

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 22-11

Passed April 11, 2011

3/8/11-gmk
(Personnel & Safety)

Ordinance No. 22-11

An ordinance amending and consolidating the rules, regulations, policies, and penalties of the City of North Canton Personnel Handbook, and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

- Section 1. That the rules, regulations, policies and penalties of the City of North Canton Personnel Handbook, be, the same is hereby amended and consolidated.
- Section 2. That a copy of said City of North Canton Personnel Handbook is hereby attached and incorporated herein as if fully rewritten herein.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary for the timely amendment and consolidation of the rules, regulations, policies and penalties of the City of North Canton Personnel Handbook; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH
Passed: ~~4/11/11~~


MAYOR

SIGNED: 4/11, 2011

ATTEST:


CLERK OF COUNCIL

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DEFINITIONS

WILL/SHALL are mandatory and not merely directory.

CITY is City of North Canton, Ohio.

FULL TIME EMPLOYEE means personnel other than nonexempt Fire, E.M.S. or Seasonal Personnel (but including Fire Safety Inspectors) who are regularly scheduled to work at least thirty seven and one half (37.5) hours per week and nonexempt Fire and EMS personnel who are regularly scheduled to work fifty-three (53) hours a week or more in a seven (7) day tour of duty in an individual classification.

PART TIME EMPLOYEE means personnel other than nonexempt Fire and E.M.S. personnel who are regularly scheduled to work less than thirty seven and one half (37.5) hours per week and Fire and cross-trained E.M.S. personnel who are regularly scheduled to work less than fifty-three (53) hours in a seven (7) day tour of duty in an individual job classification.

SEASONAL EMPLOYEE means persons hired by the City with the expectation that such persons' employment would last no longer than nine (9) months of any calendar year.

APPOINTING AUTHORITY shall be the officer having power to under the Charter or ordinance to make appointments to positions and where applicable shall include the legislative authority.

RESPONSIBLE DEPARTMENTAL AUTHORITY as used herein, shall mean the Mayor or the Director of Administration, the Director of Finance, the Director of Law, the President of Council or the Clerk of Council, for the appropriate departments thereto.

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WE ARE AN EQUAL OPPORTUNITY EMPLOYER

The City of North Canton pledges to provide equal opportunity without regard to race, color, creed, national origin, religion, sex, age or marital status. This pledge applies to all employees and applicants for employment in connection with hiring, placement, upgrading, transfer or demotion; recruiting, advertising or solicitation for employment; treatment during employment; rates of pay or other forms of compensation; selection for training; layoff or termination of employment.

The City in order to comply with equal opportunity opportunities works in accordance with Title VI of the Civil Rights Act of 1963, Executive Order 11246, dated September 24, 1965, and Executive Order 11375, dated October 13, 1967.

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GENERAL POLICY STATEMENT

It is the intent and purpose of this ordinance to promote and improve the relationship between the City of North Canton and its employees in the matter of conditions of employment to the end that a strong and prosperous City will result with the maximum benefits accruing to its employees and citizens.

It is recognized that the operations of the City of North Canton and the full direction of the working forces is the function and responsibility of the Responsible Departmental Authority. Nothing in these regulations shall be construed as delegating to others the authority conferred by law on any City official, or to in anyway abridge or reduce such authority, but these regulations shall be construed as requiring said City officials to follow the procedures and policies prescribed herein in the exercise of authority conferred upon them by law.

The management of the various departments, the direction of the working force, the right to adopt rules, the right to discipline and discharge in accordance with these rules, to increase or decrease the working force, to determine the work to be done and the equipment to be used, to establish processes, means and methods and all other management prerogatives are vested solely within the discretion of the Responsible Departmental Authority.

The Responsible Departmental Authority shall have the right to abolish any position at any time, for reason of economy or efficiency.

The Responsible Departmental Authority shall have the right to determine minimum standards for hiring employees and for employees continuing in existing classifications.

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GENERAL PERSONNEL REGULATIONS

Absence:

- Absence for any reason must be reported to the North Canton Police Department prior to subject starting time (phone number 330-499-5911). Exceptions may be approved by the appropriate appointing authority. Three (3) consecutive days without reporting shall be considered willful resignation and appropriate action will be taken.

Attendance:

- Regular attendance during all scheduled hours of work, reporting time, and working to end of day is required by all employees.
- Repeated violations of reporting late for work shall be considered adequate reason for disciplinary action, including suspension without pay. Should violations continue, discharge shall result.

Bidding Procedure:

- Whenever a job opening occurs, other than temporary opening, in any existing job classification, or as a result of a development or establishment of a new job classification, a notice of such opening shall be posted on all bulletin boards for five (5) days, listing job qualifications, rate of pay, and department. During this period, employees who wish to apply for the open position or job, including employees on lay-off, may do so. The application shall be in writing and it shall be submitted to the department head. City may hire personnel from outside the current work force so long as that person meets job requirements which are greater than what may be met by current employees. It will be the prerogative of the appointing authority to select the applicant based upon seniority, qualifications, and past performances.

City Equipment:

- No employee is permitted to use City equipment and/or material for personal use, or to convert same for personal gain.

City Vehicles Use:

- Driving of a City vehicle without a valid driver's license will be considered a direct violation of the City Wide Work Rules and disciplinary action will be taken accordingly.
- Authorized employees driving City vehicles must exercise proper care in their operation and preventative maintenance of their vehicles. Any problem with a City vehicle should be brought to the attention of the department head immediately.
- All City vehicles are covered by bodily injury and property damage liability insurance. Employees with excessive accident records or who are found guilty of reckless operation shall have their driving privileges revoked and receive further disciplinary action.
- When employees are on vacation, their assigned City vehicles shall be left at City Hall so that other departments needing transportation for City business will have the vehicle available to them.
- Any accident involving City vehicles/equipment or personal injury shall be reported to the department head immediately and a complete accident report shall be filed within 24 hours.

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General Personnel Regulations – Continued

Conditions of Employment:

- Individuals considered for employment will be interviewed in person and each applicant will complete an application form, giving personal data and previous employment experience. Previous employers will be contacted. New staff members are on a probationary status for 90 working days and subject to evaluation.
- Residential preference will be given in our hiring practices.

Departmental Supervisors:

- Each employee, when hired, shall be informed of his departmental supervisors. All questions pertaining to the discharge of duties should be resolved with the immediate supervisor or department head.

Disciplinary Action and Dismissal Procedures:

- All disciplinary actions shall be based on facts and circumstances applicable thereto as outlined in the following list of Rules and Regulations with appropriate penalties.

Conflict with Collective Bargaining Agreement:

- To the extent that anything in this Personnel Handbook conflicts with an applicable collective bargaining agreement, the collective bargaining agreement controls.

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CITY WIDE WORK RULES

The three (3) classes of work rules are meant to establish a starting point for discipline. Subsequent violations of work rules (provided dismissal has not occurred) will be incrementally increased following progressive discipline.

Violation of any one of the following rules shall be considered as Gross Misconduct and constitutes grounds for disciplinary action resulting in dismissal for the first offense:

- Falsification of any reports, report-offs pertaining to absence from work, claims pertaining to injuries occurring on City premises, claims for any benefits provided by the City, communications or records including personnel and work records, time records or cards, or any other City records. Falsification also includes intentionally ringing the time card of another, or having another ring your time card.
 - Restricting output, or persuading another (others) to do so, or promoting, encouraging, agitating, tormenting, engaging in or supporting suspension of work, slowdowns, or any other interruptions of work in breach of contract.
 - Sabotage or subversive activity of any kind.
 - Bringing, using or having in possession weapon(s), firearms, dangerous ordinance, or explosives on City premises at any time and/or while the employee's on duty (City time). This section does not apply to the members of the Police Department when in compliance with Police Department rules and regulations.
 - Bringing, using, having in possession, transporting, selling or promoting the use of alcoholic beverage, any intoxicant, any narcotic, any barbiturate, any amphetamine, and hallucinogen, or any other stimulating or depressing drug on City premises at any time and/or while the employee's on duty (City time). Employee's prescription and/or over the counter medicine are excluded provided the employee is in compliance with Rule 15. This section does not apply to the Police Department when it is necessary in the exercise of their duties to take control of alcohol and/or intoxicant and/or narcotic and/or any barbiturate, any amphetamine, and hallucinogen, or any other stimulating or depressing drug when in compliance with Police Department rules and regulations. This section does not apply to Fire/EMS employees when it is necessary in the exercise of their duties to take control of alcohol and/or intoxicant and/or narcotic and/or any barbiturate, any amphetamine, and hallucinogen, or any other stimulating or depressing drug and/or administer/transport/possess drugs related to their duties when in compliance with Department rules and regulations.
 - Theft of any property located on City premises or work area, or theft of City property at any time, or theft of any property while on duty (City time).
 - Misuse or removal from the premises or work area, without proper authorization, any City property, or possession of any property removed from City premises or work area without proper authorization.
- Note:** City resources are not to be used for private enterprise by Employees. No City supplies or equipment are to be utilized outside of the scope of the Employee's assigned duties.
- Willful abuse or deliberate destruction of City property, tools or equipment or of any property on City premises or work area at any time.
 - Unauthorized use of a City vehicle.

