to function as a member of a work crew;
• Knowledge of the policies, procedures and methods of the Cemetery Department and the relationship they have to work assignments;
• Knowledge of Occupational Safety and Health Administration policies and procedures relative to cemetery maintenance operations;
• Knowledge of organizational and work zone safety practices and procedures and the ability to apply to the work environment;

• Ability to perform a variety of unskilled and semi-skilled tasks relevant to Township cemetery activities; sale of grave lots, staking of graves, accurate record keeping of grave lot sales and burials, construction, repair and maintenance of cemetery marker foundations;

• Ability to use power/air driven tools, light to medium equipment to complete work and the assignments;

• Ability to perform heavy manual labor for prolonged periods, often under adverse weather conditions;

**Equipment:**

Ability to use the following equipment:

- Computer with cemetery software (PONTEM)(Preferred)
- Small hand tools—shovel, rake;
- Small power tools—weed eater, chain saw, power saw, power drill, etc.;
- Light to medium duty vehicles; and
- Heavy duty trucks, tractor and other related equipment as required to complete work assignments;

**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, Townhouse, Blockhouse and Peachblow Cemeteries and any other active and/or inactive cemeteries under the care and direction of the Board, with exposure to extremes in temperatures and weather conditions, noise, dirt and mechanical hazards. Incumbent is frequently exposed to vibrations, atmospheric conditions, oil and various other hazards.

Incumbent may work alone and work must be exacting.

Work is also performed in the home or in the Township administrative building.

**NON-ESSENTIAL JOB FUNCTIONS:**

Performs related essential and non-essential functions as needed and/or assigned by the Board.

---

**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 ___________________________
CEMETERY CLERICAL (Added June 25, 2014)

JOB STANDARDS:

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

DUTIES:
Under direction of the Cemetery Sexton performs electronic data input and continued record research for Cheshire, Townhouse, Blockhouse and Peachblow Cemeteries and any other active and/or inactive cemetery under the care and direction of the Berlin Township Trustees (the "Board").

In the absence of Cemetery Sexton and/or Assistant Cemetery Sexton assume duties of meeting with buyers, arranging grave lot/space sales, staking grave space for interment, notify excavator and township personnel as to date and time of interment, check to make sure grave has been dug and interment setup has been done by vault company, be available to direct traffic at cemetery, assist funeral director as needed in closing grave, collect burial permit and fee for closing grave.

RESPONSIBILITIES:

- Work consists of routine tasks, following established procedures.
- Accurate record keeping and data input of grave lot sales, grave lot deeds, burial records, interments, inurnments, dis-interments, re-interments, foundation orders, and poured foundations.
- Set up cemetery maps and grave locations;
- Manage address book-update owner address changes;
- Manage graves, status, owner, dates, cost, deed, special instructions;
- Manage occupants-name, gender, date of death, date of burial, burial type, funeral director, burial permit#, cost of open/close, military, image obit, image tombstone, image military;
- Research records-cemetery associations prior to township takeover;
- Proofread records transferred to cemetery software;
- Meet periodically with Cemetery Sexton to view and verify burials in cemetery;
- Any other duties as assigned by the Cemetery Sexton and/or the Board.

JOB - REQUIREMENTS:

- Ability to use computer
- Minimum 2 yrs. experience using cemetery software program (PONTEM) is preferred
- Thorough working knowledge of cemetery software program (PONTEM) is preferred
- Set up cemetery map(s)
- Set up grave(s) locations
- Manage graves-status, owner, dates, cost, deed(s), special instructions
- Manage address book-keep and update owner address changes per requirement of deed
- Manage occupants-name, gender, date of death, date of burial, burial type, funeral director, burial permit#, cost of open/close, military, image obit, image tombstone, image military, foundation orders & pours, monument company
- Enter special instructions into database per Cemetery Sexton
- Prepare and print deed
- Submit deed to Trustees and Fiscal Officer for signatures
- Mail deed to owner
- Place deed copy in cemetery deed book (fiscal officer’s office)
- Proofread records transferred to cemetery software (with Cemetery Sexton)
- Keep up-to-date list of military era interments/inurnments (for proper setting of military flag holders and flags)
- Meet with Cemetery Sexton periodically to view and verify burials in cemetery
- Research records-cemetery associations prior to township takeover of cemeteries
- Research requests-public
- Correspond with clients & provide copy to Township Fiscal Officer
- Make records available to public upon request
- Accurate data entry of cemetery records
- Respond to public inquiries regarding cemetery;
- Correspond with clients and provide copy of correspondence to Township Fiscal Officer;
- Respond to client complaints regarding cemetery;
- Make records available to public upon request;
- Be available to meet with prospective buyer;
- Provide prospective buyer with available grave lot/space information;
- Upon sale of grave lot/space collect money, prepare receipt in triplicate;
- Collect signature of buyer on rules of cemetery;
- Provide original receipt and copy of signed rules to buyer;
- Provide sale data (setup & manage grave(s)) for input in cemetery software database;
- Prepare deed for sale of lot/grave space(s);
- Provide deed to the Board and Township Fiscal Officer for signatures;
- Mail deed and rules to buyer;
- Provide signed rules signature page, receipt copy and collected money to Township Fiscal Officer within 24 hours of collection;
- Stake grave space for interment;
- Notify excavator and township maintenance personnel as to date and time of interment;
- Check to make sure grave has been dug and interment setup has been done by vault company;
- Be available to direct traffic at cemetery;
- Assist funeral director as needed in closing grave;
- Provide receipt to funeral director;
- Provide burial permit and interment information (manage occupant) for database input;
- Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment;
- Request maintenance personnel to hand dig grave for infant interment and/or cremation inurnment;
• Request maintenance personnel to prepare gravesite for graveside service by putting grass carpet and chairs at grave site;
• Assist funeral director as needed in closing grave;
• Collect burial permit and fee for closing grave;
• Provide receipt to funeral director;
• Provide burial permit and interment/inurnment information (manage occupant) for input in database;
• Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment/inurnment;
• Request maintenance personnel to prepare grave lot/space for monument foundation by staking foundation area, digging hole, building foundation forms, ordering concrete, pouring and leveling concrete in concert with road maintenance department;
• Notify monument company when monument can be set on foundation and mark location of foundation;
• Request maintenance personnel to prepare grave lot/grave space(s) for military marker foundation and set military foundation;
• Provide foundation information for database input;
• Prepare detailed monthly cemetery activity report and provide to Township Fiscal Officer;
• Be highly organized

