
ADDITIONAL EMPLOYMENT AND COMPATIBLE POSITIONS

A. PURPOSE

1. To prevent secondary employment or board/commission service from creating a conflict of interest or incompatible position, employees seeking or engaged in such service shall notify the Health Commissioner in writing using the Additional Employment Notice Form.

2. Additional Employment

- a. The Health Commissioner shall determine if:
 - i. it is physically possible to perform the duties of both positions;
 - ii. the additional employment interferes with the duties of the employee's health department position and assigned hours of work; and
 - iii. the additional employment creates an impermissible conflict of interest, e.g., sanitarian cannot obtain secondary employment at a food service operation he/she inspects.
- b. Employees shall not engage in or conduct outside private business during scheduled working hours.

3. Compatible Positions

- a. An "incompatible position" is one which:
 - i. creates divided loyalties which are not remote or speculative and cannot be resolved by adjustments in either workplace; or
 - ii. is subordinate to a position concurrently occupied by a classified or unclassified employee; or
 - iii. is in any way a check on a position concurrently occupied by a classified or unclassified employee; or
 - iv. it is physically impossible for one person to discharge the duties of both positions; or
 - v. violates a specific constitutional or statutory provision prohibiting a person from serving in both positions.
- b. Employees who accept a position which is incompatible with their existing public employment or service is deemed by Ohio law to have forfeited the first position held.
- c. The Health Commissioner may request that the City of Galion Law Director determine whether the positions are compatible.

CONFLICTS OF INTEREST

ORC 102.03, 102.09(D), §2921.42

A. PURPOSE

1. Employment decisions and the purchase of goods and services for the GCHD shall comply with Ohio's Ethic Laws and avoid the appearance of partiality, preferential treatment, improper influence, or self-dealing. A copy of the Ohio Ethics Law and Related Statutes is an Appendix of this handbook.

B. DEFINITIONS

1. "Anything of value" includes money, goods, chattels, future employment, interest in realty, and "every other thing of value".
2. "Immediate Family Member" includes the following regardless of where they reside: spouse, children (whether dependent or not), siblings, parents, grandparents, and grandchildren. It also includes any other person related by blood or by marriage and living in the same household.
3. "Significant Relationship" means people living together as a spousal or family unit when not legally married or related where the nature of the relationship may impair their objectivity or independence of judgment.
4. "Business Associates" are parties who are joined together in a relationship for business purposes or acting together to pursue a common business purpose or enterprise.

C. POLICY

1. Employment Decisions
 - a. Employment decisions shall be based solely on job-related qualifications.
 - b. Public officials and employees may not authorize or use the authority or influence of his or her position in any of the following employment related decisions involving an Immediate Family Member, Significant Relationship or Business Associate which includes:
 - i. Employment;
 - ii. Promotion;
 - iii. Discipline;
 - iv. Changes in compensation or benefits;
 - v. Assignment of duties;
 - vi. Evaluations;
 - vii. Lay-off or job elimination; and/or
 - viii. Termination
 - c. Immediate Family Members, Significant Relations, and Business Associates working in an office of newly Elected/ Appointed Officials may continue their position but shall not be under the direct supervision of the Elected/ Appointed Official.
2. Public Contracts

- a. A public official or employee shall not award a contract to an Immediate Family member, Significant Relationship or Business Associate or have an interest in a public contract unless the requirements of ORC §2921.42 are met.
 - b. No public official or employee shall use the authority or influence of his or her office to secure nor shall they solicit, accept, give or promise anything of value that is of such character as to have a substantial or improper influence upon the official or employee with respect to his or her duties.
- 3. Enforcement
 - a. Employees shall immediately notify their supervisor or, if appropriate, the Health Commissioner in writing of a violation of this policy.
 - b. Violations of this policy may result in disciplinary action and/or termination; and may be reported to the Ohio Ethics Commission.

