



MAHONING VALLEY REGIONAL
COUNCIL OF GOVERNMENTS



SUBSTITUTE TEACHER HANDBOOK

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PURPOSE OF THIS HANDBOOK

This handbook is intended to provide information regarding the Mahoning Valley Regional Council of Governments (MVRCOG) Policies and accompanying procedures. The Policies, procedures, and benefits contained within this handbook do not imply, create, or constitute a contract of employment, express or implied, between the MVRCOG and you, and are not intended to alter in any way the at-will employment relationship that exists between the MVRCOG and you. No employee, agent or representative of the MVRCOG has been authorized in the present, or in the future, to offer an express or implied contract of employment specific to you unless that authorization or employment contract is set forth in writing and signed by the Director of the MVRCOG.

The MVRCOG Policies and accompanying procedures may be changed, modified, added to, subtracted from or eliminated altogether at any time that the MVRCOG determines that it is necessary or advisable to do so, with or without advanced notice. It is each employee's responsibility to familiarize himself/herself with this handbook and any future changes.

If you have any questions regarding an MVRCOG Policy, you should contact a human resource official of the MVRCOG. If you do not contact a human resource official of the MVRCOG, the MVRCOG will conclude that you understand the MVRCOG's Policies.

ABOUT THE MAHONING VALLEY REGIONAL COUNCIL OF GOVERNMENTS

The Mahoning Valley Regional Council of Governments (MVRCOG) is a public organization in the State of Ohio. The MVRCOG offers Human Resource employment services and functions as the fiscal and payroll agent to employ personnel for member school districts and entities in the region.

The MVRCOG employs personnel to perform administrative, teaching, non-teaching, and substitute teacher services for the Educational Service Center of Eastern Ohio, MVRCOG member school districts and MVRCOG member entities. The MVRCOG, in conjunction with its member school districts and its member entities where applicable, may provide assignment, reassignment, evaluation, and discipline; and determine compensation, and where appropriate, fringe benefits for employees

YOUR EMPLOYMENT STATUS AS A SUBSTITUTE TEACHER

The MVRCOG provides a substitute teacher consortium. Substitute teachers are always the employees of the MVRCOG. The MVRCOG provides the following services in relation to our substitute teacher program:

- Recruiting substitute teachers
- Promoting the participating districts
- Promoting substitute teacher employment opportunities
- Qualifying substitutes for the participating districts
- Managing compliance of substitute teacher requirements and licensure
- Training substitutes, including Public School Works system training
- Aesop Administration and substitute assignment scheduling
- Service and support to district staff and MVRCOG substitutes

You are employed by the MVRCOG to work in job assignments at its member school districts or buildings. As an employee of MVRCOG, your paychecks and your annual W-2 will be issued by MVRCOG. Workers' compensation, unemployment and other benefits are administered by MVRCOG. Employment verifications should be directed to the MVRCOG. You may accept available substitute assignments for which you qualify at any of the member school districts in our substitute teaching consortium. Please remember that you are employed by MVRCOG, not by the school district at which you accept assignments.

Nothing in this handbook or elsewhere is to be considered a guarantee of substitute teaching employment or work. Your employment is based solely on available work assignments for which you are qualified and available, as needed by our member school districts. To the extent authorized by law, all employment is strictly at will and can be ended by you or by MVRCOG without advance notice.

This handbook was prepared to give you important information about the MVRCOG, your payroll and fiscal employment agent, and what you can expect from us and what we will expect of you. It will help avoid misunderstandings and provide answers to questions that arise during your employment with the MVRCOG. Naturally, no handbook can cover every situation. MVRCOG administration along with our administrative partners will operate within the framework of the policies and procedures described in this handbook. Please read this handbook carefully to become familiar with these policies.

EMPLOYMENT STATUS DEFINITIONS FOR SUBSTITUTE TEACHING

Ohio Revised Code 3319.10 governs the employment and status of substitute teachers. Teachers may be employed as substitute teachers for terms not to exceed one year for assignment as services are needed to take the place of regular teachers absent on account of illness, a leave of absence, or to fill

temporarily positions created by emergencies; such assignment to be subject to termination when such services no longer are needed.

A teacher employed as a substitute with an assignment to one specific teaching position shall after sixty days of service be granted sick leave, emergency days and other fringe benefits granted to regular teachers including a salary not less than the minimum salary on the current adopted salary schedule of the MVRCOG or the customer school district, as agreed in the contract between MVRCOG and the client district.

Teachers employed as substitutes on a casual or day-to-day basis shall not be entitled to the notice of non-re-employment prescribed in section 3311.81 or 3319.11 of the Revised Code. For purposes of determining in any school year the days of service of a substitute teacher under this section any teacher's days of service in that school year while conditionally employed as a substitute teacher under section 3319.101 of the Revised Code shall count as days of service as a substitute teacher under this section.

AGENCY AND CONTACT INFORMATION

While on assignment in a school district, immediate questions or concerns regarding your schedule, daily work responsibilities, student needs or safety should be brought to the administration at the district or entity.

For questions or concerns related to assignment and scheduling, including access to the AESOP system, contact the MVRCOG at 330-533-8755. The MVRCOG will notify you of available work assignments for which we believe you are qualified. It is the employee's responsibility to select their work assignments and identify the workdays that they are not available for work. Unless the employee specifically notifies the MVRCOG that they are no longer available for work assignments, employees are considered able and available for work. The district preference form is used to match the school district(s) where you would like to accept substitute vacancies. To add or remove a district on your preference list, please contact the MVRCOG.

The MVRCOG is your employer of record. We want to ensure you have information about where to direct your concerns, questions or needs and will work to find a satisfactory solution.

Mailing Address: 7320 N. Palmyra Rd.
Canfield, OH 44406

Phone: (330) 533-8755
Fax Number: (330) 533-8772
Website: www.mvrcog.org
Payroll E-Mail Address: timesheets@mvrcog.org

Staff Contacts

Sandy Furano, Director, MVRCOG
(330) 533-8755, ext. 1113

Alana Ferrier, HR Generalist
(330) 533-8755, ext. 1026

Sandy Huddleston, HR Assistant
(330) 533-8755, ext. 1118

Cristina Quintalti, MVRCOG Payroll
(330) 533-8755, ext. 1977

Ryan Jones, Treasurer, MVRCOG
(330) 533-8755, ext. 1059

EQUAL EMPLOYMENT OPPORTUNITY (EEO) STATEMENT

Equal Employment Opportunity is both a policy and a practice of the MVRCOG. The MVRCOG provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws.

The MVRCOG complies with applicable state and local laws governing nondiscrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, and transfer, leaves of absence, compensation, and training. MVRCOG expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information,

or veteran status. Improper interference with the ability of MVRCOG employees to perform their expected job duties is absolutely not tolerated

In addition, MVRCOG will not discriminate against any employee in a client job assignment, programs or activities, or honor discriminatory requests from clients. Any employee who violates an Equal Opportunity Policy will be subject to discipline, up to and including possible termination.

As an employee of MVRCOG you are partly responsible for keeping our work environment free of Equal Employment Opportunity related concerns. Any employee who becomes aware of a problem must report it to Sandy Furano, Director of the MVRCOG 330.533.8755, extension 1113.

GENETIC INFORMATION NONDISCRIMINATION ACT (GINA)

GINA prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. The MVRCOG is committed to full compliance with GINA and will not discriminate (discharge, refuse to hire or make employment decisions relating to compensation or the terms and privileges of employment) based upon the genetic information of an employee or an employee's family member.

The MVRCOG directs all employees not to provide any genetic information in response to requests for medical information, including but not limited to FMLA medical certification or recertification. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

AMERICANS WITH DISABILITIES ACT

Americans with Disabilities Act (ADA) & The ADA Amendments Act (ADAAA) The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of MVRCOG to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our organization policy not to discriminate against qualified individuals with disabilities with regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions, and privileges of employment. The organization will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to MVRCOG.

Contact the Human Resource department with any questions or requests for accommodation. It is the employee's responsibility to notify the MVRCOG of the need for accommodation. The MVRCOG may ask for the employee's input regarding the accommodation they believe is necessary or the functional limitations caused by the disability, and may request the employee's permission to obtain additional input and information from the employee's treating physician that is specifically relevant to the request for accommodation.

MVRCOG COMPLIANCE OFFICERS

The MVRCOG has designated their Compliance Officers as:

Sandy Furano, Director
Mahoning Valley Regional Council of Governments
7320 North Palmyra Road, Canfield, OH 44406
(330) 533-8771

Dr. Traci Hostetler, Superintendent
Educational Service Center of Eastern Ohio
7320 North Palmyra Road, Canfield, OH 44406
(330) 533-8755

APPLICANT/EMPLOYEE CRIMINAL RECORD AND DISCLOSURE OF CRIMINAL CONVICTION

To safeguard member district students and staff, the MVRCOG requires a criminal background investigation of every applicant under final consideration for appointment or employment with the MVRCOG, as well as periodic criminal record checks during employment as prescribed by law. These investigations/checks shall be conducted in accordance with the Ohio Revised

Code, including Sections 109.572 and 3319.39. The MVRCOG Director or his/her designee shall establish such procedures as he/she deems necessary for obtaining information from the Bureau of Criminal Identification and Investigation, the Federal Bureau of Investigation, and through other background investigation services for each applicant, newly employed employee, or existing employee. To facilitate such inquiries, the applicant/employee must submit to BCI and FBI background screening and furnish required documentation at his or her own expense, according to the Ohio Revised Code.

If you have your background check(s) completed by a Webcheck agency other than the Educational Service Center of Eastern Ohio, please instruct that agency to both mail a copy of your background check results to the MVRCOG, plus electronically submit your results to the Ohio Department of Education (ODE) *at the time they are completed*. The Ohio Department of Education (ODE) is not permitted to release your background check results to the MVRCOG.

Conviction of or a plea of guilty to any of the offenses defined as disqualifying offenses by the pertinent statutes and/or regulations shall result in disqualification from or termination of employment. Staff members with such convictions or pleas, or who are otherwise determined to have engaged in conduct unbecoming the educational profession, are subject to the mandatory reporting requirements, in addition to termination of employment. The MVRCOG may employ or continue to employ a person convicted of or who plead guilty to certain offenses defined as disqualifying offenses subject to rehabilitation in the pertinent statutes and in accordance with the rehabilitation standards/regulations adopted by the Ohio Department of Education. Falsification of any information on an employment application shall result in disqualification from or termination of employment.

