

POLICY AND PROCEDURE STATEMENT

SUBJECT DEFINITION OF TERMS	PAGE 1 OF 5	DATE EFFECTIVE JANUARY 1, 2023	
SECTION/POLICY NO. 1.01	APPROVED BY _____ MAYOR	SUPERSEDES NEW	
PREPARED BY VILLAGE ADMINISTRATOR	VILLAGE ADMINISTRATOR _____ VILLAGE ADMINISTRATOR	APPROVAL DATE	ISSUE DATE 12/1/2017
REFERENCE	PERSONNEL/BENEFITS COMMITTEE REVIEW APPROVED BY _____ PERSONNEL DIRECTOR	DISTRIBUTION LIST WEBSITE, MAYOR, COUNCIL CLERK- TREASURER, AND VILLAGE EMPLOYEES	

SCOPE

- I. This Policy applies to Ashville Personnel, Ashville Government, and Contract Staff.

PURPOSE

- I. To create a common understanding of terms

POLICY AND PROCEDURE

The Village of Ashville adopts the following meaning to the indicated terms unless otherwise indicated in these policies and procedures, the following definitions apply and should be used in all matters pertaining to the administration of the Village personnel system.

ABSENTEEISM - Means: (1) absence from work for a period of one or more days; (2) tardiness; or (3) failure to properly report off work.

ABSENT WITHOUT LEAVE - Means unexcused absence from work.

ALLOCATION - Means assignment of a position or job to a class within a classification plan.

APPOINTING AUTHORITY - Means the official or body having the power of appointment to, or removal from, positions in any Village office or department.

BASE RATE OF PAY - Means the rate of pay established by ordinance or contract for an employee exclusive of any supplements or allowances.

BREAK IN SERVICE - Means termination of employment for more than thirty (30) days for any reason other than layoff or approved leave.

CLASS - Means a group of one or more positions sufficiently distinct from all other positions in duties, responsibilities and qualifications required to warrant a separate title.

CLASSIFIED EMPLOYEES - Any employee who doesn't fit into the unclassified category is automatically defined as a classified employee. Classified employees usually are paid an hourly rate, and their job duties are routine -- following a specific set of standards and rules. Examples of classified employees are maintenance and construction workers, clerical staff and technicians. An employer must be careful when defining a worker's status by examining the job requirements against federal Fair Labor Standards Act (FLSA) standards. Job duties, not job titles, differentiate classified from unclassified employees. For example, a garbage man could be called a waste management administrator, but because his job duties are routine and standard, he is a classified employee.

CLASSIFICATION - Means: (1) allocation of a position to proper class; (2) the class title assigned to a position.

CONTINUOUS SERVICE - Means the uninterrupted service of an employee with the Village.

DAY - Means calendar day unless specified otherwise.

DAYS WORK – Means the total hours scheduled for work in a Day.

DEMOTION - Means placement of an employee in a position which carries a lower salary range than that previously held.

DEPARTMENT - Means a Village organizational unit directed and controlled by a department head and charged with a specific public service function.

DEPARTMENT HEAD - Means the director or manager of a department.

DEPUTY - Means an employee authorized by law to act generally for or in place of and holding a fiduciary relationship to his/her principal.

DISHONESTY - Means the disposition to lie, cheat or defraud; untrustworthiness; lack of integrity.

DISPLACEMENT - Means for purpose of layoff, the process by an employee with more retention points exercises his/her right to take the position of another employee with fewer retention points. Displacement occurs the date the employee is notified that another employee has exercised his/her right of displacement and that the employee with fewer retention points is to be displaced.

DISTRIBUTION - Means delivering goods, materials and/or written materials.

DRUG ABUSE - Means the improper use of any controlled substance, narcotic, or hallucinated, except as prescribed in treatment by a licensed physician or dentist.

DRUNKENNESS - Means the condition of a person who is intoxicated with alcohol; the state of one who is "drunk". The effect produced is that the normal condition of a person subject is changed and that his/her capacity Village for rational action and conduct is diminished.

EMPLOYEE - Means any person holding a position subject to appointment, removal, promotion, or reduction by an Appointing Authority.

EMPLOYEE STATUS - Means the term utilized to describe an employee's title, salary range, classified or unclassified status, and type of employment (temporary, seasonal, permanent, etc.).

EXCUSED ABSENCE - Means being absent from work with the approval of the Appointing Authority or designee.

EXEMPT EMPLOYMENT OR APPOINTMENT - Means an appointment to a position which is not subject to an examination or civil service tenure.

GENDER - Means whenever the pronouns he or she or the derivatives thereof are used in this manual they will be interpreted as referring to both sexes.