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City Wide Work Rules - Continued

- Provoking or instigating a fight or fighting during working hours or on city property, or striking or manhandling another person while on the City's premises or work area at any time and/or while the employee's on duty (City time). This section does not apply to employees of the Police Department when it is necessary in the exercise of their duties and force is exercised in compliance with Police Department rules and regulations.
- Striking a supervisor at any time in connection with any matter relating to employment.
- Commission of any felony while on City premises and/or while the employee's on duty (City time).
- Interfering with or refusing to cooperate with a City Department/Officer in the performance of their job.
- Refusing to answer questions in an investigation wherein the employee has been given a "Garrity Warning."

Note: Absence without leave or reporting off. An unauthorized absence of three (3) consecutive scheduled work days shall be considered as a voluntary resignation.

II

Violation of any one of the following rules shall be considered as Gross Misconduct and constitute grounds for Disciplinary Action ranging from suspension to dismissal for the first offense:

(Progressive discipline for subsequent offenses may result in dismissal)

- Reporting to the work place under the influence of alcohol, any intoxicant, any narcotic, any barbiturate, any amphetamine, any hallucinogen, or any other stimulating or depressing drug.
(Note: This includes employees who are instructed to refrain from operating equipment when a Doctor's prescribed medication indicates that he/she might be impaired.)
- Threatening, intimidating, coercing or interfering with any person, including a fellow employee or supervision, on or off City premises at any time.
- Sleeping on City time.
Note: Employees of the Fire/EMS Department on 24 hour shift are exempt during hours designated by the Fire Chief.
- Insubordination and/or refusal and/or failure to work or to obey and carry out orders of supervision.
- Immoral or indecent conduct.
- Commission of any misdemeanor while on City premises and/or while the employee's on duty (City time).

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City Wide Work Rules - Continued

III

Violation of any one of the following rules shall subject an employee to Disciplinary Action ranging from a verbal warning up to and including a suspension for the first offense:

(Progressive discipline for subsequent offenses may result in dismissal)

- Improper performance of job.
- Careless or negligent use or operation of City tools or equipment.
- Careless workmanship which results in an inferior job or causes redoing of work or hazards.
- Carelessness which causes materials or parts to be scrapped or requires extensive rework or causes damages.
- Mistakes in clerical work or reports which stymie productivity or increase costs.
- Deliberate wasting of City time and/or loitering.
- Violation of, or disregard of, safety rules or safety practices; carelessness, endangering the life or safety of another person.
- Creating or contributing to poor housekeeping, unsanitary, or unclean conditions.
- Engaging in horseplay, malicious, mischief, practical jokes, or other conduct which would jeopardize general safety.
- Loafing on job and/or unwarranted failure to report on job during work hours.
- Walking off the job or leaving your place of work during work hours without proper authorization of supervision, or visiting departments other than the one in which you are assigned to work without proper authorization of supervisor.
- Entering the work place or City properties (i.e.: private offices or secure rooms) at any time other than to report for work, without authorization.
- Unauthorized use of City telephone and/or other communication devices, and/or other equipment/tools for personal affairs or conducting personal business on City time and/or premises.
- Failure to immediately report injury or accident to your supervisor.
- Failure to report off properly before start of scheduled shift. Report off shall be to the employee's immediate supervisor, or as otherwise designated by their immediate supervisor, at least one (1) hour prior to the start of their scheduled shift (unless an individual department adopts a different rule based on its unique operational needs).
- Failure to report to work as scheduled and/or unauthorized absence.
- Failure to report when you will return after an absence, when required.
- Chronic and/or excessive absence from work. (Time off in excess of sick leave, vacation, and/or personal leave allowance).
- Refusal to explain reason for absence from work.

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City Wide Work Rules - Continued

- Sick leave abuse and/or misuse.
- Habitual tardiness (3 times in 30 days).
- Repeated failure to ring your own time card. (ie: at the beginning or conclusion of shift or at beginning or end of meal period).
- Repeated failure to complete all required forms for payroll in a timely manner (Sick Time, Comp Time, Vacation, Funeral Leave, FMLA or Leave of Absence).
- Use of abusive, profane, or improper language to the public, to fellow employees, or to supervisors.
- The making or publishing of false, vicious or malicious statements concerning any City employee, City supervisor, City official, the City or its services.
- Soliciting for any purpose, or collecting money for any purpose whatsoever, on City time, unless authorized in writing by the Mayor or Director of Administration.
- Gambling, lottery or any other game of chance on City premises at any time, or the possession of devices for the purpose of gambling. (Gambling shall be defined as that activity described and defined in Ohio Revised Code Sections 2915.01 and 2915.02(A)).
- Posting or removal of notices, signs or writing in any form on/from any bulletin board on City property, at any time, without the specific authorization. Normal employee use of lounge bulletin boards excluded.
- Conduct unbecoming City employee.
- Failure to carry the employee's driver's license while operating a city vehicle.
- Failure to carry employee ID; using another employee ID, or altering of ID, temporary ID's available in emergency.
- Refusal to show ID requested of citizen, supervisor, and/or safety department officer.
- Distributing written or printed matter of any description on City time or on city property without prior authorization.
- Smoking in prohibited areas.
- These rules do not preclude other city wide policies/rules being enacted/adopted, such as the sexual harassment policy, which provide in the policy/rule itself for discipline.
- These rules do not preclude individual departments from adopting additional rules and policies based upon that department's unique operational needs. (Subject to approval by City Administration.)
- Violations of any three (3) rules in a 12 month period will carry a suspension and/or dismissal.

Note: A copy of all reprimands and disciplinary actions shall be filed in the employee's personnel file. All such documents shall be signed by the employee, the Employee Grievance Committee Representative and the Responsible Departmental Authority.

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City Wide Work Rules - Continued

- The head of the department concerned shall be primarily responsible for the discipline of employees within his department, and he may take disciplinary actions as required.
- A department head may recommend to the Responsible Departmental Authority that disciplinary action be taken for misconduct by an employee. The Responsible Departmental Authority shall have the ultimate duty to take disciplinary action for all offenses stated, and he shall determine the disciplinary action to be taken for second, third, and fourth stated offenses.
- For all disciplinary actions taken resulting with suspension of duty without pay, or in demotion in classification and salary or of dismissal, the appointing authority shall furnish such employee with a copy of the order of suspension, demotion or dismissal with his reasons for the same at the time of or prior to the effective time of the disciplinary order. The employee shall sign all copies of the order of suspension, demotion or dismissal. One (1) signed copy thereof shall be filed with the employee's personnel folder. The order may be made effective immediately or from a later time and date as set forth in the order.
- The employee shall be give a reasonable time, as set forth in the order, in which to make and file a written explanation. A copy of such written explanation, if any, shall be filed with the employee's personnel folder.
- The filings required herein shall be for informational purposes only and shall be made as soon as reasonably possible; but the effective date of any such disciplinary action shall not be affected by the filing of such copies.
- If an employee has not received dismissal, suspension or demotion for the same reason within a 12 month period, the disciplinary order will be removed from the employee's personnel folder.

Employee Evaluations:

- Evaluations of employees may be done at six (6) month or yearly intervals.

Employment Procedure:

- At the time of hire, the new employee will be required to fill out the necessary paper work in the Administration and Finance Departments.

Equipment Safety Procedure:

- It is the desire of the Council and Administration to continually up-date and maintain equipment to assure the optimum safety of all employees which includes preventative maintenance of City Equipment. If at any time an employee feels proper procedures are not taken, it should be brought to the attention of the department head immediately and steps will be taken to correct any deficiencies.
- An employee failing to advise, or department head failing to act, could result in disciplinary action.

Job Classifications:

- Each job classification has been assigned a monthly or hourly pay range. An employee's starting salary shall be determined by the Responsible Departmental Authority. Promotions will be considered on a merit basis upon recommendation by the department head. All employees shall remain in their hiring classification and rate for a minimum period of one year before the next classification and rate are considered, unless promoted or transferred to another position.

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City Wide Work Rules - Continued

Leaves of Absence:

- Leaves of absence may be granted upon written request and approval of the department head. Attendance at job related conferences, meetings, seminars, etc., which result in absence from work require prior written request and approval from the Responsible Departmental Authority.

