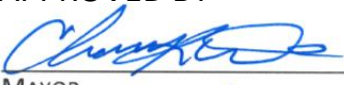




POLICY AND PROCEDURE STATEMENT

SUBJECT AT-WILL, SCOPE OF EMPLOYMENT	PAGE 1 OF 2	DATE EFFECTIVE JUNE 1, 2018		
SECTION/POLICY NO. 2.02	APPROVED BY  MAYOR	SUPERSEDES VOA II-E, OCTOBER 1, 2003		
PREPARED BY VILLAGE ADMINISTRATOR	 VILLAGE ADMINISTRATOR	APPROVAL DATE	ISSUE DATE 12/31/2017	REVIEW DATE
REFERENCE SEE BELOW	 PERSONNEL/BENEFIT COMMITTEE	DISTRIBUTION LIST WEBSITE, MAYOR, COUNCIL CLERK- TREASURER, AND VILLAGE EMPLOYEES		

SCOPE

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

POLICY

- I. Employment with the Village of Ashville is considered to be at-will, so that either party may terminate the relationship at any time and for any lawful reason. The Village of Ashville strives to ensure the best-qualified applicant is hired

PURPOSE

- I. To provide protection to the Village of Ashville and define the relationship between employer and employee.

PROCEDURE

- I. Employment-at-will is defined as the right of the employer or employee to cease the working relationship with one another. This can be with or without cause, with or without prior notification. It has gained attention because of its use by employers to discharge their employees who then, contest the decision and sue their employers. Unless you are hiring for a position that is specifically addressed by the Ohio Revised Code such as a police officer or a firefighter, or actually signing an employment contract, you will be hiring on an at-will basis.
- II. There are three opportunities to obtain a signed agreement. Those opportunities are in the application, the personnel manual acknowledgment form and in a stand-alone agreement. Your first opportunity is in the application. The At-Will statement should be placed at the end of the application and before the signature line. A statement of the following in similar content and spirit should be included:

"I agree and acknowledge that I will conform to the rules and regulations of ("Entity's Name"), and that my employment can be terminated or altered with or without cause, with or without notice, at any time, for any reason or no reason at all, at the option of either myself or (Entity Name), and that my employment compensation and/or job level can be terminated or altered with or without cause, with or without notice, for any reason or no reason at all, at the option of (Entity Name), and that there has been no contrary promise made to me or any agreement for employment for any specified period of time."
 Employee's whom are hired can complete the At-will Agreement Form.
 All Parties contracting as an Independent Contractor will have specific items in their agreement.

REFERENCES

See Gigax, at Ohio App. 3d 615; 615 N.E.2d 644 (Ohio Ct. App 2nd Dist 1992).
 Gigax v. Repka, 83 Ohio App. 3d 615; 615 N.E.2d 644 (Ohio Ct. App 2nd Dist 1992).
 42 U.S.C. 2000(e).
 See Ohio Rev. Code § 4112 et al. (2004).
 47 Ohio St. 3d 105, 107, 548 N.E.2d 217 (Ohio Sup. Ct. 1989).
 See Gigax, at Ohio App. 3d 615; 615 N.E.2d 644 (Ohio Ct. App 2nd Dist 1992).



Village of Ashville



P.O. Box 195
200 East Station Street
Ashville, OH 43103

Office: 740/983-6367 ● Fax: 740/983-4703

AT-WILL AGREEMENT

Welcome to employment with the Village of Ashville. We look forward to having you on our team. This is to confirm your appointment as (insert job title)_____for the Village of Ashville beginning (insert time a date of job start)_____. You will be compensated _____/per month/hour. Paydays fall on the (insert your paydays) of each month. You will also be entitled to the standard package of retirement, health, vacation, and leave benefits as provided for in our personnel policies.

This position is an (exempt/non-exempt) at-will position. That means your appointment is for an indefinite period of time but can be terminated by either yourself or the employer at any time with or without cause.

If this offer and the general terms and conditions outlined are still acceptable, please sign below and return.

The Village of Ashville

I hereby accept this offer of employment under the terms and conditions contained herein.

Employee

Date