**Duties and responsibility changes to the cemetery sexton position following the addition of cemetery software use.**

**Clerical position should be bonded as, from time to time, they may be collecting money on behalf of the township**

**Clerical position would not be responsible for physical cemetery labor but needs a working knowledge of the physical activities of the cemetery in case needed due to absence of the Cemetery Sexton or Cemetery Sexton Assistant.**

**SKILLS AND KNOWLEDGE:**

**Critical Skills/Expertise**

• Ability to read, write, comprehend and act upon written and/or oral instructions, policies and procedures pertaining to assigned duties;
• Ability to comprehend cemetery software (Pontem) and database input with thorough working knowledge of cemetery software is preferred;
• Ability to understand construction, repair and maintenance procedures for cemetery markers and foundations and the ability to make practical application to the work assignments;
• Ability to work well with the public;
• Ability to work well with others;
• Knowledge of the policies, procedures and methods of the Cemetery Department and the relationship they have to work assignments;
• Knowledge of Occupational Safety and Health Administration policies and procedures relative to cemetery maintenance operations;
• Knowledge of organizational and work zone safety practices and procedures and the ability to apply to the work environment;
• Ability to perform a variety of unskilled and semi-skilled tasks relevant to Township cemetery activities; sale of grave lots, staking of graves, accurate record keeping of grave lot sales and burials;

**Equipment:**

Ability to use the following equipment:

• Computer and thorough knowledge of cemetery software (PONTEM)(Preferred);
• Small hand tools-shovel, rake;

**PHYSICAL EFFORT AND WORK ENVIRONMENT:**

**Physical Requirements:**

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: balancing, reaching, standing, walking, 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.

**Working Conditions:**

Incumbent may work alone and work must be exacting. Work is also performed in the home or in the Township administrative building.

**NON-ESSENTIAL JOB FUNCTIONS:**

Performs related essential and non-essential functions as needed and/or assigned by the Cemetery Sexton and/or the Board.

**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
CEMETERY Sexton Assistant – (Added June 25, 2014)

Job Standards:

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

DUTIES:

In the absence of the Cemetery Sexton, direct operations of Cheshire, Townhouse, Blockhouse and Peachblow Cemeteries and any other active and/or inactive cemetery under the care and direction of the Berlin Township Trustees (the “Board”).

Any other duties as assigned by the Cemetery Sexton and/or the Berlin Township Trustees (the “Board”).

RESPONSIBILITIES:

- Work consists of routine tasks, following established procedures.
- Accurate recordkeeping of grave lot sales, grave lot deeds, burial records, interments, inurnments, dis-interments, re-interments, foundation orders, and pouring foundations.
- Provide information to Cemetery Sexton for database input.
- Any other duties as assigned by the Cemetery Sexton and/or the Berlin Township Trustees (the “Board”).

Job - Requirements:

- Make records available to public upon request;
- Be available to meet with prospective buyer;
- Provide prospective buyer with available grave lot/space information;
- Upon sale of grave lot/space collect money, prepare receipt in triplicate;
- Collect signature of buyer on rules of cemetery;
- Provide original receipt and copy of signed rules to buyer;
- Provide sale data to Cemetery Sexton (setup & manage grave(s)) for input in cemetery software database;
- Provide signed rules signature page, receipt copy and collected money to Township Fiscal Officer within 24 hours of collection;
- Stake grave space for interment;
- Notify excavator and township maintenance personnel as to date and time of interment;
- Check to make sure grave has been dug and interment setup has been done by vault company;
- Be available to direct traffic at cemetery;
- Assist funeral director as needed in closing grave;
- Provide receipt to funeral director;
- Provide burial permit and interment information (manage occupant) for database input;
- Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment;
- Hand dig grave for infant interment and/or cremation inurnment;
- Prepare gravesite for graveside service by putting grass carpet and chairs at grave site;
- Assist funeral director as needed in closing grave;
- Collect burial permit and fee for closing grave;
- Provide receipt to funeral director;
- Provide burial permit and interment/inurnment information to Cemetery Sexton (manage occupant) for input in database;
- Provide burial permit, monies collected and receipt copy to Township Fiscal Officer within 24 hours of interment/inurnment;
- Prepare grave lot/space for monument foundation by staking foundation area, digging hole, building foundation forms, ordering concrete, pouring and leveling concrete in concert with road maintenance department;
- Notify monument company when monument can be set on foundation and mark location of foundation;
- Prepare grave lot/grave space(s) for military marker foundation and set military foundation;
- Provide foundation information to Cemetery Sexton for database input;
• Prepare detailed monthly cemetery activity report and provide to Township Fiscal Officer;

SKILLS AND KNOWLEDGE:

Critical Skills/Expertise

• Ability to read, write, comprehend and act upon written and/or oral instructions, policies and procedures pertaining to assigned duties;