Ohio Public Employees Deferred Compensation Program: (REF: Resolution No. 900, September 27, 1976) "A resolution to adopt the Ohio Public Employees Deferred Compensation Program permitting all eligible employees of the City to defer a portion of their compensation:

- The General Assembly of the State of Ohio has enacted Sections 145.71, 145.72, and 145.73 of the Ohio Revised Code authorizing the creation of the Ohio Public Employees Deferred Compensation Board (the "Board") and establishment of the Ohio Public Employees Deferred Compensation Program (the "Program").
- Under the Program all "eligible employees" as defined in division (A) of Section 145.71 of the Ohio Revised Code are permitted to contract with their employer for the deferral of compensation.
- The employees of the City of North Canton are "eligible employees".
- The Council of the City of North Canton wishes to adopt the Program for the benefit of its employees.

Parking:

- Parking facilities are provided for City employees in the designated areas.

Pay Period:

- All regular employees of the City, except elected officials, shall be paid bi-weekly. The pay period shall consist of 14 consecutive days beginning Sunday and ending Saturday. Wages and salaries shall be paid the next Friday following the ending of the pay period.

Payroll Deductions:

Mandatory deductions are made from employee paychecks for:

- Federal Income Withholding Tax
- City of North Canton Income Tax
- State of Ohio Income Tax
- Public Employees Retirement System
- School Income Tax where required
- Medicare, if applicable
- Any other federal, state, or local mandate

Employees may authorize deductions from their paychecks for:

- Optional life insurance as offered by the Ohio Municipal League
- Employee credit union savings plan or loan payment
- Union dues
- United Fund contributions
- Deferred compensation
- Any other deduction authorized by Council

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City Wide Work Rules - Continued

Personnel Changes:

- Any time an employee changes his name, address, phone number, marital status, or information for emergency situations, Administration shall be notified so that all employee files may be kept up-to-date at all times.

Pre-Employment Physical:

- Prospective employees will be required to have a physical examination. Said physical is to be conducted by a physician designated by the Director of Administration. The necessary arrangements will be made by the Administrator's Office who will provide the prospective employee with forms to be filled out and returned after the physical examination. Cost of the physical examination will be paid by the City.

Probationary Time Period:

- New employees will be placed on a 90 working days probationary time period and can be relieved of their duties without recourse to negotiation. All new employees are given an employee evaluation interview at the end of this time with their respective department heads.

Resignations:

- Resignations should be addressed to the employee's immediate supervisor. A minimum two (2) week notice should be given as consideration to management in obtaining a replacement.

Telephones: Telephones are to be attended at all times.

- Lunch hours must be staggered to comply with this rule.

Telephones are to be used for City business. Personal calls should be limited to emergency use only.

Time Clock:

- All hourly employees at the Water Treatment Plant, Service Center (Street Department, Water and Sewer Departments), and Park and Recreation Departments are required to ring a time card. Each employee rings his own time card. Any employee who rings another's time card is subject to dismissal (if collusion exists) along with the employee whose time card was deliberately punched by another employee.
- An employee may be transferred from a position in one department to a position in another department upon direction of the Responsible Departmental Authority. All departments work together as parts of the City team and employees may be required to assist in other departments during emergency periods.

Transfers:

- An employee may be transferred from a position in one department to a position in another department upon direction of the Responsible Departmental Authority. All departments work together as parts of the City team and employees may be required to assist in other departments during emergency periods.

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TRAVEL POLICY

Any travel outside of Stark County will require the employee to complete a proposed trip request. This form will allow for estimations of costs associated with the travel. Purchase order requisitions for all vendors to be used should be attached with this form.

Transportation:

- The employee shall determine, with approval from the department head, the most cost-effective method of transportation for the trip. Subject to availability, a City-owned vehicle is always preferable to the employee's personal vehicle. Use of a City-owned vehicle is not subject to reimbursement. However, costs for gasoline, oil, and other necessary repairs will be reimbursed to the employee, if necessary. Use of an employee's personal vehicle shall be reimbursed at the current rate set by Council ordinance.

Travel by Common Carrier:

- Travel by common carrier (bus, railroad, airline, etc.) will be reimbursed at the lowest available rate. Air travel is allowed when it is more economical than any other type of travel.

Tolls and Parking:

- All toll and parking charges incurred while on City business shall be reimbursed to the employee, as long as proper documentation is provided.

Fines:

- Any fines incurred by the employee during the course of business travel (i.e. parking tickets, moving violation, etc.) are the responsibility of the employee and are not reimbursable.

Personal Meal Expenses:

- Traveling employees will be reimbursed for personal meal expenses from itemized receipts submitted. The maximum reimbursement per meal for in-state travel is as follows: \$10 for breakfast, \$10 for lunch, and \$18 for dinner. For out of state travel the maximums are: \$10 for breakfast, \$10 for lunch, and \$25 for dinner. There will be no reimbursement for alcoholic beverages and tips. It is expected that City travelers, as employees of a tax-financed operation, will attempt to limit meal costs to a reasonable level. No reimbursement shall be paid for meals provided for in the cost of the seminar/conference attended by the employee.

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FAMILY AND MEDICAL LEAVE POLICY

Basic Leave Entitlement. The City provides up to 12 weeks of unpaid, job-protected leave every 12 months, which period is measured on a "rolling" basis from the date of the leave backward, to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements.

- Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the
- National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections.

- During FMLA leave, the City will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements.

- City Employees are eligible if they have worked for the City for at least one year, for 1,250 hours over the previous 12 months.

Definition of Serious Health Condition.

- A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

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Family Medical Leave Policy – Continued

- Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave.

- An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the City's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave.

- The City requires employees to use all accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the City's normal paid leave policies.

Employee Responsibilities.

- Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the City's normal call-in procedures.
- Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the City if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

City Responsibilities.

- The City will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the City will provide a reason for the ineligibility.
- The City will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the City determines that the leave is not FMLA-protected, the City will notify the employee.

Unlawful Acts by Employers. FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

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Family Medical Leave Policy – Continued

Enforcement.

- An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

RECORD OF ORDINANCES

Ordinance No. _____ Passed _____, 20____

ANTI-RETALIATION POLICY

This Anti-Retaliation Policy of the City: (1) encourages employees to come forward with credible information on Prohibited Practices or Violations of Law; (2) specifies that the City will protect the person from retaliation; and (3) identifies where such information can be reported.

Encouragement of reporting.

- The City encourages complaints, reports or inquiries about Prohibited Practices or Violations of Law, including illegal or improper conduct by the City itself, by its leadership, or by others on its behalf. For purposes of this policy, "Violations of Law" means a violation of any state, federal or local law that the City has the authority to correct and the reporting employee reasonably believes to be: (i) a criminal offense that is likely to cause an imminent risk of physical harm to persons, (ii) a hazard to public health or safety, or (iii) a felony. For purposes of this policy, "Prohibited Practices" means conduct that a reporting employee reasonably believes to be a serious violation of the policies and practices established by the City and that would financially or detrimentally impact the City, such as incorrect financial reporting, financial improprieties, accounting or audit matters, or detrimentally impact the reputation of the City, such as ethical violations, fraudulent conduct, or other similar improper practices.

Protection from retaliation.

- The City prohibits retaliation by or on behalf of the City against employees for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy. This includes, but is not limited to, retaliation in the form of an adverse employment action such as termination, decrease in compensation, or the threat of physical harm. Every effort will be made to protect the confidentiality of the employee making the report. However, a reporting individual's identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.
- This protection extends to those whose allegations are made in good faith but prove to be mistaken. The City reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy. Any staff member or volunteer who makes a report under this policy who believes he or she is being retaliated against must immediately contact the Director of Law. If the Director of Law is implicated in the complaint, report or inquiry, it should be directed to any member of City Council, the Mayor, or Director of Administration not so implicated.

Contents of report where to report and investigation.

- Subject to disclosure that may be necessary as described above, complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the basis for the complaints, reports or inquiries. They should be directed to the Director of Law. If the Director of Law is implicated in the complaint, report or inquiry, it should be directed to the Mayor, Director of Administration, or any member of City Council not so implicated. The City will conduct a prompt, discreet, and objective review or investigation. Employees must recognize that the City may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

CELLULAR TELEPHONE POLICY FOR CITY PROVIDED PHONES

Purpose:

- Generally, cellular telephones are assigned to employees who must remain accessible due to the nature of their duties and/or those who must be available for emergency response or consultation. The purpose of this policy is to provide guidance with regard to the proper use of City-provided cellular telephones and the City's expectations of those with such privileges.