LICENSURE

All MVRCOG Substitute Teachers are responsible for the timely renewal of their license prior to the start of the school year in which the renewal is due, and for providing a copy of that credential to the MVRCOG office before the start of the school year. Staff will not be permitted to begin their assignment for the year without a valid license or permit on file at the MVRCOG office. The failure to maintain proper valid licensure or obtain updated background checks when required by Ohio Revised Code, is grounds for termination. For more information regarding licensure and available license types please visit the Ohio Department of Education website. Information regarding the expiration date for your existing licensure and FBI check can be found by logging onto your OH

ID account. When renewing, please use IRN 048280 for the Educational Service Center of Eastern Ohio (ESCEO). The ESCEO approves substitute licensure requests upon verifying with the MVRCOG that the individual meets all requirements.

CONDUCT

Unless otherwise stated in this Handbook, employees of the MVRCOG are required to conform to the same requirements, policies and procedures as employees of those districts or agencies in which they perform their duties, including but not limited to requirements regarding absence reporting, dress code, student disciplinary procedures, distribution of literature, and use of internet and technology. Unless otherwise permitted by law, staff members are not permitted to bring a deadly weapon or dangerous ordnance into a school safety zone. Employees of the MVRCOG are expected to discharge their duties in a professional, responsible, ethical, honest, and legally compliant manner at all times. Educators must demonstrate professional concern and attention toward their own and the organization's/district's legal responsibility for the safety and welfare of students, including the need to ensure that students are always under supervision.

Employees who fail to comply with law, regulations, directives, policies (including the policies and procedures of those districts or agencies in which they perform their duties), administrative guidelines, rules of professional conduct and/or this Handbook or otherwise fail to appropriately discharge the duties of their position may be subject to discipline, including but not limited to suspension and/or termination from employment.

LICENSURE CODE OF PROFESSIONAL CONDUCT FOR OHIO EDUCATORS

In alignment with the Standards for Ohio Educators and the Ohio's Learning Standards, our state's educators strive for excellence through the high expectations they hold for themselves and their students. The professional conduct of every educator affects attitudes toward the profession. Educators are trustees of the profession and share with the broader community the responsibility of providing high-quality public education.

Aware of the importance of maintaining the confidence and trust of students, parents, colleagues and the public, Ohio educators maintain the highest degree of professional conduct for themselves and their peers. The Licensure Code of Professional Conduct for Ohio Educators serves as the basis for decisions on issues pertaining to licensure that are consistent with applicable law. It provides a guide for conduct in situations that have professional implications for all

individuals licensed by the State Board of Education, such as classroom teachers, principals, superintendents, and others serving schools, such as substitute teachers.

Employees of the MVRCOG are required to sign acknowledgement of receipt of the Licensure Code of Professional Conduct for Ohio Educators upon hire and are accountable for their compliance.

The nine principles outlined in the Licensure Code of Conduct include:

1. **Professional Behavior** | Educators behave in a professional manner, realizing that one's actions reflect directly on the status and substance of the profession.
2. **Professional Relationships with Students** | Educators maintain a professional relationship with all students at all times, both in and out of the classroom. An educator's responsibility includes nurturing the intellectual, physical, emotional, social and civic potential of all students and providing a safe environment free from harassment, intimidation and criminal activity. An educator creates, supports and maintains an appropriate learning environment for all students and fulfills the roles of trusted confidant, mentor and advocate for students' rights while maintaining appropriate professional, emotional and social boundaries. An educator must serve as a champion against child abuse and be cognizant of student behaviors that suggest abuse or neglect.
3. **Accurate Reporting** | Educators accurately report information required by the local board of education or governing board, state education agency, federal agency or state or federal law. An educator communicates appropriate representation of facts concerning qualifications for professional practice, student information, school board policy and other educational matters. An educator must notify, the superintendent or designee, any conduct by a licensed educator that substantially impairs his or her ability to function professionally or is detrimental to the health, safety and welfare of students.
4. **Criminal Acts** | Educators adhere to federal, state and local laws and statutes regarding criminal activity. An educator shall not engage in criminal activity as evidenced by a criminal conviction, guilty plea, finding of guilt, or participation in a court-ordered diversion or treatment in lieu of conviction program.
5. **Confidentiality** | Educators comply with local, state and federal laws related to maintaining confidential information. An educator is entrusted with information that could be misused to embarrass or damage a student's

reputation or relationship with others. Therefore, the educator has the responsibility to keep information about students confidential unless disclosure serves professional purposes, affects the health, safety, and welfare of students and others, is required by law, or parental permission has been given. An educator maintains the security of confidential information such as academic and disciplinary records, testing materials, personal confidences, photographs, health and medical information, family status and/or income.

6. **Use, Possession or Unlawful Distribution of Alcohol, Drugs and Tobacco |** Educators serve as positive role models and do not use, possess or unlawfully distribute illegal or unauthorized drugs. Educators shall not use, possess or unlawfully distribute illegal or unauthorized drugs. Educators shall not use alcohol during any school activity involving students, minors or underage persons. Educators shall not use tobacco during any school activity except in designated areas. Educators shall not furnish, provide or encourage students or underage persons to use, possess or unlawfully distribute alcohol, tobacco, illegal or unauthorized drugs. As a positive role model, an educator is entrusted with protecting the health, safety, and welfare of students at any school event. The use of alcohol, illegal or unauthorized drugs causes impairment of professional judgment that may potentially harm others. A professional educator must refrain from the illegal use of tobacco on any school grounds or at any school activity.
7. **Financial Management and Improper Compensation for Personal Gain** Educators shall ensure all school funds and accounts are managed in a responsible and transparent manner. Educators shall ensure school property, public funds or fees paid by students or the community are not used for personal gain. Educators shall not make decisions based upon gifts, gratuities, favors or the socioeconomic status of parents, family members, community members or businesses. An educator is entrusted with public funds and school property in the course of performing job duties and maintains a high level of honesty, accuracy and accountability to ensure institutional privileges are not used for personal gain. An educator maintains integrity with students, colleagues, parents, families, the community or businesses when accepting gifts, gratuities, or favors. To avoid bias or prejudice, an educator needs to ensure decisions made about students or school policy are not negatively influenced by the socioeconomic status of parents, family members, community members or businesses.
8. **Commitment to Contract |** Contracted Educators shall fulfill all of the terms and obligations detailed in their employment contract with the local board of education, or educational agency or community school for

the duration of the contract. An educator knows and understands the rights and responsibilities as outlined in the employment contract and adheres to the terms and conditions of the agreement by fulfilling responsibilities and duties required of the position.

9. **Appropriate and Responsible Use of Technology** | Educators shall always use technology in a responsible manner and appropriately safeguard the unauthorized use or access to electronic devices and data entrusted to them. Educators shall maintain separation between personal/private and school/professional use of technology, electronic communications, and social media. An educator responsibly creates, uses, consumes, distributes, and protects information and data across all technologies. Educators shall maintain appropriate boundaries with colleagues, students, and the school community when using technology and electronic communications.

The full text of the Licensure Code and additional resources can be found at www.education.ohio.gov.

PROFESSIONAL STAFF STIPENDS

Employees of the MVRCOG shall not accept stipends for any professional services rendered as part of their regular duties and/or during times when they are working directly for MVRCOG. If there are any questions regarding the acceptance of professional stipends, the MVRCOG employee should contact the MVRCOG Director.

CONFIDENTIAL INFORMATION

Employees of the MVRCOG are expected to keep student information confidential as required by federal and state law, including the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, 34 C.F.R. Part 99, the Individuals with Disabilities Education Improvement Act, 20 U.S.C. § 1400, 34 C.F.R. Part 300, and Ohio Revised Code Section 3319.321. All employees are required to sign a confidentiality agreement pertaining to such information as a condition of employment. Furthermore, employees are reminded that all written, electronic, or recorded communications produced in the course of their employment may constitute public and/or student records that may be subject to release upon request by the appropriate parties.

MVRCOG employees may receive or have access to confidential information on students, their parents, school staff, security systems, personnel, contracts, business, school and personnel files and records. Employees are to treat any information obtained while working for MVRCOG, in association with MVRCOG or in any school assignment as confidential and may not be disclosed to any

other party, even another MVRCOG employee. If you are unclear as to whether certain information is confidential, treat it as if it is confidential. Disclosure of Confidential Information is a policy violation that will result in disciplinary action, including possible termination.

REPORTING SUSPECTED CHILD ABUSE AND NEGLECT

Section 2151.421 of the Ohio Revised Code requires all school employees (includes all MVRCOG employees) who “know or suspect that a child under 18 years of age or a mentally retarded, developmentally disabled, or physically impaired child under 21 years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability or condition of a nature that reasonably indicates abuse or neglect of the child shall immediately report that knowledge or suspicion to the Children Services Board, the County Department of Human Services exercising the children services function, or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred.”

The Mahoning Valley Regional Council of Governments is concerned with the physical and mental well- being of the children it serves and will cooperate in the identification and reporting of cases of suspected child abuse and/or neglect in accordance with the law. Each employee of the MVRCOG, who has reasonable cause to suspect child abuse and/or neglect, shall be personally responsible for immediately reporting the information to Mahoning Children’s Services Intake (330) 941-8888 or a municipal or county peace officer in the county in which the child resides or in which the abuse and/or neglect is occurring or has occurred. (ex., Trumbull County Children’s Services Intake: (330) 372-2010, Columbiana County Children’s Services Intake: (330) 420-6600.

A quality report/referral typically includes: the name(s) and address(es) of the child(ren) and parent(s) or person(s) having custody of the child(ren); the child(ren)’s age(s) and birth date(s); the observable/factual information regarding the nature and extent of the suspected abuse and/or neglect; and any other first-hand/factual information that may be helpful.

ATTENDANCE

All MVRCOG employees are reminded that their position covers necessary services to the district/agency, and therefore attendance is crucial for assistance to children and classroom/building consistency. Substitutes are required to arrive to an assignment on time and remain in the building until the end of the posted workday as listed in Absence Management. Arriving late or leaving early from an assignment is not acceptable and could result in a

reduction of pay and/or being excluded from accepting future assignments within that building or district. Employees are expected to have regular attendance except in the case of illness or emergency when they should follow the established protocol for timely attendance reporting. Excessive absenteeism could result in disciplinary action up to and including dismissal. Absences for situations that qualify and are approved under the company's FMLA and Medical Disability Leave policies will not be counted against an employee's attendance record.