• Ability to understand construction, repair and maintenance procedures for cemetery markers and foundations and the ability to make practical application to the work assignments;

• Ability to work well with the public;

• Ability to work well with others and to function as a member of a work crew;

• Knowledge of the policies, procedures and methods of the Cemetery Department and the relationship they have to work assignments;

• Knowledge of Occupational Safety and Health Administration policies and procedures relative to cemetery maintenance operations;

• Knowledge of organizational and work zone safety practices and procedures and the ability to apply to the work environment;

• Ability to perform a variety of unskilled and semi-skilled tasks relevant to Township cemetery activities; sale of grave lots, staking of graves, accurate recordkeeping of grave lot sales and burials, construction, repair and maintenance of cemetery marker foundations;

• Ability to use power/air driven tools, light to medium equipment to complete work and the assignments;

• Ability to perform heavy manual labor for prolonged periods, often under adverse weather conditions;

Equipment:

Ability to use the following equipment:

• Small hand tools—shovel, rake;

• Small power tools—weed eater, chain saw, power saw, power drill, etc.;

• Light to medium duty vehicles; and

• Heavy duty trucks, tractor and other related equipment as required to complete work assignments;

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, fingerining, 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, Townhouse, Blockhouse and Peachblow Cemeteries and any other active and/or inactive cemeteries under the care and direction of the Board, with exposure to extremes in temperatures and weather conditions, noise, dirt and mechanical hazards. Incumbent is frequently exposed to vibrations, atmospheric conditions, oil and various other hazards.

Incumbent may work alone and work must be exacting.

Work is also performed in the home or in the Township administrative building.

**NON-ESSENTIAL JOB FUNCTIONS:**

Performs related essential and non-essential functions as needed and/or assigned by the Board.

---

**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/ADMINISTRATIVE ASSISTANT  
(Revised February 23, 2017)

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:

- Ensure the Berlin Township Zoning Office is open for daily operation between 8:00 am and 4:30 pm, Monday-Friday;

- Maintain zoning files, log books, incoming and outgoing mail and all correspondence relating to violations as well as BZA/BZC hearings;

- Answer telephones, type letters, process permits and other correspondence relative to the daily operation of the zoning office;

- Collect monies for zoning fees and rental of Township meeting room. Responsible for preparing receipts, in triplicate, for the same and providing a copy of the original receipt, with all monies collected, to the Fiscal Officer within twenty (24) hours of collection.;

- Print and distribute photos of zoning violations, send letter of violation under direction of the Zoning Inspector, and generate a monthly zoning report;

- Maintain bulletin boards for the zoning office as well as the meeting room;

- Distribute copies of pertinent information to the Board of Trustees and to the BZA/BZC board members; Schedule BZA/BZC hearings, type and submit newspaper ads, type and provide agendas and send out and maintain records of all certified mailings associated with those hearings;

- 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, social media, and LED sign;

- Prepare the township newsletter;

- Under direction of the Cemetery Sexton performs electronic data input and continued record research for Cheshire, Townhouse, Blockhouse and Peachblow Cemeteries and any other active and/or inactive cemetery under the care and direction of the Berlin Township Trustees (the “Board”);
• Mail and type deeds;

• In the absence of Cemetery Sexton and/or Assistant Cemetery Sexton assume duties of meeting with buyers, arranging grave lot-space sales, be available to direct traffic at cemetery, assist funeral director as needed in closing grave, collect burial permit and fee for closing grave;

• Maintain all zoning office equipment.

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 auditor database system;

• Knowledge of meeting room rental and general maintenance requirements;

• 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 and fellow employees 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.
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:**

**II. 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.

III. 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.

IV. 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.

V. 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.

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.

DESI RABLE 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, committees, 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.

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 CAPTAIN

This is a public service job based on trust, credibility, and competency. It is a critical requirement of this position that the incumbent displays the desire and ability to perform and behave (on duty, as well as off duty) in a manner that does not damage or endanger the loss of trust with the public, co-workers, and other public service forces. Duties are performed under a variety of known and unknown working conditions that may be dangerous to one’s health and wellbeing. The Fire Captain reports directly to the Fire Chief or his/her designee.

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

Example of Duties:
The essential functions of the position are:

- Performs duties serving as a confidential staff advisor to the Fire Chief or his/her designee in researching, recommending, crafting, implementing and enforcing policies, directives and procedures.
- Implements department goals and objectives through a comprehensive administration program and coordinates department operations, inspections, maintenance and training under the direction of the Fire Chief or his/her designee.
- Performs the roll of officer-in-charge of all fire, rescue and medical operations for assigned shift. Assumes the role of incident commander and determine an overall plan to resolve incidents until command is transferred. Directs subordinates company officers and fire crews to appropriate assignments to ensure the plan of action is followed in a safe and efficient manner.
- Determines how to deploy personnel during periods requiring special fire department responses and assigned activities. Using independent judgement initiative and skills makes recommendation to Fire Chief or his/her designee regarding all matters concerning fire protection, rescue procedures and emergency medical systems.
- Supervises and develops the scheduling and coordination of shift levels, changes, and activities. Responsible to ensure proper staffing levels. Supervises Fire Lieutenants and subordinates staff in their assigned duties as directed.
- Assists in long range planning and implementation of department budget. Assists the Fire Chief or his/her designee in the planning process for capital projects and the drawing of specifications for new equipment.
- Assists in the development of minimum standards of training and technical competence for all fire department personnel: delivers training as scheduled. Responsible for specific training programs for new employees and officer development. Ensures the readiness of personnel and equipment under their supervision. Becomes knowledgeable and ensures the unitization of the National Forms Incident Management System (NIMS) and the National Response Plan (NRP).
- Maintains discipline and insures that personnel follow department rules and regulation. Evaluates work performance of subordinates. Prepares employee evaluations and effectively recommends and participates in hiring, transfers, promotions, suspensions and other disciplinary matters of subordinates.
- Assists in the development and maintenance of effective system of records and reports of alarm response, fire and causality reports, personnel actions, quarters, training, apparatus and equipment.
- Supervises the completion, maintenance and/or quality assurances of incident reports, personnel report on sick leave, vacations, shift exchanges, disciplinary actions. Accident and injury reports, training and such other department forms as needed.
- Establishes and maintains the highest level of customer service by providing a positive working relationship with all stakeholders.