City Expectations:

- Employees are expected to keep their cellular telephone turned on during times agreed upon with their Supervisor to assure that they can be reached.
- Using a cellular telephone while driving a vehicle is strongly discouraged.
- Texting on a cellular telephone while driving is strictly prohibited.
- City-provided cellular telephones should not be used when a less costly alternative is readily available, such as a land line telephone or existing two way radio.
- Personal use of City-provided cellular telephones is prohibited, except where exigent circumstances require the brief personal use of the City-provided phone. These calls should be of short duration. Frequent or lengthy calls for personal reasons during work time are a violation of this policy. If it is determined that an employee has excessive personal use on their City-provided telephone, they will be required to reimburse the City for personal calls. These circumstances will be reviewed on a case by case basis and reimbursement will be at the discretion of the Director of Administration.
- Employees in possession of City-provided cellular telephones are required to care for the telephone in a responsible manner, and to take appropriate precautions to prevent theft, damage and vandalism.
- The City reserves the right to monitor the use of all City-provided cellular telephones.

Department Head / Supervisor Responsibilities:

- Department Heads, with the approval of the Director of Administration, will determine which positions require a cellular telephone to be provided by the City. This evaluation will be based on the benefit to the City for providing a cellular telephone to an employee, the scope of the position's responsibilities, the need to be able to contact the employee on short notice, and the employee's role in emergency response.
- Supervisors shall be responsible for oversight of employee use of City-provided cellular telephones and shall monitor and review such usage as they deem appropriate.
- The Department Head is responsible for notifying the Director of Administration if a City-provided cellular telephone authorization is revoked, and for periodically reviewing the need for a City-provided cellular telephone for a particular position.

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, 20____

Cellular Telephone Policy For City Provided Phones - Continued

- When an employee terminates employment, the Supervisor or Department Head is responsible for making sure the employee returns the City-provided cellular telephone.
- The Supervisor is required to inform the Director of Administration immediately when a City-provided cellular telephone is reported lost or stolen.

Employee Responsibilities:

- Employees are required to return the City-provided cellular telephone when they leave employment.
- Cellular transmissions are not secure. Employees should use discretion in relaying confidential information.
- In the event that a City-provided telephone is lost or stolen, the employee is responsible for reporting it to their supervisor as soon as possible.
- Employees are not to access and/or download online features (such as ring tones) to their City-provided cellular telephone. These features can result in extra charges and expose the cellular telephone to viruses. This conduct would be considered a violation of this policy and the employee may be required to reimburse the City for any expenses incurred, and would be subject to disciplinary action.
- Employees are not allowed to purchase accessories for the City-provided phone (face plates, holders, etc.) and charge them to the City unless previously approved by their Supervisor.
- Any communication which violates applicable laws and regulations is forbidden.

Note: Misuse of a City cellular telephone may result in disciplinary action up to and including termination of employment

Incidental Use of Personal Cellular Telephones for City Business:

- Typically the City will not reimburse an employee for incidental use of their personal cell phone for work. However, an employee can request reimbursement under extraordinary circumstances incurred on a personal phone bill (e.g., emergency situations when regular communications are down).

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

CREDIT CARD POLICY AND PROCEDURES

Purpose:

- The City of North Canton Council recognizes the value of an efficient method of payment and recordkeeping for certain expenses.

Groups Affected:

- Director of Administration, Director of Finance or Appointing Authority.

Policy:

- The City Council has authorized the Director of Administration, Director of Finance or Appointing Authority to implement procedures for the use of City credit cards for the following uses:

Travel:

- Credit cards may be used by the above assigned individuals for official business – related expenditures for hotel, parking, ferry, taxi, meals, gas, airline tickets, emergency City vehicle repairs, and other travel related expenses as authorized and preapproved by the Director of Administration, Director of Finance or Appointing Authority. Expenditures shall not exceed those outlined in the City's existing Travel Policy authorized by Ordinance No. 40-03.

Purchases:

- The assigned credit cards may be used for ordering supplies, including online purchases when preapproved by the Director of Administration, Director of Finance or Appointing Authority.
- City credit cards shall not be used for cash advances or personal purchases.

Procedures - Receipts/Verification:

- Receipts must be obtained and turned in daily or as soon as possible, for each City credit card transaction. The purpose of the charge must be clearly written on the receipt.

Control:

- The Director of Finance is responsible for administration of the cards to include, but not limited to: selection of card provider, payment of credit card bills, managing issuance of cards and ensuring proper use.
- Any exceptions to this policy must be approved in advance by the Director of Administration, Director of Finance or Appointing Authority.
- Assigned individuals will sign acknowledgment of this Credit Card User Agreement before they are eligible to use City credit cards. See Attachment A.
- Credit cards are to be returned to the Director of Administration, Director of Finance or Appointing Authority upon ending employment with the City.

RECORD OF ORDINANCES

Ordinance No. _____ Passed _____, 20____

SEXUAL HARASSMENT AND HARASSMENT POLICY

Statement of Purpose/Intent.

- It is the policy of the City of North Canton that all employees should be able to work in an environment free from all forms of harassment. It is the policy of the City not to tolerate verbal or physical conduct which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, hostile, or offensive environment. Harassment, as defined by this policy, is against the law. Harassment based on sex, race, color, religion, national origin, marital status, age, mental or physical disability, veteran status, or any other basis will not be permitted whether it is by a supervisor, co-worker, customer, vendor, visitor, or consultant. Any complaints of harassment will be investigated promptly.
- The City of North Canton is committed to promoting a productive work environment in which every employee is treated with respect. The purpose of this policy is to prevent harassment of employees based on sex, race, color, religion, national origin, marital status, age, mental or physical disability, veteran status or any other basis by supervisors, co-workers, and non-employees.
- If an employee believes he or she is being subjected to any of the prohibited forms of harassment or believes he or she is being discriminated against because other employees are receiving favored treatment in exchange for sexual favors, he or she must bring this to the attention of the City. The very nature of harassment makes it virtually impossible to detect unless the person being harassed registers his or her discontent with the appropriate City representative. Consequently, in order for the City to deal with the problem, employees must report such offensive conduct or situations. There will be no intimidation, discrimination or retaliation against any employee who makes a bona fide report of harassment.

Sexual Harassment/Definition. Harassment on the basis of sex is a violation of Title VII of the 1964 Civil Rights Act and state law. Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature constitute sexual harassment when:

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

Note: To reiterate, sexual harassment is the attempt to control, influence or affect the career, salary or job of an individual by sexual coercion. Sexual harassment may also be conduct which creates a hostile or offensive work environment or unreasonably interferes with a person's ability to perform his or her job.

Harassment – Definition:

- Harassment is defined as offensive or intimidating conduct of a verbal or physical nature, which has the purpose or effect of unreasonably interfering with an employee's working conditions or performance, creates a hostile, intimidating, or offensive work environment or otherwise adversely affects employment opportunities.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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Passed _____, 20____

Sexual Harassment and Harassment Policy – Continued

The following specific conduct which is prohibited includes, but is not limited to:

- Threats or insinuations, implicit or explicit, that any employee's refusal to submit to sexual advances will adversely affect the employee's retention, evaluation, wages, promotion, duties or any other condition of employment;
- unwelcome sexual flirtations, advances, contact or propositions;
- verbal or written abuse of a sexual nature;
- graphic verbal comments about an individual's body;
- sexual comments or jokes of a provocative or suggestive nature;
- sexually degrading words used to describe an individual;
- sexually oriented jokes or innuendos intended for and/or directed to another employee;
- the display in the work place of sexually suggestive objects, pictures, or cartoons;
- jokes, derogatory expressions or comments involving race, color, religion, gender, national origin, marital status, age, mental or physical disability, or veteran status;
- the display of degrading graphics, cartoons, or objects involving race, color, religion, gender, national origin, marital status, age, mental or physical disability, or veteran status;
- basing an employment decision such as hiring, promotion, retention, or compensation on whether an employee or applicant submits to sexual advances.

Report.

- An employee who believes he or she has been the subject of sexual harassment should respond to the alleged act immediately in a fair, serious and progressive manner.
- First, if you feel comfortable doing so, be sure that the person who is sexually harassing you knows that you do not welcome that person's advances/comments/actions. Put him or her on notice.

Sexual Harassment and Harassment Policy - Continued

- If the sexual harassment continues write down each offensive advance/comment/action. Be as specific as possible, including time, date and location. Note the name(s) of any co-worker(s) who may have witnessed/overheard the alleged harassment.
- Inform your supervisor or any one of the following authorities in your chain of command whom you are comfortable with, including your supervisor, department head, the Finance Director, or Administrator of the sexual harassment or harassment.

Note: Supervisors are required to inform the City Administrator immediately of each complaint or sexual or other harassment, even when an employee states they do not want an investigation.

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, 20____

Sexual Harassment and Harassment Policy – Continued

Investigation.

- Allegations of harassment will be investigated even if no formal complaint is filed or the complaining individual refuses to cooperate in an investigation.