IMMEDIATE FAMILY

IMMORAL CONDUCT - Means conduct which is willful, flagrant, or shameless, and which shows a moral indifference to the opinions of the community.

INCOMPETENCY - Means being incapable of performing job duties, wasting of time or energy in completing work.

INTERIM APPOINTEE - Means an employee hired to fill a vacancy created by the sickness or disability of a regular employee for the period of the sickness or disability while on leave without pay.

INTERMITTENT APPOINTMENT - Means an appointment where an employee works on an irregular schedule which is determined by the fluctuating demands of the work which are not predictable.

INSUBORDINATION - Means the state of being unwilling to perform duties and responsibilities required of an employee. Refusal to obey an order issued by an employee's supervisor.

LACK OF FUNDS - Means an Appointing Authority has a current or projected deficiency of funding which requires or will require reduction of current or projected staffing levels.

LAI D OFF EMPLOYEE - Means an employee terminated by an Appointing Authority from a position as a result of the application of the "order of layoff." A "laid off employee" also means an employee not working as a result of layoff, abolishment or displacement.

MALFEASANCE - Means an act which is positively wrongful and unlawful.

MAY - Means optional.

MISFEASANCE - Means the improper performance of an act which a person may lawfully do.

NEGLECT - Means to omit or fail to comply with an order that can be done. The absence of care or attention in the doing. An omission of a given act. A designed refusal or unwillingness to perform one's duty.

NEW POSITION - Means a budgeted position established and properly allocated which did not previously exist.

NON-COMPETITIVE EXAMINATION - Means an examination of applicants' job applications to determine whether they possess the minimum qualifications for appointment to a position.

NONFEASANCE - Means the non-performance of an act which ought to be performed; omission to perform a required duty at all, or total neglect of duty.

NON-WORK AREA - Means any area on or off Village property not designated as a work area.

NON-WORK TIME - Means any time during an employee's work day where the employee is totally relieved of work duties, such as break time and lunch time. Whether an employee is in paid or unpaid status during this time is immaterial.

OPEN EXAMINATION - Means an examination open to anyone, who possesses the minimum qualifications established for a given classification or position.

ORAL REPRIMAND - Means the discussion a supervisor holds with an employee in which he disciplines the employee for his/her conduct and impresses upon him the need for improvement. This method of discipline can eliminate misunderstandings immediately and set and maintain desired standards of conduct and performance. A notation of the date, time and reason for an oral reprimand shall be kept in the employee's personnel file.

PART-TIME EMPLOYEE - Means an employee whose regular hours of duty are less than the normal established work week for a particular department.

PAY PERIOD - Means the period of time during which the payroll is accumulated, as determined by the Appointing Authority.

PAY RANGE - Means the division of a salary schedule to which a classification or position is assigned.

PERMANENT EMPLOYEE - Means any employee who has completed the applicable probationary period and occupies an authorized position involving full-time pay and benefits.

POLICE CHIEF - Means the Chief of the Police Department.

POSITION - Means the group of job duties intended to be performed by an individual as assigned by the Appointing Authority.

POSITION AUDIT - Means the evaluation of the current duties and responsibilities assigned to an incumbent position to determine its proper classification.

PROBATIONARY PERIOD - Means the period of time at the beginning of an original appointment, hiring or promotion. This period may vary according to collective bargaining agreements or departments. It applies to certified and provisional appointments but not to unclassified appointments. During this period an employee may be terminated or reduced to a lower classification.

PROFESSIONAL AND CONSULTING SERVICES - Professional and Consulting Services are usually customized services that utilize specialized intellectual or creative expertise based on personal skills or ideas of an individual (s) or company that are provided for a fee, which may be determined individually with each customer for each service contract, Professional Service Agreement (PSA).

PROMOTION - Means the act of placing an employee in a position which carries a higher salary range than that previously held.

PROMOTIONAL EXAMINATION - Means an examination open only to persons already employed by the Village agency or department. This exam is given for the purpose of determining eligibility for promotion to a higher class.

PROVISIONAL APPOINTMENT - Means an appointment made without an examination to the classified service. Provisional appointments continue only until an appointment from an eligible list can be made or until the employee becomes certified, and in no case shall be for a longer period than six months.

RECLASSIFICATION - Means the act of changing the classification of an existing position. The employee, if left in that position, shall be reassigned to the new classification.

REDUCTION - Means the change of the classification held by an employee to one having a lower base pay range, a change to a lower step within a salary range, or any decrease in compensation for an employee. For purposes of layoff, a "reduced employee" is one serving in a classification lower than the one from which the employee was laid off or displaced.