**Other minor duties and responsibilities include:**
- Performs station inspection on a monthly basis and drafts reports and plans for issues of importance to the Fire Chief or his/her designee.
- Responsible for building and equipment maintenance readiness. Develops specifications, assigns duties, and supervises work of subordinates and contractors.
- Carries out duties in conformance with Federal, State, County and Berlin Township resolutions.
- Coordinates activities with other supervisors of Berlin Township and exchanges information with officers in other fire departments. Maintains contact with general public, department officers and other Township officials in the performance of the fire department activities.
- Attends department head meetings and Township Board Meetings at the direction of the Fire Chief or his/her designee. Attends all command staff and open staff meetings.
- Attends training courses, meetings and conferences as directed by Fire Chief or his/her designee. May be required to confer with citizens on problems, concerns, and accidents. Assists in planning and implementing public safety education programs for civic, educational, business and public.
- Confers with Fire Chief or his/her designee on a regular basis, discussing work processes, problems and plans and receives advice counseling and instruction.
- May respond as a member of a medical team to bring basic emergency medical care to the citizens of the community. Performs emergency aid activities including administering first aid and providing other assistance as required. Performs as a certified Firefighter/EMT according to criteria and standards set forth by the department when assigned.
- Maintain insurability under all Berlin Township automobile and liability insurance policies.

**Knowledge, Skills and Abilities:**
- Considerable ability to plan, organize, manage and administer activities required coordination with others.
- Ability to work effectively with employees, other agencies and the public.
- Ability to accept responsibility, to make decisions, to delegate responsibility and to motivate people toward a coordinated effort.
- The ability to establish and maintain effective interpersonal relationship with employees, other divisions and the public.
- The ability to communicate effectively, verbally and in writing.
- Ability to ensure compliance with and follow stand safety practices and procedures common to fire safety programs.
- Ability to research and obtain pertinent information through various resources including state statutes and administrative regulations.
- Ability to read and understand codes and ordinances. Ability to work independently with only occasional review of work performance or records.
- Ability to use personnel computer equipment to access, retrieves, or input information.
- Ability to operate fire suppression and other emergency equipment.
- Ability to apply training to others to learn standard firefighting, emergency aid, hazardous materials and fire prevention techniques.
- Ability to perform strenuous or peak physical effort during emergency, training or station maintenance activities for prolonged periods of time under conditions of extreme heights, intense heat, cold or smoke.
- Ability to act effectively in emergency and stressful situations.
- Skilled in all types of equipment and vehicle operations.
- Ability to deal with difficult working conditions and all types of weather.
- Ability to work in high places and in hazardous areas.
- Ability to ensure and follow safety practices and procedures.
- Ability to understand, speak and write the English language fluently and use proper grammar, punctuation and spelling.
- Ability to prepare, organize and maintain office data, reports and systems.
- Knowledge of Fire Department Administration.
- Effective communication, oral and written, with supervisors, peers and public.
- Understanding and following work rules, and Suggested Operating Guidelines.
- Read, write, add and subtract.
- Knowledge of national, state and local laws and fire/safety codes.
- Organize, direct, and coordinate written and oral reports.
- Skilled in report writing, driving of emergency vehicles, and use of computers on vehicles, two – radios.
- Knowledge in fire protection systems, water supply, building construction, direct fire and rescue operations, disaster control, extinguishment of combustibles and flammable materials.
- Skills in firefighting, EMT, fire inspection, fire scene command and public relations.

**Tools and Equipment Used:**
Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The ability to use the following tools and equipment is essential to perform the functions of the job:

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

**Physical Demands:**
- Standing, walking and sitting.
- Stooping, kneeling, crouching, and crawling.
- Running, grappling, climbing, balancing and bending/twisting.
- Reaching, feeling, talking and hearing.
- Meet the medical standards established by the N.F.P.A. 1582 and the medical testing facilities
- Meet the required standards established by N.F.P.A. for yearly fit testing for respirator use
- Lift/carrying, pushing/pulling: 100 pounds or more.
- Handling, grasping, and fingering: fire hose, performing CPR, utilizing patient lifting devices, etc.
- Wearing of self-contained breathing apparatus while performing firefighting duties.

**Work Environment:**
- Workplace environment that may be confined.
- Exposure to extreme cold and normal, or hot and normal temperature changes
- Contact with water or liquids
- Exposure to hazardous conditions such as mechanical electrical, chemical, burns, explosives, heights, physical injury and fast moving vehicles
- Exposure to atmospheric conditions such as fumes, gases, noxious odors, dust and poor ventilation

**Required Education, Training and Experience**
Requires the following certificates at time of appointment:
- Possess a high school diploma or its equivalent;
- Possesses and maintains a valid Ohio driver’s license with no more than 3 points at time of hire;
- Possess and maintains State of Ohio Firefighter I & II certification
- Possess and maintains a State of Ohio Basic EMT-B certification;
- Possess and maintains Hazardous Materials Operations level certification;
- Minimum of three (3) years at the rank of Lieutenant or six (6) years Firefighter
- 3 years’ experience with Berlin Township Fire Department

*Failure to maintain required certificates and license, or failure to obtain requirements within the time limits is cause for suspension, demotion or termination*

**Career Development**
The Fire Chief may deem this position to have the following certifications:
- National Incident Management System (NIMS): ICS 100, ICS 200, ICS 700, and ICS 800
- National Incident Management System (NIMS): ICS 300 and ICS 400
- State of Ohio Fire Instructor
- State of Ohio Fire Safety Inspector Class or Company Fire Inspections
- Attend seminars/classes recommended by Fire Chief

---------------------------------------------------------------------------------------------------------------

**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.

**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.

Acknowledgement

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”.