Confidentiality.

- A record of the complaint and the findings will become a part of the complaint investigation record and the file will be maintained separately from the employee's personnel file. It is understood that any person electing to utilize this complaint resolution procedure will be treated courteously and confidentially to the fullest extent possible. The allegations will be investigated in an expedient manner.

Suspension.

- If appropriate, the alleged offender may be suspended from work pending a complete investigation.

Discipline/Discharge for Violation.

- Any employee who is found, after appropriate investigation and due process, to have engaged in sexual harassment will be subject to discipline, up to and including discharge, pursuant to the terms of this policy, local, state and federal law and any other applicable rule or order.

No Retaliation for Filing Complaint.

- The registering of a complaint will in no way be used or held against the employee, nor will it have an adverse impact on the complaining individual's employment status.
- It is unlawful for an employer to retaliate against you because you filed a charge or because you aided in an investigation.
- If you believe retaliation has occurred, inform your supervisor, department head, appointing authority, the Personnel Services Manager, or the EEO Compliance Officer.

False Complaints.

- Employees filing knowingly false complaints will be subject to corrective action up to and including termination. If, after a thorough investigation, one is found to have corroborated with or intentionally falsified a charge of sexual harassment, he/she will be subject to disciplinary action, up to and including termination.

Appeal.

- The employee may choose to contact the Law Director if the complaint is not resolved in a timely or satisfactory manner.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

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Passed _____, 20____

DRUG TESTING POLICY

- Drug screening or testing shall be conducted upon reasonable suspicion. This testing shall be solely for administration purposes and the results obtained shall not be used in any criminal proceeding. Under no circumstances may the results of the drug screening or testing be released to a third party for the use in a criminal prosecution against the affected employee. The following procedures shall not preclude the employer from other administrative action.
- Drug testing shall also be authorized when an employee is involved in an on-duty motor vehicle accident which results in bodily injuries to any vehicle occupants or the employee, or when the employee has discharged a weapon while on duty.
- All drug screening tests shall be conducted by medical laboratories licensed by the State of Ohio and accredited by the College of American Pathologists or other mutually agreed upon entity. The procedures utilized by the testing lab shall correspond to accepted medical practice. Any positive result shall be confirmed by a mass spectrophotometry procedure (GS-MS), or any approved subsequent state-of-the-art confirmatory test.
- Drug screening tests shall be given to employees to detect the illegal use of controlled substances as defined in Section 3719 of the Ohio Revised Code. If the initial screening is positive, the employee's sample shall be subjected to a confirmatory test that shall be administered by a medical laboratory licensed by the State of Ohio and accredited by the College of American Pathologists or other mutually agreed upon entity. The employee may have a second confirmatory test of the split sample done at a lab of his choosing, at this expense. This test shall be given the same evidentiary weight as the previous test, provided a neutral chain of custody remains unbroken.
- If all the screening and confirmatory tests are positive, then the Bargaining Unit Member involved may be required to enter into rehabilitation referral. The City shall maintain the right to discipline the employee in addition to mandating rehabilitation.
- Prior to any notification by the Employer for drug screening or testing, an employee may elect to participate in a rehabilitation or detoxification program, as determined by appropriate medical personnel. The cost of the program will be covered according to the provisions of the employee's health insurance plan.
- An employee who participates in a rehabilitation or detoxification program shall be allowed to use sick leave, vacation leave, or personal days for the period of the rehabilitation. If no such leave credit is available, such employees shall be placed on leave of absence without pay for the period of the rehabilitation leave.
- Upon completion of the program, and provided that a retest demonstrates that the employee is no longer illegally using a controlled substance, and/or subject to any disciplinary action that may be taken pursuant to this Article, the employee shall be returned to his position. Such employee may be subject to random retesting upon return to his position for a period of one (1) year from the date of his return.
- Any employee in the above-mentioned rehabilitation program will not lose any seniority or benefits should it be necessary that he be required to take a medical leave of absence without pay for a period not to exceed ninety (90) days.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

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Passed _____, 20____

Drug Testing Policy - Continued

- If an employee refused to undergo rehabilitation or detoxification pursuant to a lawful order, or he fails to complete a program of rehabilitation, or if he should test positive at any time within one (1) year after his return to work upon completion of the rehabilitation program, the employee shall be subject to disciplinary action.
- Except as otherwise provided herein, the cost of all drug screening shall be borne by the City.
- For the purpose of this Article "periodic" shall mean not more than three times per year, except that a drug test may be performed at any time upon "reasonable suspicion" of drug use. An employee may be tested more frequently during the one (1) year period after his return from a rehabilitation program.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

PUBLIC RECORDS POLICY

Purpose.

- It is the policy and intention of the City of North Canton to establish guidelines for public records so that they shall be promptly prepared and made available for inspection to any person at all reasonable times during regular business hours. Upon request, an employee of the City of North Canton shall make copies available at the established cost, within a reasonable amount of time. As public servants, we also must be diligent so we do not inadvertently release "records" which do not fit the definition of "public records", fall under one of the exceptions set forth in Ohio Revised Code, or fall under the purview of federally protected information. To balance these competing interests, the following policy is established:

Policy Statement.

- The City of North Canton acknowledges that it maintains many documents and records that may be subject to inspection and/or reproduction. In accordance with state law and the City of North Canton Records and Archives Commission, North Canton, Ohio, the City of North Canton has adopted a Schedule of Records Retention and Disposition (RC-2). This schedule lists the records that are stored on a fixed medium that are created, received, or sent under the jurisdiction of this office and which documents the organization's functions, policies, decisions, procedures, operations, or other activities of this City of North Canton. The records and documents maintained by City of North Canton and the ability to access them are a means to provide trust between the citizens we serve and the City of North Canton.
- The Public Records Officers shall serve as the custodian of all records maintained by the City of North Canton.
- The period of time for which the City of North Canton stores or maintains records was determined by assessing the administrative, legal, fiscal, and/or historical value of the records and by reviewing the guidelines published by the Ohio Historical Society - local Government Records Program.

Procedures/Definitions:

Records - as used in Section 149.011(G) of the Ohio Revised Code.

- Includes any document, device, or item, regardless of physical form or characteristic, 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, function, policies, decisions, procedures operations, or other activities of the office

Public Record - as used in Section 149.43(A)(1) of the Ohio Revised Code. Any record that is kept by any public office, including, but not limited to, City....units, except that "public record" does not mean any of the following:

- Medical records;
- Trial preparation records;
- Confidential law enforcement investigatory records;
- Peace officer residential and familial information;
- Records the release of which is prohibited by state or federal law.

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Ordinance No. _____ Passed _____, 20____

Public Records Policy - Continued

Public Record - as used in section 1347.01 of the Ohio Revised Code.

- Local Agency means any city corporation, school district, special purpose district; or township of the state or any elected officer or board, bureau, commission, department, division, institution, or instrumentality of a City.
- Maintains means state or local agency ownership of, control over, responsibility for, or accountability for systems and includes, but is not limited to, state or local agency depositing or information with a data processing center for storage, processing or dissemination. An agency "maintains" all systems of records that are required by law to be kept by the agency.
- Personal information means any information that describes anything about a person, or that indicates actions done by or to a person, or that indicates that a person possesses certain personal characteristics, and that contains, and can be retrieved from a system by, a name, identifying number, symbol, or other identifier assigned to a person.

Fees. Reproduction and copying fees associated with these guidelines shall be as follows:

- For photocopies of either letter or legal size documents, the fees shall be as follows:
 - a. For the first through the nineteenth photocopy, there will be no charge
 - b. For twenty or more photocopies, there is a fee of five cents (\$.05) per single sided photocopy for all copies made. Two sided photocopies shall be charged at a rate of ten cents (\$.10) per sheet
 - c. For video or cassette tapes, the fee shall be the replacement cost for the tapes and/or the reproduction (copying) cost for the tapes. Reproduction costs may only be charged if a commercial or professional service is contracted to provide the copy
 - d. Persons requesting photographs pursuant to this policy shall be charged only the actual cost incurred by the department for the reproduction of these photographs.
 - e. For any other type of media, the fee shall be the replacement or reproduction cost for that particular media
 - f. The elected City Council sets the established fees associated with providing copies or reproductions of public records that are maintained by the City of North Canton
 - g. Established costs and fees under this policy shall be clearly posted and visible to the public

Availability:

- All public records shall be promptly prepared and made available for inspection to any person at all reasonable times during regular business hours
- Public record inspection requests for the City of North Canton shall be directed to the applicable city department at 145 N Main St North Canton, Ohio, 44720. Regular business hours for most departments are 8:00 a.m. to 4:30 p.m., Monday through Friday.

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Dayton Legal Blank, Inc.