CALLING OFF SCHEDULED JOB ASSIGNMENT

We understand that unexpected situations arise. However, Substitute Teachers are expected to notify the MVRCOG of an absence as soon as possible. This allows us to secure a replacement and minimize disruption to the classroom schedule.

- **Minimum Notice:** A call off should be made at least **2** hours before the scheduled assignment start time.
- **Preferred Notice:** We highly encourage providing at least a **24** hour notice whenever possible.

Call Off Procedures:

- If you are unable to work a scheduled assignment, you **MUST** call or text **330.727.9933**.
- Do NOT email or call the MVRCOG office, as we cannot guarantee the absence will be acknowledged before the assignment begins.

Consequences of Late Call Offs:

- A record of all call offs will be maintained.
- Frequent call offs may result in:
 - Verbal warning
 - Deactivation of Substitute's Frontline account
 - Termination of Substitute employment

Additional Notes:

- Substitute teachers who accept an assignment and then fail to show up without notification ("no call, no show") may be subject to immediate exclusion, deactivation, or termination.
- This policy is subject to change at the discretion of the MVRCOG Director.

SUBSTITUTE DAILY SCHEDULE ON ASSIGNMENT

Substitute employees are expected to follow the lesson plans and schedule of the person for whom they are substituting. This includes schedule or duty

changes at the building that occur after an assignment has been accepted. While it does not happen often, sometimes staffing circumstances within the school may necessitate a change of your substitute assignment after you arrive at school. The building principal or designee has the authority to reassign you to other duties based upon school needs. You should check with the building administrator or designee as to whether you should attend any meetings for the absent staff member. You should not leave the premises during the school day for any reason without checking with building administration.

PROFESSIONAL APPEARANCE STANDARDS

The MVRCOG retains the authority to address apparel and grooming issues where dress and/or grooming are deemed objectively inappropriate or will have an adverse impact on the operation of the MVRCOG Substitute Consortium or its member districts and/or entities. All substitute staff members are expected to serve as role models for students and coworkers regarding dress and grooming. MVRCOG expects every employee to be neat, clean, and dressed properly for their work environment. Sleeveless shirts and halter tops are not permitted in any position. Most school districts or buildings have their own dress code or standard. MVRCOG may advise you of the standards for your assignment, and you will be expected to maintain them. You are not permitted to wear jeans, shorts, or T-shirts in any school location, unless it has been specifically addressed for special occasions, such as “spirit days”, field trips, etc. Generally business casual attire is appropriate to most assignments.

JOB ABANDONMENT

Failure to report to work as scheduled, and/or call in to report an absence (“no call, no show”) from scheduled assignment for five (5) consecutive workdays shall be deemed Job Abandonment. Job Abandonment will be considered a voluntary termination and may result in the ODJFS deeming the individual ineligible for unemployment benefits.

USE OF RESOURCES

Employees of the MVRCOG are expected to use resources of the MVRCOG, as well as resources of the district or agency for which they perform services, in a responsible manner for professional purposes only and according to any policies, practices, or expectations of the district or agency. Any abuse or misuse of MVRCOG, district, or agency resources may result in discipline, up to and including termination of employment.

NETWORK PRIVACY AND ACCEPTABLE USE POLICY FOR STAFF MEMBERS

It is the intention of the MVRCOG to protect the privacy of employees who use the MVRCOG computers, computer networks, telephone systems (including wireless phones and VoIP), and electronic messaging systems (collectively, “the systems”), to the maximum extent possible given the operational and security needs of the MVRCOG. The purpose of this Acceptable Use Policy is to identify the limitations on this privacy and the general restrictions applying to the use of the systems of the MVRCOG. You may be asked to sign a separate Acceptable Use Policy by the district or entity to which you are assigned. Regardless, disciplinary actions will be taken if an MVRCOG employee is discovered to have violated the MVRCOG or an assigned district or entity Network Privacy and Acceptable Use Policy by misuse of systems of the MVRCOG or of the assigned district or entity.

Acceptable and Unacceptable Uses

The systems of the MVRCOG are intended for educational uses and work-related communications. Incidental use of the systems by staff members for personal communications should be limited in number, initiated during non-work periods, not incur a cost to the MVRCOG and not interfere with the primary intended uses of the systems. While not a complete list of unacceptable uses, the following are uses which are unacceptable under any circumstances:

- Violating the conditions of State and Federal law dealing with students’ and employees’ privacy rights, including unauthorized disclosure, use and dissemination of personal information;
- The transmission of any language or images which are of a graphic sexual nature;
- The transmission of jokes, pictures, or other materials which are obscene, lewd, vulgar, or disparaging of persons based on their race, color, sex, age, religion, national origin, disability, military status, ancestry, genetic information or sexual orientation;
- The transmission of messages or any other content which would be perceived by a reasonable person to be offensive, harassing or threatening;
- Accessing and/or viewing inappropriate material
- Uses that constitute defamation (libel or slander);
- Copying commercial software and/or other material in violation of copyright law
- Uses that attempt to gain unauthorized access to another computer system or to impair the operation of another computer system (for

example, the transmission of a computer virus or an excessively large e-mail attachment);

- Using the network for financial gain, for commercial activity or for any illegal activity
- Any use in contravention of this Handbook, laws, regulations, policies, rules, directives or rules of Professional Conduct; or
- Any fundraising activities, unless specifically authorized by the Governing Board.

Security and Integrity

Employees shall not take any action which would compromise the security of any of the systems. This would include the unauthorized release or sharing of passwords and the intentional disabling of any security features of the systems. Staff members shall not take any actions which may adversely affect the integrity, functionality, or reliability of any computer (for example, the installation of hardware, software, or “shareware” not authorized by the Technology Officer or MVRCOG Director).

Staff members shall report to the Technology Officer any actions by staff or students which would violate the security or integrity of any of the systems whenever such actions become known to them in the normal course of their work duties. This shall not be construed as creating any liability for staff members for the computer-related misconduct of students.

Right of Access

Although the MVRCOG respects the natural desire of all persons for privacy in their personal communications and will attempt to preserve this privacy whenever possible, the operational and security needs of the MVRCOG’s systems require that full access be available at all times. The MVRCOG therefore reserves the right to access and inspect any computer, device, or electronic media within its systems and any data, information, or messages which may be contained therein. All such data, information, and messages are the property of the MVRCOG. Staff members should have no expectation that any messages sent or received on the MVRCOG’s systems will remain private.

Compliance

Employees of the MVRCOG are expected to comply with the Network Privacy and Acceptable Use Policy for Staff Members. Access to the systems is a privilege which may be withdrawn in the event of noncompliance with the above Policy. Disciplinary and/or legal actions may be taken for violation of the Policy.

SOCIAL MEDIA GUIDELINES

The MVRCOG recognizes the importance of social media for its employees. However, use of social media by employees may become a problem if:

- It interferes with the employee's work;
- Is used to harass co-workers or clients;
- Creates a hostile work environment; or
- Violates any law, regulation, policy, or terms of this Handbook.

The MVRCOG encourages employees to use social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above. The MVRCOG participates in social media only through official authorized MVRCOG channels. Only employees specifically authorized by MVRCOG may speak on its behalf through these channels. If you are uncertain about the appropriateness of a social media post, check with the MVRCOG Director.

Note: As used in this guideline, "social media" includes, but is not limited to, blogs, forums, and social networking sites such as LinkedIn, Twitter, Facebook, Pinterest, Instagram, YouTube and Google+.

The following requirements apply to all social media posts by employees:

- All postings on social media must comply with the MVRCOG privacy policies. If you are unsure about the confidential nature of information you are considering posting, you should first review the MVRCOG privacy policy and then consult the MVRCOG Director.
- Only those designated as content providers are authorized to contribute on behalf of the MVRCOG. Keep in mind you are representing the MVRCOG to a large external audience.
- Comply with copyright laws and cite or reference sources accurately.
- Do not post or otherwise disclose confidential or proprietary MVRCOG material on a social media site.
- We encourage you to direct complaints or concerns about your job or working environment to your management team, rather than through social media.
- All requests for employment or vendor references or recommendations, even those that are received through social networking, should be directed to the human resources department to handle in accordance MVRCOG's standard procedure of responding to official reference requests.

- Any social media account established or used by MVRCOG, including login and password information, is MVRCOG property.
- Managers and senior leadership as well as employees must, by virtue of their positions, consider whether personal thoughts they publish may be misunderstood as expressing MVRCOG positions.
- All MVRCOG policies apply to social media activity including, but not limited to, policies related to illegal harassment, code of conduct, ethics, nondisclosure, and protecting confidential and/or proprietary information as defined in the Employee Handbook and the Authorized Usage Policy (AUP).
- Please note that this guideline applies even if your social networking is anonymous or under a pseudonym. If you engage in such social networking, and violate this policy, MVRCOG may take steps to determine your identity.
- Do not refer to students/clients by name. Remember, there are privacy policies that protect student/client information from disclosure without their permission.
- Unless you are authorized to speak on behalf of MVRCOG, do not use your MVRCOG email address when registering or posting on personal social media networks.

Violation of this guideline or associated policies may lead to discipline up to and including the immediate termination of employment. At no time will this guideline or associated policies be interpreted or applied in such a way as to interfere with any employee rights or protections under applicable local, state or federal law, including but not limited to, the National Labor Relations Act, nor will any employee be disciplined for engaging in any legally protected activity.

REMOTE WORK CONDUCT POLICY

As our workforce continues to operate with some or all employees working at locations other than the Mahoning Valley Regional Council of Governments (MVRCOG) / Educational Center of Eastern Ohio (ESCEO) office, the following expectations for employees are being clarified to avoid issues that may cause disruption to the workday and/or during virtual meetings.

General Expectations

- Employees working remotely are expected to be available and communicative during scheduled work hours.
- MVRCOG work rules and other policies continue to apply to offsite work locations.
- Consumption of alcohol during work hours is never acceptable.

- Employees should seek a quiet and distraction-free working space.
- Employees are expected to maintain their workspace in a safe manner, free from safety hazards.