100
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.
3. Any employee involved in three or more at-fault accidents within a one-year period, or more than four within a two-year period (regardless of accident type or monetary loss), 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.
4. More than three moving violations in the last two-year period, including traffic citations received as a result of an accident.

5. Any combination of traffic accidents and/or moving violations equaling five or more in the last two years.

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

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

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

**General Rules and Regulations**

1. Only employees who are included on a Berlin Township roster of drivers 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

3. No employee under the age of 18 is allowed to drive Berlin Township owned or personal vehicles during the course of their employment.

4. Authorization for temporary/seasonal employees to operate vehicles shall be limited where practical. However, if authorized, these employees must sign the
License/Insurance/Maintenance Requirements Form and be approved by Berlin Township Trustees.

5. Vehicle Operators must possess a current Operators license appropriate to the vehicle being driven.

6. Any employee who operates a vehicle on a regular or occasional basis is required to report any license suspension or revocation, including those that result from the operation of personal vehicles, to his immediate superior. Likewise, all accidents or moving violations obtained while driving a Berlin township owned vehicle must be reported to his/her immediate superior. All reportable accidents and/or moving violations shall be forwarded to the fiscal officer.

7. Drivers will not operate vehicles when under the influence of alcohol or illicit and/or driving impairing drugs.

8. Drivers will use the proper signals when stopping, turning, or slowing down.

9. All drivers will give a pedestrian the right of way.

10. Flasher lights on trucks, cars and equipment should be used as emergency or work conditions require. Flasher lights are not to be used as an excuse to gain the right of way or to break traffic rules.

11. All traffic laws of the State, including signs and speed limits will be obeyed.

12. Employees driving vehicles during their employment are responsible for insuring that the vehicle is properly maintained and in a generally safe operating condition.

13. Employees shall not transport passengers except for those who are employees of Berlin Township or are conducting business with or on behalf of the township, except as noted under **Personal Use and Take Home Policy** below.

14. No one is permitted to ride outside the passenger compartment when a vehicle is in motion (except in the case of certain fire engines).

15. Employees driving personal vehicles while in the employment of the township will maintain primary automobile liability insurance coverage on the vehicle being drive. State required minimum bodily injury/physical damage limits must be maintained. The fiscal officer is responsible for insuring that employees using their personal vehicles maintain adequate insurance.

16. Personal vehicles will not be used to pull trailers or haul equipment while being used in township related business.

17. Berlin Township owned vehicles shall be kept free of having placed on or within any stickers or signs which: indicate any political candidate, party, organization, or theme; are in poor taste; or relate to specific social concerns that may be found objectionable by citizens.

**Seat Belts**

All employees shall use their seat belts (including shoulder straps) while driving vehicles other than equipment. Employees shall wear seat belts, if provided, when operating equipment. All passengers are required, unless unable to do so, to occupy only those seating positions equipped with seat belts and use them.
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 or designee immediately. It will be the Department Head’s responsibility to ensure that appropriate action is taken to correct the problem.

Maintenance

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

Parking

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

Personal Use and Take Home Policy

Berlin Township vehicles are not to be used for personal business except for incidental purposes while used for township business. For example, an employee may, when commuting between work and home, stop and pick-up or drop off a spouse or child at work or at school, as long as the stop to be made is not significantly out-of-the-way. However, if an employee’s personal vehicle is near his 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.**
TABLE OF CONTENTS

I. Introduction ........................................................................................................... 2
II. Purpose .................................................................................................................. 2
III. Definitions ............................................................................................................ 2
IV. Scope .................................................................................................................... 3
V. Internal Procedure ............................................................................................... 3
VI. Fees and Costs ...................................................................................................... 3
VII. Availability/Inspection ....................................................................................... 4
VIII. Requests for Public Records .......................................................................... 5
IX. Response/Release ............................................................................................... 6
X. Special Provisions for Public Records Requests Received
   by Email, Regular Mail, or Other Delivery Service ........................................ 7
XI. Medium ................................................................................................................. 8
XII. Limited Requests ............................................................................................... 8
XIII. Response/Denial ............................................................................................... 9
   A. Records Not Maintained by the Office
      Where the Request is Made ................................................................. 9
   B. Ambiguous or Overly Broad Request
      for Public records (R.C.§ 149.43(B)(2)) ........................................... 9
   C. Denial of the Public Records Request .................................................. 9
   D. Redaction/Procedure .................................................................................. 10
XIV. Special Provisions Related to Email .............................................................. 11
XV. Grievances ......................................................................................................... 11
XVI. Failure to Respond to a Public Records Request ......................................... 12
XVII. Training and Education ................................................................................. 12
    Form 1 .............................................................................................................. 13
    Form 2 .............................................................................................................. 15
    Form 3 .............................................................................................................. 17
    Form 4 .............................................................................................................. 20
    Form 5 .............................................................................................................. 23
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:

<table>
<thead>
<tr>
<th>Media Type</th>
<th>Unit</th>
<th>Cost Per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Letter or Legal Sized Paper Copy (Single Side)</td>
<td>Page</td>
<td>$ 0.10</td>
</tr>
<tr>
<td>Letter or Legal Sized Paper Copy (Double Side)</td>
<td>Two Sided Page</td>
<td>$ 0.10</td>
</tr>
<tr>
<td>Certified Paper Copy</td>
<td>Page</td>
<td>$ 1.00</td>
</tr>
<tr>
<td>Microfiche</td>
<td>Fiche</td>
<td>$ 0.50</td>
</tr>
<tr>
<td>Film Duplication</td>
<td>16mm Roll</td>
<td>$ 15.00</td>
</tr>
<tr>
<td>Film Duplication</td>
<td>35mm Roll</td>
<td>$ 20.00</td>
</tr>
<tr>
<td>Computer Diskette</td>
<td>3.5” Diskette</td>
<td>$ 1.00</td>
</tr>
<tr>
<td>Audio Cassette Tape</td>
<td>Tape</td>
<td>$ 1.00</td>
</tr>
<tr>
<td>Video Cassette Tape</td>
<td>Tape</td>
<td>$ 2.50</td>
</tr>
<tr>
<td>CD/CD Rom</td>
<td>Disk</td>
<td>$ 1.00</td>
</tr>
<tr>
<td>Email Documents</td>
<td>Various Forms</td>
<td>See Cost Per Unit Above</td>
</tr>
</tbody>
</table>

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 section149.011 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).
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:

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

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.
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.)

<table>
<thead>
<tr>
<th>Today’s Date</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td></td>
</tr>
<tr>
<td>Street Address</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td></td>
</tr>
<tr>
<td>Zip Code</td>
<td></td>
</tr>
<tr>
<td>Telephone Number</td>
<td></td>
</tr>
<tr>
<td>Facsimile Number</td>
<td></td>
</tr>
</tbody>
</table>
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.

<table>
<thead>
<tr>
<th>Pre-Check Below</th>
<th>Post-Check Below</th>
</tr>
</thead>
<tbody>
<tr>
<td>I would like to inspect these records in the office when they are ready.</td>
<td>I would like these records copies/reproduced and I will pick them up when they are ready.</td>
</tr>
<tr>
<td>I would like these records copied and mailed to me at the address on this form.</td>
<td></td>
</tr>
</tbody>
</table>

4. MEDIUM:

Preferred Medium (i.e. paper, email (pdf or locked format only), CD-Rom, etc . . .) for Copy/Reproduction.¹

---

¹ Medium is limited by the determination of record custodian as to the types of media upon which the record can reasonably can be duplicated as an integral part of the normal operations of the public office or records custodian.
PROCESSING FORM FOR REQUESTS FOR BERLIN TOWNSHIP PUBLIC RECORDS

Name of Requestor
Date request Received
Date Request Completed

Name of Employee Handling Request

1. ESTIMATED NUMBER OF COPIES/FEES

<table>
<thead>
<tr>
<th>Type of Unit</th>
<th>Estimated Number of Units</th>
<th>Cost Per Unit</th>
<th>Estimated Total of Fees/Costs</th>
</tr>
</thead>
</table>

2. PREPAYMENT (REQUIRED)

<table>
<thead>
<tr>
<th>Prepaid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount of Prepayment</td>
</tr>
<tr>
<td>Receipt Number</td>
</tr>
</tbody>
</table>

3. ACTUAL NUMBER OF COPIES/FEES

<table>
<thead>
<tr>
<th>Type of Unit</th>
<th>Actual Number of Units</th>
<th>Cost Per Unit</th>
<th>Actual Total of Fees/Costs</th>
</tr>
</thead>
</table>

4. SETTLEMENT WITH REQUESTOR

<table>
<thead>
<tr>
<th>Yes / No / Not Applicable</th>
<th>Settlement Necessary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes / No / Not Applicable</td>
<td>Settlement Made</td>
</tr>
</tbody>
</table>

| Amount of Refund to Requestor |
| Check/Warrant Number |

OR

| Amount Due From Requestor |
| Paid | Yes / No |

5. RECORDS NOT AVAILABLE
<table>
<thead>
<tr>
<th>Record has never been maintained by the Township.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Record is no longer maintained or has been disposed of or transferred pursuant to RC-2</td>
</tr>
<tr>
<td>Record has been disposed of pursuant to an application of One-Time Records Disposal RC-1 or Certificate of Records Disposal (RC-3)</td>
</tr>
<tr>
<td>Record is prohibited from release due to applicable state or federal law.</td>
</tr>
<tr>
<td>Cite for the applicable state or federal law.</td>
</tr>
</tbody>
</table>

6. **LEGAL ISSUE**

<table>
<thead>
<tr>
<th>Record has been forwarded to legal counsel for research/review.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Record has been reviewed by legal counsel and records are to be released in their entirety.</td>
</tr>
<tr>
<td>Record has been reviewed by legal counsel and contained non-releasable material.</td>
</tr>
<tr>
<td>Non-releasable material has been redacted</td>
</tr>
<tr>
<td>Cite for the applicable state or federal law permitting redaction.</td>
</tr>
</tbody>
</table>

| Record has been reviewed and release of the entire record has been denied by legal counsel. |
| 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.