REINSTATEMENT - Means the act of returning a person to Village service, following a period of separation or a leave of absence, with the retention of seniority and status. For the purpose of layoff, reinstatement means the act of selecting from the Appointing Authority's layoff list individuals to return to active service with the same Appointing Authority in the same classification series of layoff.

REMOVAL - Means the termination of an employee's employment.

RESIGNATION - Means the voluntary separation from the Village by the employee.

SEASONAL APPOINTMENT - Means an appointment where an employee works a certain season or period of the year performing work limited to that season or period.

SENIORITY - For purposes of all matters such as vacation scheduling and other internal matters affected by seniority and not dictated by law, policy, or the labor agreement, seniority means the uninterrupted length of continuous service with the Village. An authorized leave of absence does not constitute a break in service. Seniority continues to accumulate during the term of the leave, provided the employee complies with the rules and regulations governing his/her leave of absence.

For the purpose of layoff, seniority means continuous service with the Village, or as designated in the labor agreements. Service may be transferred from one Village department to another without loss of seniority as long as no break in service occurs.

Employees who are reinstated from layoff within one (1) year of the layoff date retain previously accumulated seniority, but will not be credited with seniority for the time spent on layoff.

Seniority for the purposes of vacation accrual means the total number of years of service with the Village. However, the completion of a total of one (1) year service with the Village is required before eligibility for any vacation leave is established.

Seniority for the purposes of determining retirement benefits is defined by the provisions of the retirement system in which the employee participates.

For all other purposes, seniority shall be defined as set forth in the provisions of the Ohio Revised Code.

SHALL - Means mandatory.

SICK LEAVE ABUSE - Means use of sick leave for any purpose other than as provided by law. Calling in sick when the employee is able to work. Reporting illness in the immediate family when such illness does not exist. Reporting off sick to participate in some other activity or take care of personal business. Setting a pattern of reporting off sick on certain days of the week or following regular days off, over an extended period of time. Failure to follow the rules and regulations regarding use of sick leave and reporting procedures.

SOLICITATION - Means an act of requesting an individual to purchase goods, materials, or services, or a plea for financial contribution or a plea for support of any cause.

SPECIFICATION - Means a general description of job duties including examples of the kinds of tasks performed in positions allocated to a classification. Specifications may include class title, a statement of job functions, a grouping of task statements by job duties (ranked by importance), and a summary of required worker characteristics, behaviors and minimum qualifications for employment in the classification.

STANDARD SERVICES - Standard Services are services that are routinely provided to a large number of customers usually at published rates without significant customizing. Some examples of this type of service are: repair services, small equipment rental, and laboratory testing services. A professional services agreement is not required for Standard Services. For Standard Services, the bid or quote for services to be provided, in combination with a University issued purchase order, with standard University terms and conditions, will serve as the contract.

STATUS - Means the type of appointment such as provisional, certified, or unclassified.

SUPERVISOR - Means an individual authorized to oversee, manage, or direct the work of lower level employees.

SUSPENSION - Means the relieving of an employee from duty without pay, usually for a short period of time (i.e., one (1) to thirty (30) days) as a disciplinary measure aimed at improving the employee's conduct.

TABLE OF ORGANIZATION - Means a listing, arranged by structural or functional units, of the number of classifications or positions in a department, unit, or agency.

TARDY - Means arriving at or reporting to work after the usual, proper or appointed time.

TEMPORARY EMPLOYMENT or APPOINTMENT - Means an appointment or employment for a limited period of time, fixed by the Appointing Authority and approved by the Council either from an eligible list or by the provisional appointment process for a period not to exceed six (6) months.

TOTAL RATE OF PAY - Means the basic rate of compensation plus all pay supplements.

TRANSFER - Means the movement of an employee from one position to another within the Village having the same rate of pay and similar duties.

UNCLASSIFIED EMPLOYEES -Unclassified employees are typically company executives, administrators, outside sales representatives and professionals, earning a salary or commission versus an hourly wage. With a few exceptions, an unclassified employee must still earn at least \$455 per week, the federal minimum for executive, administrative and professional employees exempt from the FLSA, as of 2012. He also must be paid his full salary every week, no matter how many hours he worked.

VENDOR - Means any individual or group engaged in or desiring to engage in the supply of goods, materials or services to the Village or its employees, for use in the conduct of public business.

VILLAGE - Means the Village of Ashville, Ohio.

WORK AREA - Means any office, building or physical location where official Village business is transacted and/or operations of the Village being conducted. This includes any public or private area where employees are engaged in work activities.

WORK TIME - Means all the time when an employee must engage in work tasks.

WORK UNIT - Means a division of a department, usually directed by a supervisor in charge with a specific work function.

WRITTEN REPRIMAND - Means a written record of disciplinary action, usually issued after an oral reprimand has failed to improve an employee's conduct.