Virtual Meetings

- While distractions are often unavoidable, try to keep them to a minimum. No music or television, barking dogs, etc. in the background during meetings.
- A neutral colored background or wall is highly recommended.
- Keep yourself muted during video or audio conferencing unless you are speaking.
- Turning on video is encouraged.
- Avoid eating a meal during a virtual meeting unless invited to do so by the meeting host.
- Smoking or vaping is not permitted during a video conference.
- Office attire is acceptable. Do not wear sleeveless tops, pajamas, bathing suits or other apparel that would not be appropriate to wear in the office.
- Avoid multi-tasking. Give your full attention to the meeting as if you were face to face.

MVRCOG'S ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE

MVRCOG is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, MVRCOG expects that all relationships among all employees will be business-like and free of bias, prejudice, and harassment.

It is the policy of MVRCOG to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran. MVRCOG prohibits any such discrimination or harassment. MVRCOG encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of MVRCOG to investigate such reports promptly and thoroughly. MVRCOG prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome

sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to MVRCOG (e.g., an outside vendor, consultant, or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Complaint Process

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, the Owner, or any member of management. When possible, MVRCOG encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. MVRCOG recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

MVRCOG encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

WORKPLACE BULLYING

The MVRCOG defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more

persons against another or others, at the place of work and/or in the course of employment.” The MVRCOG will not tolerate bullying behavior in the workplace. Bullying may be intentional or unintentional. Where an allegation of bullying is made, the intention of the alleged bully is irrelevant. As with sexual harassment, it is the effect of the behavior upon another individual that is important. Some examples of bullying can include verbal bullying, physical bullying, gesture bullying and work-related activities exclusion. Any reports of workplace bullying will be treated seriously and investigated promptly. Employees found in violation of this policy will be disciplined up to and including termination.

WORKPLACE VIOLENCE PREVENTION

All employees, students, staff, and building visitors must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

The Governing Board prohibits staff members from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any work setting that is under the control and/or supervision of the Board. The MVRCOG Director shall report a staff member who violates this policy to law enforcement officials, regardless of whether such staff member possesses a valid concealed weapon license. The staff member will also be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy.

Indirect or direct threats of violence, weapons, incidents of actual violence and suspicious individuals or activities must be reported as soon as possible to a supervisor, security personnel, Human Resources, or to school building administration. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. All employees are responsible for reporting any threats or incidents that they have witnessed, received, or have been told that another person has witnessed or received. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Conduct that threatens intimidates or coerces another employee, student, staff, or visitor will not be tolerated. MVRCOG or assigned district resources may not be used to threaten, stalk, or harass anyone at the workplace or outside the workplace.

MVRCOG treats threats coming from an abusive personal relationship as it does other forms of violence. Employees should promptly inform the Human Resource

department of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence.

MVRCOG, in partnership with the member district or entity, will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. MVRCOG will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, MVRCOG may suspend employees suspected of workplace violence or threats of violence, either with or without pay, at MVRCOG discretion, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment. MVRCOG encourages employees to bring their disputes to the attention of their supervisor, security personnel, Human Resources, or to school building administration before the situation escalates.

BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR TOWARDS STUDENTS

Harassment, intimidation, or bullying toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes aggressive behavior, physical, verbal, and psychological abuse, and violence within a dating relationship. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the employee's assigned district or entity, including activities on school property, on a school bus, while en route to or from school, and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, in a school vehicle, or where an employee is engaged in school business. Witnessed incidents of bullying and other aggressive behaviors involving students must be reported as soon as possible to a supervisor, security personnel, or building administration. This policy has been developed as prescribed in R.C. 3313.666 and the State Governing Board's Model Policy.

STUDENT DISCIPLINE ISSUES

Substitute teachers are responsible for appropriate classroom management. Corporal punishment is prohibited. Substitute teachers are encouraged to seek assistance from the principal or another teacher as needed. The following is representative of the types and areas of misconduct that are expressly prohibited by policy in most school districts.

- No student shall disrupt any school activity by acts of violence, force, coercion, threats, rioting, sit-ins, walk-outs or false reports.
- No student shall destroy or damage public or private property by any means.
- No student shall strike, hit, threaten, cause any physical harm, blackmail, extort or intimidate another person.
- No students shall participate in any hazing activity.
- No student shall act in violation of policies and intervention procedures regarding tobacco, alcohol, and other drugs.
- No student shall possess or attempt to possess, handle, transport, transmit or conceal dangerous weapons or “look-alike” counterfeit weapons, firearms, knives, ordnance or dangerous instrument.
- No student shall be truant from school or tardy to classes or activities they are assigned.
- No student shall use profanity or obscenity in any form, either verbal or nonverbal.
- No student shall steal or appropriate for his/her own use the property of others or any school property.
- No student shall be disrespectful of or harass any staff member.
- No student shall practice academic dishonesty such as cheating, plagiarizing or copying, or encouraging or assisting others to engage in such dishonest acts.
- No student shall engage in inappropriate display of sexual or sexually related behavior.
- No student shall violate the policy regarding dress and appearance.
- No student shall repeatedly ignore or break orders of staff members.
- No student shall use the building or property without proper authorization and shall not be in an unauthorized area during the school day.

STAFF & STUDENT RELATIONS

The relationship between the MVRCOG’s staff and students must be one of cooperation, understanding, and mutual respect. Staff members have a

responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to her/his capacity.

Staff members should strive to secure individual and group discipline and should be treated with respect by students at all times. By the same token, staff members should extend to students the same respect and courtesy that they, as staff members, have a right to. Although it is desired that staff members have a sincere interest in students as individuals, partiality and the appearance of impropriety must be avoided. Any informal and/or social involvement with students is prohibited. Such conduct is not compatible with professional ethics and, as such, will not be tolerated.

Staff members are expected to use good judgment and maintain professional relationships with students both inside and outside of the school context including, but not limited to, the following:

- Staff members shall not make derogatory comments to students regarding the MVRCOG, its staff, and/or other students.
- The exchange of purchased gifts or other items from staff members to students is prohibited.
- Staff-sponsored parties at which students are in attendance unless they are a part of the MVRCOG's extracurricular program and are properly supervised are prohibited.
- Staff members shall not fraternize, written or verbally, with students.
- Staff members shall not associate with students at any time in any situation or activity that is not educationally related. Staff members shall never discuss/engage in acts, words, activities, dialogue, etc. that could be considered sexually suggestive or involve the presence or use of tobacco, alcohol, or drugs.
- Dating between staff members and students is **STRICTLY** prohibited. Any such acts will result in reporting to the Ohio Department of Education, local law enforcement, and Children's Service.
- Staff members shall not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
- Staff members shall maintain a reasonable standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities
- Staff members shall not send students on personal errands.

- Staff members shall, pursuant to law and Governing Board policy, immediately report any suspected signs of child abuse or neglect to Children's Services. Mahoning County Child Protective Services can be reached at (330) 941-8888 and Columbiana County Child Protective Services can be reached at (330) 420-6600 or after 4:00 pm and on weekends/holidays at (330) 424-5715.
- Staff members shall not attempt to diagnose or treat a student's problem relating to sexual behavior, substance abuse, mental or physical health, and/or family relationships, but instead, staff members should refer the student to the appropriate individual or agency for assistance.
- Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health, and/or family background.

DRUG-FREE WORKPLACE POLICY

PRE-EMPLOYMENT and POST-EMPLOYMENT DRUG AND ALCOHOL TESTING POLICY

The Governing Board is committed to a safe working environment, to making adequate provisions for the safety and health of its employees at their place of employment, and to the safety and health of the students and the publics which it serves. The Board recognizes the importance of employees being mentally and physically alert at all times while performing their duties. To that end, the Board declares that the use of illegal drugs and the misuse of prescription drugs are unacceptable and will require external applicants who are under final consideration for all employment positions with the MVRCOG, any entity for which the MVRCOG Governing Board is the employing agent, and any leased staffing agency to submit to pre-employment drug testing.

Pre-Employment Drug and Alcohol Testing Policy:

Goals and Objectives:

- To establish, promote, and maintain a safe, healthy working and learning environment for employees and students.
- To promote the reputation of the Governing Board and its employees as responsible citizens of public trust.
- To eliminate substance abuse problems in the workplace.
- To aid in the reduction of absenteeism, tardiness, and apathetic job performance.
- To provide a clear standard of job performance for MVRCOG employees.

- To provide a consistent model of substance-free behavior for students.

For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply:

- The term *illegal drug* means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.
- The term *controlled substance* includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions.
- The term *controlled substance abuse* includes prescribed drugs not being use for prescribed purposes, in a prescribed manner, or in the prescribed quantity.

Employees will be tested for the presence of drugs in the urine and/or alcohol on the breath under any and/or all of the conditions outlined below:

Pre-Employment Testing

In the furtherance of achieving the Governing Board's goals and objectives as enumerated above, all applicants under final consideration for employment positions with the MVRCOG, entities for which the MVRCOG is the employing agent, and leased staffing agencies who supply personnel to the MVRCOG shall be required to submit to a test for presence of drug products in an applicant's system, as well as for the presence of the controlled substances as part of the currently required post-offer, pre-employment physical examination.

All applicants under final consideration for all employment positions shall be given a copy of this Policy in advance of the post-offer, pre-employment drug test. Applicants must acknowledge having read or had this Policy explained to them and should understand that as a condition of employment they are subject to its contents. Applicants shall sign an acknowledgment prior to substance screening, permitting the summary result to be transmitted to a Medical Review Officer (MRO) which may be selected by the Governing Board based upon the recommendation of the MVRCOG Director or designee(s). Applicants shall pay all costs associated with the administration of alcohol and controlled substance tests.

An applicant refusing to complete any part of the testing procedure shall not be considered a valid candidate for employment with the Governing Board, and such will be considered as a withdrawal of the individual's application for employment. If substance screening shows a confirmed positive result for which there is no current physician's prescription, a second confirming test may be requested by the MRO and/or the Director or designee(s) by the candidate for employment at the candidate's expense. If the first or any requested second confirming test is positive, any job offer shall be revoked. The applicant shall not be permitted to reapply for employment with the Governing Board for at least twelve (12) months and not until the applicant shows proof of successful completion of a drug rehabilitation program or proof that the applicant has otherwise rehabilitated successfully and is no longer engaging in illegal drug use.