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Passed _____ 20____

Public Records Policy - Continued

- There are several city departments that close earlier than 4:30 p.m.
- Public record requests will be processed during regular business hours. Public Record requests processed during regular business hours may not be picked up after business hours.

Mailed Requests for Public Records:

- Upon receiving a request made in accordance with Ohio Revised Code Chapter 149.43, the City of North Canton shall forward a copy of the record through the United States mail within a reasonable period of time
- With the prior approval of the requestor, copies of records and/or documents may be transmitted by using either a facsimile or email system. The requestor shall be billed in accordance with the fee schedule established by this directive
- The City of North Canton limits the number of records requested to be transmitted through the U.S. 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.
 1. "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
- The City shall process all requests for public records received through the mail in accordance with the following procedures:
 - a. Employees will promptly process requests received by mail from those persons who are not delinquent in the payment for public record requests.
 - b. Public record requests for one to nineteen pages will be mailed to the requestor and no payment shall be required of the requestor.
 - c. Public record requests that exceed nineteen pages will require payment from the requestor. A payment request form shall be completed which indicates the number of pages and the fees. The payment statement shall then be mailed to the requestor.
 - d. Public record requests, which exceed fifty pages, shall require prepayment by the requestor. A prepayment request will be prepared mailed provided to the requestor Upon receipt of payment, the requested record shall be provided to the requestor.
 - e. Requestors shall be charged the postage fees and the cost of the envelope required to properly send the requested records through the mail for all requests which exceed nineteen copies.

Requests for Records or Documents, which are NOT Maintained:

- If this City of North Canton receives a request for a record or document that it does not maintain or the request is for a document or record which is no longer maintained, the requestor shall be so notified that one of the following applies:

RECORD OF ORDINANCES

Ordinance No. _____ Passed _____, 20____

Public Records Policy - Continued

- a. Their request involves records or document that have never been maintained by this office, or
- b. Their request involves records or documents that have been destroyed pursuant to the Schedule of Records Retention and Disposition, or
- c. Their request involves a record or document that has been destroyed pursuant to an Application of the One-Time Records Disposal
- d. The requestor shall be notified that in accordance with section 149.40 of the Ohio Revised Code that the City of North Canton is under no obligation to create records or documents to meet public record requests.

Media Type/Distribution of Records:

- If a person chooses to obtain a copy of a public record, the City of North Canton shall permit the requestor to have the public record duplicated on paper or upon the medium upon which the City of North Canton maintains the record or upon any other medium on which the record can reasonably be duplicated. The request shall be addressed and the record prepared within a reasonable period of time.
- Under no circumstances will a disk, tape, or other like media supplied by a requestor be used. The department will not introduce unknown media to its computers and other equipment for security reasons.

Grievances:

- If a citizen allegedly is aggrieved by the failure to obtain or view a public record maintained for the operation and administration of these offices, the citizen:
- May contact the Public Records Officer for that department. If the citizen is not satisfied with the results;
 - a. May contact the Director of Law.
 - b. Shall be advised that ORC 149.43 provides a legal means for addressing their complaint in these disputes
 - c. Shall be advised that Chapter 1347 of the Ohio Revised Code provides a legal means for addressing their complaint concerning personal information maintained by City of North Canton.
 - 1. Section 1347.08 Rights of Subject of Person information;
 - 2. Section 1347.09- Disputed Information; Duties of Agency; and,
 - 3. Section 1347.10- Liability for wrongful disclosure; limitation of action

Employee Personnel Files:

- The personnel management function for the City of North Canton is directed by Director of Administration. All Employee Personnel Files are maintained within the Administrative Offices. Information related to law enforcement personnel is restricted and described in Section IV.

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Public Records Policy - Continued

Exempted and/or Restricted Information:

- In accordance with the Federal Privacy Act, 5 U.S.C., 552a, and further addressed in State ex rel. Beacon Journal Publication Co. V. City of Akron, 70 Ohio St 3d605, 640 N.E. 2d 164 (1994) and State ex rel. Beacon Journal V. Kent State, 68 Ohio St. 3d 40,623 N.E. 2d 51 (1993) no public record shall be released which contains a Federal Social Security number. Public records containing Federal Social Security numbers will have that information redacted prior to their release.
- Records, whose release is prohibited or exempted by either State or Federal Law shall NOT be subject to public inspection The following represents a partial list of records maintained by the City of North Canton that may not be inspected or copied:
 - a. Confidential Law Enforcement Records
 - b. Information pertaining to medical treatment
 - c. Trial Preparation Records
 - d. Peace Officer residential and familial information
 - e. Victim impact statements
- Ohio's Privacy Act - Chapter 1347 of the Revised Code In accordance with section 1347.04 of the Ohio Revised Code the following are exempt from the provisions of Chapter 1347 ("Ohio's privacy Act") of the Ohio Revised Code:
 - a. Any state or local agency, or part of a state or local agency, that performs as its principal function any activity relating to the enforcement of the criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals;
 - 1. The criminal courts;
 - 2. Prosecutors; and
 - 3. Any state or local agency or part of any state or local agency that is a correction, probation, pardon, or parole authority
- Personal information systems that are comprised of investigatory material compiled for law enforcement purposes by agencies that are not described in divisions (A)(1)(a) and (D) of this section (Section 1347.04 of the Ohio Revised Code) A part of a state or local agency that does not perform, as its principal function, an activity relating to the enforcement of the criminal laws is not exempt under section 1347.04 of the Ohio Revised Code.
- Peace Officer residential and familial information is excepted from release under the provisions of Ohio Revised Code 149.43(A)(1)(p). There is a "journalist exception" to the release of officer information. A journalist who submits a written request including the journalist's name, title, employer's name and address, and states that the release of information is in the public interest may obtain some of this information. Specifically, they may obtain the officer's personal residential address and the name and address of the employer of the officer's spouse, former spouse, or children if that person is employed by the public office. A "journalist exception" request will be forwarded to the Chief of Police for review before any information is released. Information that will not be released under a normal public record request is as follows:

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Public Records Policy - Continued

- a. This information includes the address of the residence of the peace officer;
 - b. The peace officers social security number, residential telephone number; bank account number, debit card, charge card, or credit card number, or emergency phone number of or medical information pertaining to a peace Officer.
 - c. The name of any beneficiary of employment benefits.
 - d. The identity and amount of any charitable deductions.
 - e. The name, residential address, employer, employer's address, social security number, residential telephone number, financial account number, or emergency telephone number of the Spouse, former spouse, or child of a peace officer.
- Information related to/and maintained in accordance with the Americans with Disability Act (ADA) and/or Family and Medical Leave Act (FMLA) requires that personnel medical information be kept separate from regular personnel information and maintained in a secured area. Such information may only be released to:
 - a. Supervisors and managers in order to provide information regarding work restrictions.
 - b. First aid or safety personnel if the disability would require treatment or procedures related to the disability.
 - c. Government officials investigating compliance with ADA/FMLA provisions.
 - d. With respect to Bureau of Workers' Compensation second injury funds or in compliance with workers' compensation laws.
 - e. To insurance companies which require medical exams to provide health or life insurance for the employee.

Redacting Exempted Records / Procedure:

- After reviewing the requested record and determining that it contains non-releasable information, the Public Records Officer shall make a copy of all pages containing the excluded information.
- The Public Records Officer shall then color over the restricted information on the reproduced copy with a black marking pen in a neat manner
- The Public Records Officer shall then reproduce a copy of this page, which shall be the page that is released to the requester.
- The first reproduction Page, which is the work sheet, shall be attached to the original record, and maintained in accordance with the retention period established for the original document.