DEFERRED COMPENSATION PROGRAMS

A. POLICY

1. It is the policy of GCHD to provide the option of contributing to a deferred compensation program.
 - a. Under a Deferred Compensation Plan, income is deferred, and the resultant earnings are not subject to state or federal income tax at the time of withholding. Taxes are paid only when the money is withdrawn from the plan upon retirement or upon death, disability, or termination of employment, or if the employee experiences an unforeseeable emergency which qualifies for withdrawal of funds under the IRS regulations.
 - b. The total amount of compensation that can be set aside in any calendar year is limited by an amount indexed to the rate of inflation. Employees who are over 50 or who have failed to make maximum contributions in prior years may be able to make additional, "catch-up" contributions. Amounts deferred are not included on W-2 forms for state and federal income tax purposes; however, OPERS contributions are computed on the actual gross salary. Accordingly, participation in deferred compensation programs has no effect on OPERS benefits.
 - c. GCHD offers one deferred compensation program: The Public Employees Deferred Compensation Program. Participation is voluntary and all contributions are made through payroll deductions.
 - d. The programs require employees who separate from GCHD employment to contact the appropriate representative to select a payment schedule of contributions.
 - e. Information regarding the program can be obtained by contacting:

Ohio Public Employees Deferred Compensation Program
257 East Town Street, Suite 457
Columbus, Ohio 43215

FRAUD

ORC 117.103 Eff 5/4/12

A. POLICY

1. Any employee, that deems it necessary, may report an instance of fraud to the Ohio Auditor of State's office.

B. PROCEDURE

1. The Ohio Auditor of State's office maintains a system for the reporting of fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or through the United States mail.
 - a. 1-866-FRAUD OH (1-866-372-8364) or www.ohioauditor.gov
 - b. Ohio Auditor of State's office, Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, OH 43215

NURSING MOTHERS

FLSA, 29 U.S.C. §207(r)(1)

A. POLICY

1. It is the policy of GCHD to provide space and to encourage reasonable break time for nursing employees to express milk during work hours. Breastfeeding results in numerous benefits to the mother, infant and the employer. Benefits such as lower absenteeism rates and savings in health care costs are good for the mother, infant and the agency.

B. PROCEDURE

1. Supervisor Notification:
 - a. Supervisors shall regard all information related to this request as sensitive information.
 - b. The desire to express milk during work hours.
 - c. The date of birth of the child.
 - d. The times of desired breaks.
 - e. How the employee will account for the time to express (i.e., use paid break time if available, lunch hours or other unpaid time).
 - f. Any changes in the need or times needed to express milk.
2. Reasonable Break Time
 - a. What is *reasonable* is based on each mother's physical needs and will likely vary. Therefore, it is the supervisor's responsibility to ensure adequate coverage to meet GCHD's business needs while accommodating a nursing mother's request. It is the employee's responsibility to continue to work with her supervisor to determine an appropriate break schedule keeping in mind the operational needs of the GCHD.
3. Suggested Time
 - a. Nursing mothers are encouraged to use paid break times or their lunch hours to express milk. However, if an employee has a need in addition to the above breaks, and the operational needs of the area are met, the employee may take unpaid time to express milk.
4. GCHD Responsibility
 - a. Each HPH facility will provide a private room with no windows which may be used as a "lactation area" for nursing employees as needed. The lactation area may be used for other purposes, such as meetings;

however, it must be made available as needed by a nursing mother. Finally, the lactation area must not be in a restroom. The lactation area will provide the following:

- i. A locking door.
 - ii. A “do not disturb” sign.
 - iii. An electrical outlet.
 - iv. A table or flat surface which will support a breast pump.
 - v. A comfortable seat.
5. The lactation area will be within a reasonable walking distance from the employee’s work area. Similarly, if the lactation area itself does not have a sink, one will be located within reasonable walking distance from the room.
 6. GCHD does not guarantee the provision of lactation supplies. If GCHD’s budget allows, the facility may provide a small refrigerator solely for the use of storing breast milk. All other supplies must be provided by the employee.

VOLUNTEER FIRE AND EMERGENCY PERSONNEL

ORC 4113.41

A. POLICY

1. Employees serving on a volunteer fire and/or emergency medical unit must provide written verification of their status to the Health Commissioner within 30 days of employment with the GCHD or upon certification as a volunteer firefighter and/or emergency medical provider.
2. Employees shall immediately notify their direct Supervisor if they will be late or absent from work due to participating in an emergency and must submit within one (1) day written verification from the chief of the volunteer fire department or EMS director of the date, beginning and ending time, and nature of the emergency call.
3. During work hours, the Employer shall make every effort to allow employees to respond to an emergency, unless circumstances at the worksite prevent them from leaving.
4. An employee's time spent responding to an emergency shall not be paid, unless the employee elects to use accumulated, unused vacation or compensatory time for such absences from work. Employees shall not be disciplined if documentation of the emergency is provided.
5. Employees shall notify their Supervisor when their status changes or terminates.