Confidentiality

Drug test results shall be protected as confidential medical records as appropriate under the Americans With Disabilities Act (i.e. test results shall be provided on a right to know basis – the employee, the employer, and the substance abuse professional – and the results shall not be presented until analyzed by the MRO). A tested individual, upon written request, will have access to any records relating to his/her use of drugs, including any records pertaining to his/her drug tests. A tested individual must provide written authorization before his/her test result can be provided to any other person except a government agency specified in the applicable Federal regulations.

Testing Procedures

All tests shall be conducted in accordance with Federal testing guidelines and be performed by a laboratory that is federally certified. The drug testing program shall be under the direction of the MVRCOG Director or designee(s). The MVRCOG Director/designee(s) shall arrange for appropriate training of staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse.

The MVRCOG Director shall submit, for Board approval, a contract with a certified agency/laboratory to provide the following services:

- Testing of all first and second test urine samples;
- Clear and consistent communication with the District's MRO;
- Preparation and submission of all required reports to the District, the MRO, and to Federal and State governments.

The MVRCOG Director shall also select the agency or persons who will conduct the drug and controlled substance tests, the MRO, and the drug collection site(s) in accordance with the requirements of law.

Controlled Substances Testing Parameters

Following are the standardized threshold concentration levels for lateral flow immunoassay tests established by the international regulating authorities, including the NIDA (National Institutes for Drug Abuse) for the different drugs of abuse. These levels are reviewed and updated periodically to conform to new data on drug development, technology and testing statistics. The MVRCOG Policy shall reflect threshold levels as identified by NIDA as current.

*Concentration is expressed in nanograms per milliliter solution.

*GC/MS confirmation refers to gas chromatography/mass spectrometry confirmation.

Drug Class	Screening Test Level	Confirmation Test Level	Confirmation Method
6-Acetylmorphine	10 ng/mL	10 ng/mL	GC/MS
Amphetamines	500 ng/mL	250 ng/mL	GC/MS
Barbiturates	300 ng/mL	300 ng/mL	GC/MS
Benzodiazepines	300 ng/mL	300 ng/mL	GC/MS
Cocaine metabolites	150 ng/mL	100 ng/mL	GC/MS
Marijuana metabolites	50 ng/mL	15 ng/mL	GC/MS
MDMA/Ecstasy	500 ng/mL	250 ng/mL	GC/MS
Methadone	300 ng/mL	300 ng/mL	GC/MS
Opiates	300 ng/mL	300 ng/mL	GC/MS
Oxycodone	100ng/mL	100 ng/mL	GC/MS
Phencyclidine	25 ng/mL	25 ng/mL	GC/MS
Propoxyphene	300 ng/mL	300 ng/mL	GC/MS

Medical Marijuana

The legalization of Medical Marijuana in Ohio (or the legalization of medical or recreational marijuana possession and use in any other State) does not change the intent and force of Company policy. Marijuana use, whether for medical use or recreationally, while working or while not working is not permitted per

Company Policy and will be subject to all consequences including discipline up to and including discharge from employment.

Note: Medical Marijuana remains a drug listed as a Schedule I Narcotic in the Controlled Substances Act. Therefore, Marijuana is (still) illegal under federal law, it is considered an illegal drug under the drug-free workplace policy and prescription drug policy. It remains unacceptable for employees to use, possess or distribute Marijuana even with the recommendation from a physician for medical use under Ohio law. A positive test for Marijuana is a violation of the Drug Free Policy.

Report of Results

All test results will be reported to the MRO prior to the results being issued to the company. The MRO will receive a detailed report of the findings of the analysis from the testing laboratory. Each substance tested for will be listed along with the results of the testing. The company will receive a summary report, and this report will indicate that the employee passed or failed the test. All of these procedures are intended to be consistent with the most current guidelines for Medical Review Officers, published by the Federal Department of Health and Human Services.

Storage of Test Results and Right to Review Test Results

All records of drug/alcohol testing will be stored separately and apart from the employee's general personnel documents. These records shall be maintained under lock and key at all times. Access is limited to designated company officials. The information contained in these files shall be utilized only to properly administer this Policy and to provide to certifying agencies for review as required by law. Designated company employees that shall have access to these records are charged with the responsibility of maintaining the confidentiality of these records. Any breach of confidentiality with regard to these records may be an offense resulting in termination of employment. Any employees tested under this Policy have the right to review and/or receive a copy of their own test results. Any employee may request, by means of a written request signed by the employee, a copy of the test results. The company will use its best efforts to promptly comply with this request and will issue to the employee a copy of the results personally or by U.S. Certified Mail, Return Receipt Requested.

POST-EMPLOYMENT DRUG AND ALCOHOL TESTING POLICY:

Reasonable Suspicion Testing

Reasonable suspicion testing will occur when the Governing Board has reason to suspect that an employee may be in violation of this Policy. The suspicion will be documented in writing prior to the release of the test findings. A reasonable suspicion test may occur based on:

- Observed behavior, such as direct observation of drug/alcohol use or possession and/or physical symptoms of drug and/or alcohol use;
- A pattern of abnormal conduct or erratic behavior;
- Arrest or conviction for drug-related offense, or identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking. The employee is responsible for notification of the Employing agent, within five (5) working days, of any drug-related conviction;
- Information provided either by reliable and credible sources or independently corroborated regarding an employee's substance use; or
- Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

Reasonable suspicion testing does not require certainty, but mere "hunches" are not sufficient to justify testing. To prevent this, all managers/supervisors will be trained to recognize drug and alcohol-related signs and symptoms. Testing may be for drugs or alcohol or both.

Drug and/or Alcohol Testing after an Accident

Urine specimen collection (for drugs) or breath/saliva (for alcohol) is to occur as quickly as possible after a need to test has been determined. At no time will a urine specimen be collected after 32 hours from the time of an employment-related incident. Breath or saliva alcohol testing will be performed as quickly as possible but no later than eight hours after the incident, or it will be documented but not performed. If the employee responsible for an employment-related accident is injured, it is a condition of employment that the employee grants the employing agent the right to request that attending medical personnel obtain appropriate specimens (breath, urine and/or blood) for the purpose of conducting alcohol and/or drug testing. Further, all employees grant the Employing agent access to any and all other medical information that may be relevant in conducting a complete and thorough investigation of the work-related accident including a full medical report from the examining physician(s) or other health care providers. A signed consent to testing form is considered a condition of employment. The Governing Board reserves the right to determine who may have caused or contributed to a work-related accident and may choose not to test after minor accidents if there

is no violation of a safety or work rule, minor damage and/or injuries and no reasonable suspicion.

Post-accident testing will be conducted whenever an accident occurs, regardless of whether there's an injury. We consider an accident an unplanned, unexpected or unintended event that occurs on our property, during the conduct of our business, or during working hours, or which involves one of our motor vehicles that are used in conducting employing agent business, or is within the scope of employment, and which results in any of the following:

- A fatality of anyone involved in the accident;
- Bodily injury to the employee and/or another person that requires off-site urgent care medical attention away from the Employing agent's place of employment;
- Vehicular damage in apparent excess of \$1000.00; or
- Non-vehicular damage in apparent excess of \$1000.00.
- When such an accident results in one of the situations above, any employee who may have contributed to the accident will be tested for drugs or alcohol use or both.

Employees' Rights When There is a Positive Test Result

An employee who tests positive under this Policy will be given an opportunity to explain the findings to the MRO prior to the issuance of a positive test result to the Company. Upon receipt of a confirmed positive finding, the MRO will attempt to contact the employee by telephone or in person. If contact is made by the MRO, the employee will be informed of the positive finding and given an opportunity to rebut or explain the findings. The MRO can request information on recent medical history and on medications taken within the last thirty days by the employee. If the MRO finds support in the explanation offered by the employee, the employee may be asked to provide documentary evidence to support the employee's position (for example, the names of treating physicians, pharmacies where prescriptions have been filled, etc.). A failure on the part of the employee to provide such documentary evidence will result in the issuance of a positive report by the MRO with no attendant medical explanation.

Positive Test Results

Employees who are found to have a confirmed positive drug or alcohol test will be immediately removed from their job duties without pay and will be advised by the MVRCOG of the resources available for evaluating and resolving drug and alcohol abuse problems. The employee will not receive compensation for the period of the unpaid leave prior to discharge. The employee is required to be evaluated by a substance abuse professional. All evaluation and

rehabilitation shall be at the employee's expense. This one-time rehabilitation does not apply to the pre-employment drug screen. In addition, any employee who violates this policy may be subject to disciplinary action up to and including dismissal. While participating in an approved treatment program for first incident, the employee will be placed on an appropriate leave of absence without pay. Before the employee may return to work, the employee must present to the MVRCOG Director or designee(s) a physician's certification stating that the employee has complied with an alcohol or illegal drug use or controlled substances abuse approved treatment program and is able to return to work. Such an employee must agree to periodic random tests for alcohol or illegal drug use or controlled substance abuse for a period of two years at the employee's expense. Licensed professionals must abide by the requirements of their respective licensing boards. Certain licensed professionals may be required to submit to periodic screens in addition to two years, as deemed by their licensing board.

Termination Notices

In those cases where substance testing results in the termination of employment, all termination notices will list "misconduct" as the reason. Termination shall be deemed "for cause".

AUDITOR OF STATE: FRAUD REPORTING SYSTEM INFORMATION

Fraud Reporting – General Provisions:

If an employee of a public office becomes aware in the course of employment of a violation of state or federal statutes, rules, or regulations or the misuse of public resources, and the employee's supervisor or appointing authority has authority to correct the violation or misuse, the employee may file a written report identifying the violation or misuse with the supervisor or appointing authority. In addition to or instead of filing a written report with the supervisor or appointing authority, the employee may file a written report with the office of internal auditing created under section 126.45 of the Revised Code. ORC 124.341(A)

Whistleblower Protection:

No officer or employee of the public office shall take any disciplinary action against an employee in the classified or unclassified civil service for making any report authorized by division (A) or this section. ORC 124.341(B)

Reporting False Information:

The employee is subject to disciplinary action, including suspension or removal, as determined by the employee's appointing authority, for purposely,

knowingly, or recklessly reporting false information under division (A) of this section. ORC 124.341(C)

Reporting Methods:

1. **SEND** a written complaint via U.S. Postal Service:
Ohio Auditor of State's Office
Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, OH 43215
2. **CALL** the SIU Fraud Hotline: 1-866-FRAUD OH (1-866-372-8364)
3. **SUBMIT** online: <http://ohioauditor.gov/fraud.html>

WORKING SAFELY IN A SCHOOL ENVIRONMENT

Online Training

Online safety training is an important component as we want to make sure our employees have the necessary safety training. MVRCOG employees have access to training modules in Public School Works as part of their employment. Specific courses may be mandatory in order to remain active as an MVRCOG Substitute.