A.D.A. Compliance:

- The City of North Canton and its employees shall facilitate all requests made by citizens, regardless of handicap or disabilities. Employees of City of North Canton, authorized to release public records, shall take all reasonable steps to ensure that no one is denied access to public information based on a handicap or disability.
- The City of North Canton and its employees shall follow all standards and guidelines established by local, state and federal laws or mandates, as it pertains to the Americans with Disabilities Act and other applicable.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Public Records Policy - Continued

Public Record Law Update Provisions for 09/29/2007:

- The City of North Canton shall make available a poster located in a conspicuous place at the various departments located throughout the City.
- If a request is denied, in part or in whole, the public office or person responsible for the requested public record shall provide the requester with an explanation that:
 - a. Sets forth why the request was denied, and
 - b. Includes legal authority.
- The explanation will not preclude the City of North Canton from relying upon additional reasons or legal authority in defending their action to deny access.
- The City of North Canton shall keep a copy of their record policy and retention schedule in the Clerk's Office and at various departments for ready availability to the public.
- The City of North Canton shall also keep a copy of their records retention schedule located in a conspicuous place at the various departments throughout the City and make it and available for public inspection.
- If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records under this section such that the public office or the person responsible for the requested public record cannot reasonably identify what public records are being requested, the public office or the person responsible for the requested public record may deny the request but shall provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.
- A requestor can be asked to complete our record request form in order to help us better and more timely fill the public record request. It must be disclosed to the requestor that a written request is not mandatory. They are **NOT** by law obligated to do this or any of the following:
 - a. Do **NOT** have to provide their name
 - b. Do **NOT** have to provide a reason for inspecting and/or copying the public records
 - c. Do **NOT** have to make the request in writing as it may be made verbally
 - d. Do **NOT** have to reveal a motive wanting for the public record
 - e. Do **NOT** have to be an Ohio resident.
- Public Records of the City of North Canton shall only be destroyed in accordance with the record retention schedule. Any public record not listed on the retention schedule shall not be destroyed until proper application is made in accordance with O.R.C.
- The City of North Canton intends hereby to formalize compliance with Ohio Revised Code and amendments thereof. The city further intends to protect all records entitled to exemption or restriction under appropriate state and/or federal law.
- "Public Records Officers": The Council of the City of North Canton designates the Clerk of Council as its "public records officer" and the Mayor designates the Director of Administration as his "public records officer".

RECORD OF ORDINANCES

Ordinance No. _____ Passed _____, 20____

VEHICLE USE POLICY

Purpose - To establish a uniform vehicle use policy for persons operating and utilizing City-owned vehicles.

Policy Statement:

- The City and its employees shall promote the highest standards of vehicle safety and establish an intervention process for corrective measures in order to prevent vehicle accidents causing injuries and property damage.

Procedures - General:

- City vehicles are to be used for City business. Operators must have permission to use a city vehicle.
- City vehicles must be operated in a safe, careful, and defensive manner.
- A City vehicle operator will adhere to all local, state, and federal laws pertaining to the operation of a vehicle including all City and Department rules and regulations. No person shall operate a city vehicle while under the influence of alcohol or drugs. Operators will be liable for any ticket/citation and fines issued when driving a City vehicle.
- City vehicles shall not be parked illegally. This is not only in violation of the law but presents a negative image of the City to the citizens it serves.
- Seatbelts are required to be used by all drivers and occupants in accordance with State Law.
- Backing a vehicle is a major cause of accidents. City personnel should always back with caution and use a spotter at all times possible when backing restricted vision vehicles such as buses, vans, fire apparatus, ambulances, and the like.
- Emergency flashers should be used in appropriate situations.
- When a driver leaves a vehicle, the engine shall be shut off, emergency brake set, keys removed, and the vehicle locked. Vehicles responding to or on emergency calls should follow departmental policy.
- City personnel are required to report all damage to their vehicle or mechanical problems as soon as possible to their immediate supervisor or Department Head. Vehicle operators are responsible for the appearance and cleanliness of the vehicle.
- City employees must immediately inform his/her Department Head, immediate supervisor, or other appropriate official when their license to operate a vehicle has been suspended, terminated, restricted to occupational driving only, or license has expired. Any changes in licensing requirements due to physical impairments, or other reason(s) shall be reported to the Department Head immediately.
- Any employee operating a City vehicle must possess a valid State of Ohio driver's license. All operators of City equipment, excluding cars, pickup trucks, window vans, and station wagons must possess a CDL. Fire Department personnel operating fire equipment are exempt from having to possess a CDL. Operators of motorcycles must possess a motorcycle endorsement. Any supervisor in the employee's chain of command or law enforcement officer may ask the employee to present their driver's license.
- All offices and departments are required to work through the City Administrator's Office to sell, buy, title or license a vehicle.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Vehicle Use Policy - Continued

- Employees with a permanent vehicle assignment shall comply with City Finance Department and IRS rules if they apply.
- City vehicles may be used to conduct City business or to attend professional or government meetings that are outside the City of North Canton when approved. (See also Travel Policy). No passengers shall be transported except necessary to conduct City business or approved by the Department Head.
- No operator shall transport cargo unrelated to the performance of official business.
- Individual departments may establish their own vehicle policies but they shall be no less stringent than this City-wide policy and/or must not contradict or conflict with these standards

Accident Reporting:

- When involved in an accident in North Canton, vehicle operators with radio or cell phone communications are to notify the North Canton Police Department immediately identifying their name, location, vehicle number, and if there are injuries. If you are traveling out of the City, the employee shall notify the appropriate police agency having jurisdiction and file a report.
- The City's Police Department shall notify the Administrator and employee's Department Head of the report of the accident. A copy of the completed report shall be forwarded to the Administrator.
- If the accident occurs outside the City's police jurisdiction, the Police Department shall make arrangements with the responding jurisdiction to receive a copy of their completed report and forward it to the Administrator.
- The City Police Department Shift Supervisor may determine to handle the accident on a Call for Service ("CFS") if the damage is minor and involves no injury. These accidents will still be reviewed by the Department Head. Employees involved in an accident should take the following steps:
 - a. Stop immediately
 - b. Summon help and render assistance to the injured. Injured persons must not be moved unless absolutely essential for their protection
 - c. Warn other motorists of any existing hazard
- Supervisors and employees will follow the appropriate action according to the Drug & Alcohol testing procedures.

Accident & Complaint Review:

- The employee's Department Head shall review all vehicle accidents, complaints, and violations involving city owned department vehicles.
- Preventable accidents or incidents are grounds for disciplinary action. Violation of laws and City-wide rules and regulations shall be grounds for disciplinary action. All disciplinary action shall be subject to Civil Service Laws, City-wide rules and regulations and Collective Bargaining Agreements.
- The Department Head shall review all materials supplied, may interview the employee, and any other witnesses or person deemed necessary to determine whether the accident was preventable or non-preventable or if the complaint is valid and provide a written report and issue disciplinary action or a recommendation if warranted.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Vehicle Use Policy - Continued

- The Department Head may choose not to review a case prior to a determination by the Courts if it is being litigated. In such an event, the employee and Union shall be notified in writing the review is being held in abeyance and such notice tolls the time lines for disciplinary action.
- The Department Head shall forward their review of the incident and/or disciplinary action taken to the Director of Administration.

Actions of the Director of Administration:

- The Director of Administration shall review the written report.
- The Director of Administration reserves the right to issue discipline without prior review from the Department Head.
- The Director of Administration may impose discipline different than that recommended or imposed by the Department Head. In all instances the Director may require a driver's safety course or training for the employee.

Penalty & Point System for Vehicle Accidents:

- Classification I – 0 Points – The City employee is not at fault, the accident was non-preventable, or there is not enough information to determine.
- Classification I – 1 Point – Mitigating circumstances:
 - a. City employee technically at fault, but because of a particular circumstance as unable to avoid the accident.
 - b. The accident was minor in nature, no citation issued, and involved no claimed injuries and the property or vehicle damage estimated to be less than \$1,000. The accident was determined to be of a preventable type.
- Classification III – 2 Points – City employee carelessness:
 - a. Accident could have been prevented with reasonable thought and caution. All moving violations (except those pertaining to size limits) such as speeding, assured clear distance, failure to yield right of way, out of control, weaving, improper lane usage, etc., apply. Also operating a motor vehicle in violation of a restriction, except suspension or revocation, by the Bureau of Motor Vehicles. Points will be assessed to any "spotter" whose purposeful actions or negligence results in an accident.
- Classification IV – 4 Points – The City employee was culpably reckless:
 - a. Operated a vehicle with knowledge of possible consequences.
- Classification V – 6 Points
 - a. An employee will be assessed for having operated a vehicle under the influence of alcohol and/or any drug of abuse, or failed to stop and disclose identity at the scene of an accident, or for willfully fleeing or eluding a police officer, or drag racing, or operating a vehicle without consent of the owner, or operating a motor vehicle while their license is under suspension or revocation, or using a City vehicle in the commission of a felony or committing any crime punishable as a felony under Ohio Motor Vehicles Laws, or vehicular homicide. The accident was determined to be of a preventable type.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Vehicle Use Policy - Continued

Preventable & Non-preventable Accident Guidelines for Reviewing Accidents:

- A preventable accident or incident is one in which the accident or incident could have reasonably been prevented by proper attention and/or utilization of defensive driving techniques.
- A non-preventable accident or incident is one in which the employee was not at fault or where the accident or incident could not have been reasonably prevented.

General guidelines – barring extenuating circumstances and maintaining the reasonable action standards, accidents are generally preventable if:

- Driver was inattentive or failed to accurately observe and assess existing conditions that contributed to an accident.
- Driver's speed was not consistent with posted (prescribed) limits or existing road, weather, or traffic conditions.
- Driver's speed precluded stopping within available clearances or assured clear distance.
- Driver misjudged (or did not confirm) available clearances (above, below, or on the sides) resulting in the striking of a fixed object.
- Driver failed to control the vehicle.
- Driver failed to yield the right-of-way resulting in an accident (or to avoid an accident).
- Driver failed to communicate the vehicle's presence or intended actions through the use of directional lights (signal flashers), horn, or other means.
- Driver was in violation of company operating rules or special instructions, the regulations of any federal or state regulatory agency, or any applicable traffic law or ordinance.

