

## PERSONNEL

It has been recommended by the State Auditor that written policies pertaining to overtime, sick leave, holiday pay, and compensatory time be established by the Clerk.

The following items should be covered:

- (1) Define hours of work
- (2) Overtime pay policy
- (3) Compensatory time policy
- (4) Vacation policy
- (5) Holiday policy
- (6) Sick leave policy
- (7) Leave of absence policy
- (8) Fringe benefits
- (9) Sexual harassment**
- (10) Family Medical Leave (FML)**

**NOTE: THE FOLLOWING IS A SAMPLE OF ONE COURT'S PERSONNEL POLICY. IT IS INCLUDED FOR THE PURPOSE OF ASSISTING OTHER COURTS.**

## HOURS OF WORK

### FIRST SHIFT EMPLOYEES

The standard work week for the first shift full-time employees shall be thirty-seven and one-half hours. Your work schedule will be determined by your division supervisor, who will schedule you to work five days per week, seven and one-half hours per day. Your immediate supervisor will specify your starting and ending time which may vary between job positions. Each employee is allowed one hour each full working day for lunch (unpaid), and two fifteen minute breaks (paid), one in the A.M. and one in the P.M. Your immediate supervisor will specify your lunch and break times, which may be subject to change according to efficient office coverage as the supervisor determines.

### PART TIME EMPLOYEES

Part-time employees shall work the hours and perform the duties prescribed by their division of supervisor, not to exceed the pre-established hours of employment.

### OVERTIME PAY

Overtime may be granted by the division supervisor with the prior approval of the Clerk. Any employee working more than forty hours per week shall be compensated at the rate of time and one half the normal hourly rate for all hours over forty. Employees working overtime shall have the option of being paid for this overtime or taking compensatory time off.

## COMPENSATORY TIME

Compensatory time for overtime worked or holidays worked may be earned and taken by employees with prior approval of their supervisor.

## VACATION POLICY

Each full-time court employee, including full-time hourly-rate employees, after service of one year with the court or any political subdivision of the state, shall have earned and will be due upon the attainment of the first year of employment, and annually thereafter, eighty hours of vacation leave with full pay. One year of service shall be computed on the basis of twenty-six biweekly pay periods. A full-time court employee with eight or more years of service with the court or any political subdivision of the state shall have earned and is entitled to one hundred twenty hours of vacation leave with full pay. A full-time court employee with fifteen or more years of service with the court or any political subdivision of the state shall have earned and is entitled to one hundred sixty hours of vacation leave with full pay. A full-time court employee with twenty-five years of service with the state shall have earned and is entitled to two hundred hours of vacation leave with full pay. Such vacation leave shall accrue to the employee at a rate of three and one-tenth hours each biweekly period for those entitled to one hundred twenty hours per year and six and two-tenths hours each biweekly period for those entitled to one hundred sixty hours per year; and seven and seven-tenths hours each biweekly period for those entitled to one hundred hours per year.

Employees shall forfeit their right to take or to be paid for any vacation leave to their credit which is in excess of the accrual for three years. Such excess leave shall be eliminated from the employees' leave balance.

Upon separation from the state service an employee shall be entitled to compensation at his current rate of pay for all lawful accrued and unused vacation leave to his credit at the time of separation up to three years. In case of transfer of an employee from one state agency to another or between a county and state the employee shall be compensated at his current rate of pay for accrued and unused vacation leave at the time of transfer by releasing agency. In case of death of an employee, such unused vacation leave shall be paid in accordance with §2113.04 of the Ohio Revised Code, or to his estate.

Note: The sample policy is based on ORC §121.161.

## HOLIDAY POLICY

### HOLIDAYS

All employees are entitled to the following holidays: New Year's Day, King Day, (or Day after Thanksgiving), President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving, Christmas Day, Personal Day.

### PERSONAL DAY

Employees are allowed one personal day per year. Personal days are to be requested in writing at least two working days in advance, except in emergency situations, and taken at the convenience of the office with the approval of the employee's supervisor/scheduler.

## **PAYMENT OF UNUSED SICK LEAVE UPON REQUEST**

As used in this section, "retirement" means disability or service retirement under any state or municipal retirement system in this state.

An employee of the court may elect, at the time of retirement from active service with the political subdivision, and with ten or more years of service with the state, any political subdivision, or any combination thereof, to be paid in cash for one-fourth the value of his accrued but unused sick leave benefit.