General Safety Rules

All employees are required to obey the safety rules set by the worksite, school district or school building. Wherever you work, remember these basic rules or guidelines:

- Never do any work you feel is unsafe or could cause injury. Do not perform tasks that involve physical exertion unless you have been trained to perform them and are familiar with the risks associated with them.
- Do not operate any power equipment without permission and the proper advance training.
- No employee is permitted to work if impaired due to illness, medication, drugs, alcohol, or other causes. Per policy, being under the influence of, or using, illegal substances or alcohol while on assignment is strictly prohibited.
- Keep your work area neat, orderly and free of obstructions. Examples: Close file cabinets drawers when finished in them. Do not string power cords or cables across walkways. Ensure classroom floors are cleared of debris.
- All unsafe conditions and any accident or injury must be reported to building administration *immediately*.

OSHA Hazard Communication

You have a right to know about any safety hazards in your workplace. A district/building administrator will explain:

- Any chemical or material substances that are known hazards at your job site and to which you may be exposed in the course of your work;
- Where to obtain Safety Data Sheets that describe how to safely work with chemicals, identify any hazards, and advise actions required should you be exposed to them,

If you ever have a question about a chemical or substance at your job, be sure to ask building administration for more information.

First Aid, Safety And Health

As a substitute, you are expected to provide proper supervision to students entrusted to your care. In the event of an injury, please use common sense rules and immediately contact the principal or another teacher. If a fire drill or tornado drill occurs while you are on duty, please follow the classroom teacher nearest to your room to the proper exit.

Safety Drill Procedure Terminology

School buildings conduct safety drills throughout the year. In addition to the traditional fire and tornado drills, other safety drills could be issued for extreme weather or utility failure. School buildings may also conduct safety drills which may be initiated by a variety of events such as a facility emergency, a weather-related issue, violence and/or crime, student welfare or an act of terrorism. Some common safety terms and procedures are outlined below. Always check with your school for the proper protocol.

- **Perimeter-Only Lockdown**
All exterior doors, windows, classroom doors and other access points are secured and fully locked down. Non-critical functions are delayed and all students and staff are to stay within those locations. Instruction and operations within the building may continue as planned. All access to the building is restricted to one door and is to be monitored by an adult for access to the building until the threat has been eliminated and the area is rendered safe.
- **Entire Campus Facility Lockdown**
All exterior doors, windows, classroom doors and other access points are secured and fully locked down. Access to the building is restricted to one door and is to be monitored by an adult with a communication device and assigned to monitor and restrict admittance to police, fire and crisis team into the school facility. Movement throughout the building is restricted and full safety measures are implemented until the “all clear” is announced.
- **Evacuation**

If it is determined that evacuation of students is necessary, you will be asked to begin locating the students to a backup location. Most students can walk to the backup location but handicapped students may need assistance from a staff member. In the event of inclement weather, the district may arrange for school buses. If students have been evacuated to another site, staff may need to use cell phones, two-way radios or runners to get information to the supervising staff.

- **Communication to Families and Community**

The school district representative informs the families about what steps are being taken to protect the students and when students might be released to go home. All information is to be channeled through the District Communications Director to provide consistent, accurate information to the media and community.

- **Communication Regarding Ending Lockdown**

Remain in lockdown mode until a recognizable school staff member comes to your building or unlocks your room and announces to resume normal activities. The decision to announce “all clear” is made by the crisis team leader in consultation with the police and the Building Principal/designee.

Working Safely Within Physical Limitations

The safety of our employees is an important concern of the MVRCOG. We expect all employees to take safety seriously. We do not want to put any substitute teacher in a job that could cause harm or aggravate a prior condition. If certain types of assignments could cause you harm, be sure to let the MVRCOG know in advance. If certain tasks or assignment types may not be possible for you, or if you need a reasonable accommodation to perform an essential job function, it is your responsibility to communicate this information to us in advance.

REPORTING MVRCOG EMPLOYEE INJURIES OR ACCIDENTS

All on-the-job injuries or accidents, however minor, involving MVRCOG employees must be reported to the employee’s supervisor IMMEDIATELY by telephone or in person and followed up the same day with a written report using the MVRCOG Employee’s Report of Injury or Accident form. A copy of this form is found at the back of this handbook. Within 24 hours of the accident or injury, this report must be sent to a.ferrier@esceasternohio.org or faxed to 330-533-8772. The report should be as detailed as possible and contain all requested information. It is important that the employee complete the report even if they are uncertain whether medical treatment will be required.

Medical Treatment for Work Related Injury

Medical services are managed by a Managed Care Organization (MCO) approved by the Ohio Bureau of Workers' Compensation (BWC). The MCO for the MVRCOG is Health Management Solutions. In the event of a work-related injury requiring medical treatment, the following steps need to be followed:

- Notify your supervisor immediately.
- You or your supervisor must call 1-888-202-3515 to report the injury and for physician referral.
- Go to an MCO BWC Certified physician or medical provider or clinic for treatment. Be sure to name the MVRCOG as your employer on all documentation.

In an emergency, seek immediate medical attention. The physician is required to call the MCO within 24 hours of treatment to report the injury.

Workers' Compensation

In accordance with the Workers' Compensation Act, coverage is provided to employees who are injured or who contract an occupational disease in the course of, and arising out of, his/her employment. In such cases, the MVRCOG employee is entitled to file a claim.

Workers' compensation provides for medical care and disability compensation, which is based on the employee's salary. Payment of compensation for work loss can only be filed when the injury causes more than seven (7) days of work loss.

Returning to Work Following Injury

Whether the doctor says you cannot work at all, or that you are released to restricted work, or you are released to your regular position, you must obtain written documentation from the doctor and call the MVRCOG Human Resources Representative at 330-533-8755 during working hours to discuss your situation. If released to limited work, the MVRCOG will address if suitable work is available per the terms of the doctor's release.

Rebuttable Presumption

If an MVRCOG staff member sustains a workplace injury while he/she is under the influence of alcohol or a controlled substance not prescribed by his/her physician, he/she may be disqualified for compensation and benefits under the Workers Compensation Act. If the professional staff member tests positive or refuses to submit to a test for alcohol and/or other drugs after sustaining a

workplace injury, the employee may dispute or prove untrue the presumption or belief that alcohol and/or other drugs are the proximate cause of the injury (i.e., rebuttable presumption).

PAYROLL DEDUCTIONS

The MVRCOG is permitted to act on behalf of individual employees to deduct a certain amount from the employee's paycheck and remit to an agent designated by the employee. It is the purpose of this policy to designate those purposes not otherwise mandated by law for which the MVRCOG is willing to act in behalf of an employee and to specify the fee for so doing.

The MVRCOG is required by law to make deductions from the wages of employees for federal and state income tax, municipal income tax, school income tax (R.C. 9.42), School Employees Retirement System (R.C. 3309.47, 3309.56), and State Teachers Retirement System (R.C. 3307.51, 3307.62) without prior authorization. The MVRCOG is also required by law to comply with garnishments and income withholding orders, for which deductions must be made in accordance with legally mandated provisions until the MVRCOG receives legal notification that such obligation is fulfilled. Any other deduction requires prior MVR-COG Governing Board authorization. The MVRCOG authorizes in accordance with the provisions of law cited herein that deductions are made from an employee's paycheck upon proper authorization. It is the employee's responsibility to notify payroll of any changes in legal name, building assignment, direct deposit account, phone number, and/or home address.

RETIREMENT SYSTEM CONTRIBUTIONS

All MVRCOG employees are required to contribute to the appropriate public retirement system based on the nature of their qualifications, duties and work assignment. All certified/licensed employees contribute to the State Teachers Retirement System. All non-certificated employees performing school-related duties contribute to the School Employees Retirement System. Other employees may be required to contribute to the Public Employees Retirement System. There is no provision for any employee to waive retirement system participation. Contribution rates are set by law.

PAYROLL SCHEDULE

All employees regardless of the number of workdays per year shall receive 24 paychecks via direct deposit. Payroll will be processed according to the MVRCOG schedule of pay periods and pay dates, including if the MVRCOG schedule is different than the pay schedule of the district/entity to in which the MVRCOG employee is assigned. Direct deposit for all employees will be issued

on the fifteenth (15th) and thirtieth (30th) calendar day of each month. The last calendar day of February will be the second pay for that month. When a scheduled pay day falls on a weekend or scheduled holiday, direct deposits shall be issued on the last work day prior to the scheduled pay day. Direct deposit is mandatory for all employees. Please contact payroll with any questions at 330-533-8755, extension 1977.

DIRECT DEPOSIT

Direct deposit of payroll is mandatory for all employees. Payroll funds can be deposited to any qualified banking institution or credit union. Funds may be distributed among up to three (3) accounts. Information and forms will be included in the new hire packet. It is the employee's responsibility to notify payroll of any changes to one's account or banking facility. Contact payroll immediately to request a new direct deposit authorization form as soon as you are aware of a change regarding your authorized banking institution and/or account information.

CREDIT UNION

Employees of the MVRCOG may participate in the Associated School Employees Credit Union. Information can be obtained by calling the credit union directly at (330) 792-4000.

BENEFITS

Eligible MVRCOG employees will receive the benefits delineated in the MVRCOG Policies and/or referenced within this Handbook. Eligibility for certain benefits is determined by the contracting member school district or partner agency. All MVRCOG employees are covered by liability insurance. Substitute teachers are not eligible for health insurance benefits.

Unpaid Time Away From Work

Unless specifically requested by the member school district or partner agency, MVRCOG employees are not entitled to paid leave (vacation, sick, or personal). Unpaid leave is available for jury duty, witness testimony, court leave, bereavements, and military leave. Please contact the human resources representative of the MVRCOG for additional information. You can be released from an assignment to allow you take unpaid leave.