Struck in Rear by Other Vehicle – Non-preventable if:

- Driver's vehicle was legally and properly parked: unless there were extenuating circumstances recognizable to the alert driver whose judgment should suggest "park elsewhere."
- Driver was proceeding in his or her own lane of traffic at a safe and lawful speed.
- Driver was stopped in traffic due to existing conditions or was stopped in compliance with traffic sign or signal, or the directions of a police officer or other person legitimately controlling traffic.
- Driver was in proper lane, waiting to make turn, and was flashing a signal indicating his or her intention to turn.
- Driver's vehicle was disabled and was protected by emergency warning devices as required by Department of Transportation ("DOT") and state regulations, or if the driver was in the process of setting out or retrieving signals – except, see "Mechanical Defects Accidents" – except, if opportunity was available for driver to remove vehicle off road.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

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Ordinance No. _____ Passed _____, 20____

Vehicle Use Policy - Continued

Struck in Rear by Other Vehicle – Preventable if:

- Driver made a sudden stop to park, load or unload.
- Driver was improperly or illegally parked.
- Driver made any other type of unnecessary sudden stop.
- Driver's vehicle rolled back into vehicle immediately behind while starting on a grade.

Struck While Parked – Non-preventable if:

- Driver was properly parked in an area where permitted. Unless there was extenuating circumstances recognizable to the alert driver, whose judgment should suggest "park elsewhere" – Unless there was off-the-road parking available.
- Vehicle was protected by emergency warning devices as required by DOT and state regulations, or if driver was in the process of setting or retrieving signals. The use of 4-way flashers as emergency warning lights under DOT regulations meets this provision for only the first 10 minutes.

Mechanical Defect or Breakdown Accidents – Preventable if:

- Defect was of a type which driver should have detected during a proper pre-trip inspection of vehicle.
- Defect was of a type that the driver should have detected during the normal operation of the vehicle.
- Defect was caused by the driver's abusive operation of the vehicle.
- Defect was known to the driver but was operated regardless of this knowledge.

Sideswiped or Head-on Collisions – Preventable if:

- Driver was not entirely in the proper lane of travel.
- Driver did not pull to the right or left, slow down and/or stop for the encroaching vehicle lane when such action could have been taken without additional danger and to prevent a collision.
- Driver changed lanes without ascertaining that sufficient space was available or failed to signal intent, or give sufficient warning of intent, to change lane.
- Driver was weaving to the right or left, thus crowding the passing vehicle.

Striking other Vehicle in Rear Collisions – Non-preventable if:

- Other vehicle rolled backward while starting on grade.
- Driver's vehicle was stopped but was hit from behind and pushed into other vehicle.

Striking other Vehicle in Rear Collisions – Preventable if:

- Driver failed to maintain safe following distance and have the vehicle under control.
- Driver failed to stay alert and ascertain that traffic was slowing down or that vehicle ahead was moving slowly, stopped, or slowing down.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

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Passed _____, 20____

Vehicle Use Policy - Continued

- Driver misjudged rate of overtaking vehicle.
- Driver came too close before pulling out to pass.
- Driver started up too soon or too fast for vehicle ahead.
- Driver failed to leave sufficient room for passing vehicle to get safely back in line.
- Driver was passing and misjudged approaching traffic, and returned to right lane too fast.

Accident at Intersections – Non-preventable if:

- Driver was stopped in compliance with traffic sign or signal or at the direction of a police officer or other person legitimately controlling traffic.

Accident at Intersections – Preventable if:

- Driver failed to control speed so that the vehicle could stop within available sight distance.
- Driver failed to check cross traffic and wait for it to clear before entering intersection.
- Driver pulled out in the face of oncoming traffic.
- Driver collided with person, vehicle, or object legally using the roadway or crosswalk while making a right or left turn.

Backing Accidents – Preventable if:

- Driver backed up when backing could have been avoided by better route planning.
- Driver backed into traffic stream when such backing could have been avoided.
- Driver failed to get out of cab and check the immediate situation and proposed path of backward travel.
- Driver depended solely on mirrors when it was practicable to look back.
- Driver failed to get out of cab periodically and recheck conditions when backing a long distance.
- Driver failed to check behind vehicle parked at curb before attempting to leave parking spaces.
- Driver backed from blind side when a side approach could have been made.
- Driver failed to use a guide (spotter) to help back, or depended solely on a guide.
- Driver relinquished all responsibility to guide.

Accidents While Passing or Being Passed – Preventable if:

- Driver passed where view of road ahead was obstructed by hill, curve, vegetation, traffic, adverse weather conditions, etc.
- Driver attempted to pass in the face of closely approaching traffic.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

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Passed _____, 20____

Vehicle Use Policy - Continued

- Driver failed to warn driver of vehicle being passed.
- Driver failed to signal change of lanes.
- Driver pulled out in front of other traffic overtaking from rear.
- Driver cut-in short returning to right lane.
- Driver failed to stay in own lane of traffic.
- Driver failed to hold speed or reduce speed to permit other vehicle to pass safely.

Accidents While Entering Traffic (Merging) – Preventable if:

- Driver failed to signal when pulling out from curb.
- Driver failed to check traffic before pulling out from curb.
- Driver failed to look back to check traffic if he or she was in position where mirrors did not show traffic conditions.
- Driver attempted to pull out in a manner that forced other vehicle(s) to change speed or direction.
- Driver failed to make full stop before entering from side street, alley, or driveway.
- Driver failed to make full stop before crossing sidewalk.
- Driver failed to yield right-of-way to approaching traffic.

Accidents Involving Pedestrians and Bicycles – Non-preventable if:

- Pedestrian or bicycle driver collided with driver's vehicle while it was legally parked or stopped.
- Pedestrian or bicycle driver darts out in front of driver.

Accidents Involving Pedestrians and Bicycles – Preventable if:

- Driver failed to yield right-of-way to pedestrian.
- Driver failed to stop when passing a bus using its stop flashers.

Accidents Involving Rail Operated Vehicles (Railroad Crossings) Preventable if:

- Driver attempted to cross tracks directly ahead of train.
- Driver ran into side of train.
- Driver stopped or parked on or too close to tracks.
- Driver failed to yield right-of-way to train or trolley.
- Driver failed to stop at the railroad crossing.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

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Passed _____, 20____

Vehicle Use Policy - Continued

Miscellaneous Accidents – Preventable if:

- Driver was making a "U" turn.
- Driver was pulling away from the curb or other parking space.
- Driver was entering traffic from a driveway, or private alley.
- Driver was giving a push or was being pushed.
- Vehicle moved due to faulty brakes.
- Driver left vehicle unattended, failed to remove key, and failed to set parking brake.
- Collision with fixed objects – poles, gates, light stanchions, etc.
- Non-collision accidents, such as an overturn, or running off road.
- Skidding accidents, including but not limited to, in which the City's vehicle is damaged because it jackknifes.
- Vehicle was moved while connected to stationary equipment.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

RECEIPT OF EMPLOYEE HANDBOOK

I have received, and agree to read a copy of the Employee Handbook for the City of North Canton. I agree to discuss anything that I do not understand with my supervisor or the City Administrator. I agree to abide by the rules and regulations contained therein. I understand that the rules, policies, and benefits contained in the Employee Handbook may be updated, modified, or deleted at any time and that it is my responsibility to keep myself apprised of any changes.

I understand that employment with the City is for no definite duration, that I am free to choose to quit or terminate my employment for any reason and at any time, with or without notice. Correspondingly, I understand that the City may terminate my employment for any reason and at any time, with or without notice. In addition, I understand that these policies are not written to cover every situation or answer every question an employee may have concerning his/her position and it is not an employment contract. I understand that my employment is not by contract, express or implied, and that oral statements to the contrary are not binding upon the City. I further understand that only the Mayor, acting upon authorization by Council, shall have the authority to enter into an employment contract for any period of time and that any such contracts are not binding unless in writing and duly executed by both the Mayor and the employee.

I agree to conform to the rules and regulations of the City, and understand that my employment and compensation can be terminated, with or without cause, and without notice at any time at the option of the City or myself. I also understand that neither this handbook nor any other communication by a management representative is intended to, in any way, create a contract of employment or to limit the City's discretion to discipline or terminate my employment.

Signature

Date

RECEIPT OF EMPLOYEE HANDBOOK

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Signature

Date