Berlin 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 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.
APPENDIX G - HIPAA PRIVACY POLICY
(Added April 2015)

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

Definitions

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

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

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

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

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

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

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

Confidentiality of Individually Identifiable Health Information

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

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

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

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

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

Security Provisions

The Participating Member shall take reasonable steps to limit the use and/or disclosure of and requests for PHI to the minimum necessary to accomplish the intended purpose of the use, disclosure or request and to determine the extent to which various classifications of employees
need access to such information. The Participating Member shall also implement reasonable administrative, technical, and physical safeguards to protect Individually Identifiable Health Information from any intentional or unintentional use or disclosure and that mitigate, to the extent practicable, any harmful effect that is known to the Participating Member as a result of a use or disclosure of PHI in violation of this policy or the HIPAA privacy and security standards. The Participating Member’s security measures shall include the following:

A. Administrative procedures to guard data integrity, confidentiality, and availability, including documented, formal practices to manage the selection and execution of security measures to protect data and to manage the conduct of personnel in relation to the protection of data;

B. Physical safeguards to protect data integrity, confidentiality, and availability including the protection of physical computer systems and related buildings and equipment from fire and other natural and environmental hazards and from intrusion and the use of locks, keys, and other administrative measures to control access to computer systems and facilities;

C. Technical security services to protect data integrity, confidentiality, and availability including processes put in place to protect information and to control individual access to information;

D. Technical security mechanisms including processes put in place to protect against unauthorized access to data that is transmitted over a communications network; and

E. The optional use of an electronic digital signature. **Mitigating the Effects of Unauthorized Use or Disclosure**

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

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

**Use or Disclosure of Protected Health Information**

The Participating Member may use and disclose PHI, without the written consent of the individual or his/her authorized representative, both within and outside of the Participating Member’s jurisdiction, for the following purposes:
A. **Treatment:** The provision, coordination, or management of health care, health care services or supplies related to an individual and related services by or among providers, providers and third parties, and referrals from one provider to another.

B. **Payment:** Activities undertaken by a health plan to obtain premiums or determine responsibility for coverage, or activities of a health care provider or health plan to obtain reimbursement for the provision of health care. Payment activities include, but are not limited to, billing, claims management, collection activities, eligibility determination, and utilization review.

C. **Health Care Operations:** Activities of the Plan and/or the Participating Member to the extent such activities are related to Covered Functions including quality assessment and improvement activities; credentialing health care professionals; insurance rating and other insurance activities related to the creation or renewal of a contract for insurance (provided, however, that if PHI is disclosed for underwriting purposes, no genetic information will be used or disclosed for this purpose); conducting or arranging for medical review, legal services and auditing functions, including compliance programs; business planning such as conducting cost-management and planning analyses to managing and operating the Participating Member including formulary development and administration, development, improvements for methods of payment or coverage policies; business management and general administration activities; due diligence in connection with the sale or transfer of assets to a potential successor in interest if the potential successor is a covered entity or will become a covered entity; consistent with privacy requirements, creating de-identified health information, fundraising for the benefit of the covered entity and marketing for which an individual authorization is not required.

D. As required by, or to comply with, law.

E. For public health and safety activities.

F. About victims of abuse, neglect, or domestic violence.

G. To health oversight agencies in connection with health oversight activities.

H. For judicial and administrative proceedings, or to comply with a lawfully issued subpoena.

I. For law enforcement purposes.

J. Regarding decedents to coroners, medical examiners, and funeral directors.

K. For research if a waiver of authorization has been obtained.

L. To prevent serious and imminent harm to the health or safety of a person or the public.

M. For specialized governmental functions.

N. Military and veterans’ activities.

O. National security and intelligence.

P. Protective services for the President and others.

Q. To the Department of the State to make medical suitability determinations.

R. To correctional institutions and law enforcement officials regarding an inmate.

S. Workers’ compensation if necessary to comply with the laws relating to workers’ compensation and other similar programs.

T. To Business Associates for the purpose of assisting the Participating Member in completing healthcare functions.

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

**Authorization**

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

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

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

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

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

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

The Plan and/or the Participating Member shall provide the individual with a copy of the signed authorization. An authorization for the use or disclosure of PHI may not be combined with any other document to create a compound authorization.

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

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

Rights Related to Protected Health Information

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

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

   The basis for the denial;
A statement of the individual’s right to submit a written statement disagreeing with the denial and how it may be filed;

A statement that if the individual does not submit a statement of disagreement, his/her right to request that the request for amendment and its denial be provided with any future disclosure of the PHI that is the subject of the request for amendment;

A description of how the individual may appeal the denial; and

The right of the Participating Member to reasonably limit the length of the statement of disagreement.

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

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

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

**Business Associates**

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

The Participating Member shall enter into a contract with each Business Associate, which shall be a document separate from the service agreement, if any. The Privacy Officer shall be responsible for managing all Business Associate contracts and ensuring that they are current and in compliance with the requirements of this policy and HIPAA. Under the contract, the Business Associate shall be obligated to notify the Privacy Officer when unauthorized uses and/or disclosures of PHI have occurred in the Business Associate’s organization or by a subcontractor of the Business Associate. The Privacy Officer will take appropriate steps to address the violation up to and including termination of the business associate contract.

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

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

Privacy Officer

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

Complaint Procedure

The following procedure shall be used for the processing of complaints regarding the collection, use, management, disclosure, or amendment of PHI:
Step 1 – A written complaint must be submitted to the Privacy Officer. A complaint can also be made directly to the Secretary of Health and Human Services. Upon receipt of a complaint, the Privacy Officer will review the complaint, conduct any necessary investigation, and provide the complainant with a written disposition within ten working days.
Step 2 – The disposition of the Privacy Officer may be appealed by the complainant to the Participating Member’s designee within ten working days of receipt of the disposition of the Privacy Officer. The Participating Member’s designee shall meet within ten working days with the complainant, the Privacy Officer, and any other necessary individuals. The Participating Member’s designee will respond in writing to the complainant within ten working days following the meeting.
Step 3 – If the complaint is not satisfactorily resolved, a written appeal may be made to the Participating Member’s board or governing body within ten working days of receipt of the Participating Member’s designee’s decision. The board or governing body will meet with the complainant at its next regular meeting and provide a written response to the complaint no later than the following regular meeting.