The payment shall be based on the employee's rate of pay at the time of his retirement and eliminates all sick leave credit accrued but unused by the employee at the time payment is made. An employee may receive one or more payments under this division, but the aggregate value of accrued but unused sick leave credit that is paid shall not exceed, for all payments, the value of thirty days of accrued but unused sick leave.

A political subdivision may adopt a policy allowing an employee to receive payment of more than one-fourth the value of his unused sick leave or for more than the aggregate value of thirty days his unused sick leave, or allowing the number of years of service to be less than ten. The political subdivision may also adopt a policy permitting an employee to receive payment upon termination of employment other than retirement or permitting more than one payment to any employee.

Note: The sample policy is based on ORC §124.39.

## **SICK LEAVE POLICY**

Each employee shall be entitled for each completed eighty hours of service to sick leave of four and six-tenths hours with pay. Employees may use sick leave, upon approval of responsible administrative officer of the employing unit, for absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, and to illness, injury and death in the employee's immediate family. Unused sick leave shall be cumulative without limit. When sick leave is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour of absence from previously scheduled work. The previously accumulated sick leave of an employee who has been separated from the public service shall be placed to his credit upon his re-employment in the public service, provided that such re-employment take place within ten years of the date on which the employee was last terminated from public service. An employee who transfers from one public agency to another shall be credited with the unused balance of his accumulated sick leave up to the maximum of the sick leave accumulation permitted in the public agency to which the employee transfers. The appointing authority of each employing unit shall require an employee to furnish a satisfactory written, signed statement to justify the use of sick leave. If medical attention is required, a certificate stating the nature of the illness from a licensed physician shall be required to justify the use of sick leave. Falsification of either, a written, signed statement or a physician's certificate shall be grounds for disciplinary action including dismissal.

Note: The sample policy is based on ORC §124.38.

ILLNESS WITHOUT ACCRUED SICK TIME

In case you use up all your sick leave with pay and are still unable to return to work, your supervisor may grant you leave of absence without pay.

FAMILY ILLNESS AND FUNERAL LEAVE

Sick leave policy provides for sick leave eligibility in the event of illness or death in the employee’s immediate family. In order to assure uniform application, we are implementing the following designation for “immediate family”.

- |                 |               |
|-----------------|---------------|
| Grandparent     | Father-in-law |
| Brother         | Mother-in-law |
| Sister          | Father        |
| Brother-in-law  | Mother        |
| Sister-in-law   | Spouse        |
| Daughter-in-law | Child         |
| Son-in-law      | Grandchild    |

Legal Guardian or other person who stands in place of a parent.

In the case of an illness in the employee’s immediate family, the family member must be living in the employee’s household in order for the employee to be eligible for sick leave, except that an employee is eligible for up to two days sick leave for illness of his parents or children not living in the employees’ household.

In the case of a death in the employee’s immediate family, the family member need not have been living in the employee’s household in order for the employee to be eligible for sick leave.

The employee may be eligible for up to three days sick leave for death in the immediate family with one additional day allowable for travel time where warranted. Absences of more than two days due to death or illness in the employee’s immediate family must be accompanied by verification. In the event of illness or death member outside the employee’s immediate family as previously defined, the employee may utilize accrued annual leave with the approval of his/her division supervisor.

EMPLOYEE SICK LEAVE AND VACATION RECORD

Employee Name  
Date of Hire

Pay Period	Sick Leave			Vacation		
	Hours Earned	Hours Used	Cumulative Balance	Hours Earned	Hours Used	Cumulative Balance
Beginning Balance			34.6			40.0
1-1-83 to 1-14-83	4.6		39.2	3.1	24.0	19.1
1-15-83 to 1-28-83	4.6	8.0	35.8	3.1		22.2

Note: 4.6 hours is based on an 80 hour pay period, which is equal to 0.0575 hours of sick leave per hour of pay. Thus multiplying 0.0575 by the standard number of hours in the pay period will provide the hours of sick leave earned during the pay period. For example if the standard biweekly pay period is 70 hours an employee would earn 4.0 hours of sick leave per pay period ( $70 \times .0575 = 4.025$  rounded to 4.0)

Note: Completed years of service

Hours earned per 80 hour pay period

1 to 7		3.1
8 to 14	4.6	
15 to 24		6.2
25 or more		7.7