Health Insurance

Mahoning Valley Regional Council of Governments (MVRCOG) employees working an average of 130 or more hours a month are eligible for Medical/Rx

insurance offered through the Mahoning County School Employees Insurance Consortium (MCSEIC). Below is a breakdown of the eligibility criteria.

- 9 month employee = 1170 hours/school year or prorated equivalent if hired after the start of a school year.
- 10 month employee = 1300 hours/school year or prorated equivalent if hired after the start of a school year.
- 11 month employee = 1430 hours/school year or prorated equivalent if hired after the start of a school year.
- 12 month employee = 1560 hours/school year or prorated equivalent if hired after the start of a school year.

Affordable Care Act (ACA) measurement period(s).

Initial Measurement Period (hire date + 11 months).

An initial measurement period will be utilized to determine insurance eligibility if an employee was hired with the expectation of working less than 30 hours a week or an unknown expectation of hours worked.

Standard Measurement Period (August 1 – July 31)

Following the initial measurement period, employees will need to meet the minimum hour threshold in the standard measurement period (August 1 – July 31) on an annual basis to maintain insurance eligibility.

- New Hire Employee
- Health insurance will be offered at the time of hire if there is a "reasonable expectation" that the employee will work at least 130 hours/month during the initial measurement period (hire date + 11 months).
- To maintain insurance eligibility, an employee offered insurance upon hire is required to meet the minimum hour threshold after their initial measurement period as well as the annual standard measurement period.

Enrollment

Employees are eligible to enroll in health coverage under the following scenarios:

- New Hire
 - New hires must work one calendar day in a month to be eligible for the 1st day of the following month.
- Open Enrollment (eligibility based upon hours worked during the preceding measurement period.)
- Qualifying Event
 - Loss of health care coverage
 - Losing health insurance for any reason except not paying premiums.

- Changes in household
 - Marriage, divorce, or legal separation.
 - Having a baby, adopting a child, or obtaining legal custody of a child.
 - Death in the family.
- Changes residence
 - Moving to a different zip code or county.
 - A student moving to or from the place they attend school.
 - A seasonal worker moving to or from the place they both live and work.
 - Moving to or from a shelter or other transitional housing.
- Other qualifying events
 - Changes in income or hours that affect the coverage you qualify for.
 - Becoming a U.S. citizen
 - Leaving incarceration.
 - Etc.

Qualifying Event

Enrollment of an eligible employee, spouse, and/or dependent(s) due to a qualifying event must be completed within 31 days of the event. Supporting documentation is required for all qualifying event enrollments.

Spouse/Dependent(s)

A spouse and/or dependent(s) are eligible to enroll in the employer sponsored group Medical/Rx plan.

Spousal Coordination Of Benefits

The MCSEIC group health insurance plan requires that if an employee's spouse is eligible to participate in their own group health insurance coverage as a current employee, or as a retiree in a group health plan sponsored by his/her own employer or retirement system, the spouse must enroll for at least single coverage unless the monthly single premium is \$360 (50% of the MCSEIC single rate) or more under their own health plan to be eligible to participate in the MCSEIC group health plan. Employees are required to complete a certification verifying a spouse meets eligibility criteria to enroll in coverage. A spousal certification will be required annually to verify a spouse continues to meet eligibility. Submission of a falsified certification will result in the immediate termination of the spouse from the group health coverage. Additionally, the employee will be personally liable for the reimbursement of benefits and expenses, including legal fees incurred.

Premiums

Employees are responsible for premium payments during summer recess and spring/winter breaks. If you have any questions regarding benefits, please contact the Human Resources Representative at 330-533-8755.

EVALUATION AND PERFORMANCE

The building administrator/designee has the authority to observe and evaluate your work performance. If there is a general concern regarding your performance as a substitute, the school district/entity will typically share that concern with you—as well as the MVRCOG—so that you may be aware and make any necessary adjustments.

Building administrators may evaluate substitute personnel performance and effectiveness in carrying out their responsibilities. As an MVRCOG substitute employee, you are expected to observe and follow district policies and procedures as well as the lesson plans showing day's work to be accomplished. If you do not follow those expectations, a warning will be issued, or in some cases removal as a substitute from a school building, a district or the MVRCOG Substitute Consortium will occur.

Examples Of Substitute Teacher Performance Issues

You are expected to observe and follow each district's policies and procedures. The following list of behaviors or issues is provided to outline some examples of actions that may result in your removal or exclusion as a substitute employee within a school building or school district or the entire substitute consortium.

- Ineffective student or classroom management. (i.e. Substitutes are expected be actively involved and engaged with the classroom or assignment.)
- Leaving your assignment or classroom unattended while students are present.
- Failure to maintain confidentiality of student information.
- Failure to implement (or fully implement) lesson plans and/or work assignment provided.
- Leaving the building assignment during assigned work hours without explicit permission from the building principal/supervisor. Confirm with building supervision whether you have room assignments during the regular teacher's free period" or lunchtime.
- Making inappropriate comments to students, parents, and/or fellow staff members.

- Disparaging or disrespectful comments regarding students, the school, policies, or the district.
- Accepting an assignment and then cancelling after the cut off time or not showing up (no call, no show).
- Cancelling an assignment after the cut off time and then accepting another assignment (job shopping).
- Repeated cancellation of substitute assignments.
- Failure to arrive for an assigned duty as scheduled.
- Knowingly reporting for work with a potentially contagious illness.
- Touching a student or staff member in an inappropriate manner (must establish and maintain appropriate boundaries).
- Demonstrating an unprofessional attitude (i.e. rude or discourteous treatment of students/staff/ public).
- Failure to provide adequate supervision of students, creating a situation where students are unsupervised, and encouraging “horseplay”.
- Using an electronic device during while on assignment for any purpose other than to provide support to the class you are teaching. This includes accessing your cell phone/iPad/web browsing in a non-emergency situation while you have responsibility for students. Electronic devices should be turned off or set to vibrate during work time. Phone calls should not be accepted, and text messages should not be created or responded to during class time. NEVER use a personal device to film or take pictures of students.
- You may access Absence Management while you are on substitute assignment, however it is not acceptable to use any electronic device to search for additional jobs during times when you have responsibility for students or other assigned duties.
- Failure to leave follow-up note(s) regarding your assignment for the classroom teacher.
- Dismissing students early from a class period or at the end of the school day.
- Unprofessional or inappropriate attire.
- Inappropriate and/or unauthorized use of school resources including but not limited to computers, phones, material (including Network Acceptable Use and Social Media policy).
- Violation of Licensure Code of Professional Conduct for Ohio Educators.
- Being under the influence of alcohol or drugs.
- Use of tobacco products (including electronic cigarette) on school grounds, including inside one’s own vehicle.

- Failure to follow reasonable directions from building administrators and/or district designee, or insubordination towards administration.
- Bringing food to the classroom for yourself or students.

Administrators reserve the right to exclude substitutes from an individual teacher's classrooms, grade levels or entire buildings. Superintendents may exclude a substitute from their district. Patterns of poor performance can lead to exclusion from further substitute assignments in any of the MVRCOG Consortium school districts. The MVRCOG reserves the right to remove any substitute employee at its sole discretion at any time.

RETIREMENT

Employees planning to retire should notify MVRCOG Human Resources and the MVRCOG Payroll Department as soon as possible. All Substitute Teachers who retire and wish to return as a MVRCOG Substitute Teacher at a later date will need to complete the employment process as a new employee.

RESIGNATION FROM SUBSTITUTE TEACHING

Please contact MVRCOG Human Resources should you need to resign from the MVRCOG employment for any reason. Please provide a letter with the effective date for your resignation. If you are moving, please provide a forwarding address so that end of year tax forms can be provided. Substitute Teachers who have not picked up a work assignment in the last 12 months will be treated as a voluntary resignation. All Substitute Teachers who resign and wish to return to work as an MVRCOG Substitute Teacher at a later date will need to complete the employment process as a new employee.

UNEMPLOYMENT BENEFIT ELIGIBILITY

Pursuant to Ohio law, unemployment benefits based on service in an educational institution generally shall not be paid to any individual for any week of unemployment as listed below:

- Unemployment begins during the period between two successive academic years or terms, OR
- Unemployment begins during a similar period between two regular but not successive terms OR
- Unemployment begins during an established and customary vacation period or holiday recess

Per the ODJFS, Unemployment benefits shall be denied if the individual performs services in the first of those academic years or terms or in the period immediately before the vacation period or holiday recess, and has reasonable

assurance that the individual will perform services in any such capacity for any such institution in the second of those academic years or terms or in the period immediately following the vacation period or holiday recess.

Generally, MVRCOG employees who are provided with reasonable assurance will not be eligible for unemployment benefits in connection with their employment through the MVRCOG. The Office of Unemployment Insurance Options, Ohio Department of Job and Family Services is the final authority in determining eligibility for unemployment benefits.

SEPARATION AND RETURN OF COMPANY PROPERTY

The separating employee must return all company property at the time of separation, including but not limited to keys, key fobs, badges, electronic devices, and identification cards. Company property also includes items issued to the employee by a school district or entity, for use during their assignment. Failure to return some items may result in deductions from the final paycheck

LEAVES OF ABSENCE

Family And Medical Leave Act (Fmla) Leave

To the extent the FMLA laws and/or regulations are amended, the amended laws/regulations supersede any conflicting provisions set forth in this Handbook.

In accordance with the Family and Medical Leave Act (FMLA) of 1993, as amended, eligible employees may qualify for up to twelve (12) or twenty-six (26) work weeks (depending on the reason) of unpaid leave for the reasons specified below.