Notice of Privacy Practices

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

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

Training

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

Documentation

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

NOTICE OF PRIVACY PRACTICES
Effective Date: July 1, 2014

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

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

Who Will Follow the Requirements of This Notice. This notice describes the Jefferson Health Plan (formerly OME-RESA) Participating Member’s practices and those of its employees (who are responsible for the operation and administration of the Participating Member in the Jefferson Health Plan) and its business associates with regard to the Jefferson Health Plan. The Jefferson Health Plan, the employees of the Participating Member and the business associates (as described above and referred to as “we” or “us” in this notice) may share medical information with each other for the purposes of treatment, payment, or other operations of the Jefferson Health Plan as described in this notice.
Privacy of Health Information. We understand that medical information about you and your health is personal. This notice will tell you about the ways in which we may use and disclose medical information about you. We will also describe your rights and certain obligations that we have regarding the use and disclosure of medical information. We are required by law to:

. Assure the medical information that identifies you is kept private;

. Give you this notice of our legal duties and privacy practices with respect to medical information about you; and

. Follow the terms of the notice that is currently in effect.

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

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

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

. Right to Inspect and Copy. You have the right to inspect and copy medical information that may be used to make decisions about you, including medical and billing records, but does not include psychotherapy notes. To inspect and copy medical information about you, you must submit your request in writing to the Treasurer, Fiscal Agent or Human Resources Designee. If you request a copy of this information, we may charge a fee for the costs of copying, mailing, or other supplies associated with your
request. We may deny your request to inspect and copy in certain very limited circumstances, and if you are denied access to medical information, you may request that the denial be reviewed.

- **Right to an Accounting.** You have the right to request an accounting of disclosures. This is a list of the disclosures we have made of medical information about you. To request this list, you must submit your request in writing to the Treasurer, Fiscal Agent or Human Resources Designee. Your request must state a time period that may not be longer than the 6 years prior to the date of your request. Your request must also indicate in what form you want the list (for example, on paper or electronically). The first list that you request within a 12-month period will be free. For additional lists, we may charge you for the cost of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request before any cost is incurred.

- **If we use or maintain an electronic health record** ("EHR") with regard to your medical information, you have the right to receive an accounting of disclosures which includes all disclosures for purposes of payment, healthcare operations or treatment over the past 3 years, in accordance with the laws and regulations currently in effect. You have the right to access your medical information contained in an EHR and to direct us to send a copy of the EHR to a designated third party.

- **Right to Request Restrictions.** You have the right to request a restriction or limitation on the medical information that we use or disclose about you for treatment, payment, or healthcare operations. You also have the right to request a limit on the medical information that we disclose about you to someone who is involved in your care or the payment for your care. However, we are not required to agree to your request, except as described below. If we do agree, we will comply with your request unless the information is needed to provide you with emergency treatment. To request restrictions, you must make a written request to the Treasurer, Fiscal Agent or Human Resources Designee telling us what information you want to limit; whether you want to limit our use, disclosure or both; and to whom you want the limits to apply, for example disclosures to your spouse. We will also consider your request for restrictions if the disclosure is to a health plan for purposes of carrying out treatment, payment or healthcare operations and the medical information relates solely to treatment or services for which the healthcare provider has been paid out-of-pocket and in full, however, we are not required to agree to this request.

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

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

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

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

Complaints. If you believe your privacy rights have been violated, you may file a complaint with the Jefferson Health Plan Participating Member. To file a complaint, please contact Erin Patton, Ohio Public Entity Consortium – Healthcare Cooperative, at Plain City, Ohio, (614) 8736000. All complaints must be submitted in writing and must name the entity that is the subject of the complaint and describe any acts or omissions believed to be in violation of this notice. A complaint must be filed within 180 days of when you knew or should have known of the violation. You can also file a complaint with the Office for Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F, HHH Building, Washington, D.C. 20201-0004, (800) 368-1019 or http://hhs.gov/ocr/privacyhowtofile.htm. You will not be retaliated against for filing any complaint.

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

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

Adopted: July 1, 2014

APPENDIX H

BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO
RECEIPT FOR CREDIT CARD USE POLICY

Name: ____________________________________ (Print Name)

Position: ___________________________________

I, the undersigned, have received a copy of the Berlin Township Credit Card Use Policy (“Policy”), dated November 28, 2016. In connection with my receipt of the Policy I state and agree with all of the following:

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

Signature: ________________________________ Date: November 28, 2016

Please sign and return to:

______________ Township Fiscal Officer
______________ Township Hall
Questions:

Please contact the ______________ Township Fiscal Officer.

Employees shall abide by this Township’s Credit Card Policy Requisition Policy, a copy which is attached to this Handbook as Appendix E and made a part hereof.

 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: __________________________________________
**Updates Made to the Handbook:**

June 24, 2014

Severe Weather, Changed Level 2 Snow Emergency

June 25, 2014

Job descriptions:
- Cemetery Sexton, modified
- Cemetery Sexton Assistant, added
- Cemetery Sexton Clerk, added

April 14, 2015

HIPAA Privacy Policy & Notice of Privacy Practices, added

November 28, 2016

Credit Card Policy, Updated

September 15, 2017

Job descriptions:
- Zoning Secretary/Administrative Assistant, modified
- Road Superintendent, modified
- Fire Captain, added