Qualifying Reasons for FMLA leave:

1. Eligible employees may qualify for up to twelve (12) work weeks of job-protected, unpaid leave, or substitute appropriate paid leave if the employee has earned or accrued it, for the following reasons:
 - the birth and/or care of a newborn child of the employee and to care for the newborn child, within one (1) year of the child's birth ("Birth Leave");
 - the placement with the employee of a child for adoption or foster care, within one (1) year of the child's placement ("Placement Leave");
 - the employee is needed to provide physical and/or psychological care for a spouse or child with a serious health condition ("Family Health Leave");
 - to care for the employee's parent with a serious health condition ("Parent Health Leave");

- because the employee's own serious health condition makes him/her unable to perform the functions of his/her position ("Employee Health Leave"); or
 - for any qualifying exigency (as defined in applicable Federal regulations) while the employee's spouse, son, daughter, or parent (the military member) is on covered active duty or Call to Covered Active Duty status (or has been notified of an impending call or order to covered active duty. ("Qualifying Exigency Leave").
2. An eligible employee who is a spouse, son, daughter, parent or next of kin of a covered service member may take up to a total of twenty-six (26) work weeks of job-protected, unpaid leave, or substitute appropriate paid leave if the employee has earned or accrued it, during a "single twelve (12) month period" to care for the covered service member with a serious illness or injury ("Military Caregiver Leave").
- Definitions:
- Covered Active Duty or Call to Covered Active Duty Status: In the case of a member of the Regular Armed Forces, this means duty during the deployment of the member with the Armed Forces to a foreign country. In the case of a member of the Reserve components of the Armed Forces, this means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation.
 - Covered Service Member is defined as (1) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred by the member in the line of duty in covered active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating; or (2) a veteran of the Armed Forces who is undergoing medical treatment, recuperation or therapy, for a serious injury or illness covered by the FMLA. The veteran must have been a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the

date on which the veteran undergoes that medical treatment, recuperation, or therapy and must have been honorably discharged or released.

- Next of Kin of a Covered Service Member means nearest blood relative or the relative identified in writing by the service member
- Parent means the biological, foster or adoptive parent, a stepparent, or any person who stood in loco parentis
- Qualifying Exigency: Qualifying exigencies may include things such as attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- Single twelve (12) month period" for leave to care for a covered service member with a serious injury or illness begins the first day the employee takes leave for this reason and ends twelve (12) months later, regardless of the twelve (12) month period established below for general FMLA leave. During the "single twelve (12) month period", an eligible employee is limited to a combined total of twenty-six (26) work weeks of unpaid leave for any FMLA-qualifying reason. (Only twelve (12) of the twenty-six (26) work weeks total may be for a FMLA-qualifying reason other than to care for a covered service member.)
- Son or Daughter: means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis. For all leaves except Exigency Leave and Military Caregiver Leave, the Son or Daughter must also be either under 18 years old or age 18 or older and incapable of self-care because of a disability as determined under the ADA.

Eligible Employees

Employees are "eligible" if they have worked for the MVRCOG for at least twelve (12) months, **and** have worked for at least 1,250 hours over the twelve (12) months prior to the leave request, and are employed at a work site where fifty (50) or more employees are employed by the MVRCOG within seventy-five (75) miles of that work site. Months and hours that members of the National Guard

or Reserve would have worked if they had not been called up for military service counts towards the employee's eligibility for FMLA leave. While the twelve (12) months of employment need not be consecutive, employment periods prior to a break in service of seven (7) years or more will not be counted unless the break is occasioned by the employee's fulfillment of his/her National Guard or Reserve military obligation, or a written agreement exists concerning the MVRCOG's intention to rehire the employee after the break in service.

Twelve (12) Month Period

Twelve (12) month period is defined as a rolling twelve (12) month period measured backward from the date the employee's first FMLA leave begins (i.e. the "leave year" is specific to each individual employee).

Serious Health Condition

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. As utilized in this policy, the term "incapacity" means an inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment, therefore, or recovery therefrom. The term "treatment" includes (but is not limited to) examinations to determine if a serious health condition exists and evaluations of the condition. (Treatment does not include routine physical examinations, eye examinations, or dental examinations.)

- A. Inpatient care means an overnight stay in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with such inpatient care.
- B. Continuing treatment by a health care provider, includes any one or more of the following: 1.) "incapacity and treatment"; 2.) any incapacity related to pregnancy, or for prenatal care; 3.) any incapacity or treatment for such incapacity due to a chronic serious health condition; 4.) a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective Alzheimer's, a severe stroke, terminal stages of a disease); or 5.) any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider for a.) restorative surgery after an accident, or b.) other injury or a condition that would likely result

in a period of incapacity of more than three (3) consecutive, full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).

1. "Incapacity and treatment" involves a period of incapacity of more than three (3) consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves a.) treatment two (2) or more times, within thirty (30) days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (e.g. physical therapist) under orders of, or on referral by, a health care provider, or b.) treatment by a health care provider on at least one (1) occasion that results in a regimen of continuing treatment under the supervision of the health care provider.
 - a. Treatment by a health care provider as referenced above involves an in- person visit to a health care provider. The first (or only) in-person treatment visit must take place within seven (7) days of the first day of incapacity. The health care provider is responsible for determining whether additional treatment visits or a regimen of continuing treatment is necessary within the thirty (30) day period.
 - b. Regimen of continuing treatment includes a course of prescription medication (e.g. antibiotics), or therapy requiring special equipment to resolve or alleviate the health condition (e.g. oxygen).
 - c. A regimen of continuing treatment that includes the taking of over-the- counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.
2. A period of incapacity related to pregnancy need not involve a visit to the health care provider for each absence, and the

absence need not last more than three (3) consecutive, full calendar days.

3. A chronic serious health condition is one that: a.) requires periodic visits (i.e. at least twice a year) for treatment by a health care provider, or by a nurse under direct supervision of a health care provider; b.) continues over an extended period of time (including recurring episodes of a single underlying condition); and c.) may cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy, etc.). A visit to a health care provider is not necessary for each absence, and each absence need not last more than three (3) consecutive, full calendar days.
4. With regard to permanent or long-term conditions, the employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider.
5. Conditions for which cosmetic treatment are administered (e.g. most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave.

Intermittent and Reduced Schedule Leave

Any eligible employee is entitled to take FMLA leave on an intermittent or reduced schedule leave when medically necessary for Employee Health, Family Health, Parent Health or Military Caregiver Leave.

Upon review, an employee may be permitted to take FMLA leave intermittently (i.e. leave in separate blocks of time for a single qualifying reason) or on a reduced schedule leave (i.e. reducing the employee's usual weekly or daily work, for qualifying Military Exigency Leave and for Birth or Placement Leave..

Requests are reviewed by the MVRCOG to determine if intermittent leave can be accommodated in the district/entity at which the employee is assigned.

Regardless, the taking of FMLA leave intermittently or on a reduced schedule leave results in the total reduction of the twelve (12) or twenty-six weeks only by the amount of leave actually taken. Except in the case of Qualified Exigency Leave, the employee taking scheduled leave intermittently or on a reduced leave schedule that is foreseeable based on planned medical treatments, may be required to transfer temporarily, during the period the intermittent or reduced schedule leave is required, to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than the employee's regular position. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. The employee may also be transferred to a part-time position with the same hourly rate of pay and benefits, provided the employee is not required to take more leave than is medically necessary.

Instructional employees (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced schedule leave because of Family, Employee or Parental Health Leave or pursuant to Military Caregiver Leave, where the leave would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave may be required to elect to either:

- A. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- B. transfer temporarily to an available alternative position offered by the MVRCOG for which the instructional employee is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the employee's regular position.
- C. when leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt operations, subject to the approval of the health care provider.

If the MVRCOG agrees to permit FMLA leave intermittently or on a reduced schedule leave for Birth or Placement Leave, the Board may also require the employee to transfer temporarily, during the period the intermittent or reduced schedule leave is required, to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position.

Employee Notice Requirements

Employees seeking to use FMLA leave (including Military Caregiver Leave) are required to provide thirty (30) days' advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than thirty (30) days in advance, the employee must provide notice as soon as practicable - generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice as soon as practicable under the facts and circumstances of their particular situation. Absent unusual circumstances, employees must comply with the MVRCOG's usual and customary notice and procedural requirements for requesting leave. Failure to provide timely notice may result in the leave being delayed or denied, and/or possible disciplinary action.

Employees must provide "sufficient information" for the MVRCOG to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, that the employee or his/her qualifying family member is under the continuing care of a health care provider, that the requested leave is for a particular qualifying exigency related to a qualifying family member's covered active duty or call to covered active duty status, or that the leave is due to a qualifying family member who is a covered service member with a serious injury or illness. The information may also include the anticipated timing and duration of the leave.

When an employee seeks leave for a FMLA-qualifying reason for the first time, the employee need not expressly assert FMLA rights or even mention the FMLA. When an employee seeks leave, however, due to a FMLA-qualifying reason for which the MVRCOG has previously provided the employee FMLA protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave. FMLA Leave of Absence request forms and information are available from the MVRCOG HR Generalist, Alana Ferrier, at (330) 533-8755.

MEDICAL DISABILITY LEAVE OF ABSENCE (for Employees not eligible for FMLA)

When an employee who is ineligible for FMLA Leave anticipates a future absence from work for medical reasons, or experiences an acute medical condition, they may be eligible for medical disability leave. All requests must be submitted in writing, along with appropriate documentation (i.e., documentation from a treating physician stating the nature of your illness and an expected date of return if known).

An employee who takes leave under this policy will be asked to provide a fitness for duty clearance from the health care provider, before returning to work. Upon returning from your leave of absence, you must submit documents from your physician stating your return date and any restrictions that may apply. If an employee is given a conditional (restricted) medical release, their health care provider must detail the conditions of the release and specify any job limitations; MVRCOG must review the restrictions, in conjunction with the assigned district/entity, prior to granting a conditional return to work. Individual circumstances are reviewed on a case by case basis, in compliance with applicable State and Federal laws, including ADAAA.

PREGNANCY/MATERNITY LEAVE

Pregnancy leave is treated in the same manner as any medical disability, and will be administered in accordance and compliance with all applicable State and Federal Laws, including the FMLA (if eligible), and the ADA/ADAAA.

ADDITIONAL LEAVE REQUESTS BEYOND APPLICABLE POLICY PROVISIONS

Remaining on FMLA Leave beyond the full twelve week entitlement, or on Medical Disability Leave beyond the agreed time frame, even though you may still be disabled, may result in a medical disability termination; the MVRCOG cannot guarantee reinstatement to the former position or to a position with like status and pay. However, individual needs and circumstances are reviewed on a case by case basis, in compliance with applicable State and Federal laws, including ADA/ADAAA. In all cases, an employee who takes leave under this policy will be asked to provide a fitness for duty clearance from the health care provider, before returning to work.

All policies with respect to FMLA, Medical Disability Leave, and Pregnancy Leave will conform to state and federal laws and guidelines. Individual needs and circumstances are reviewed on a case by case basis, in compliance with applicable State and Federal laws, including the Americans with Disabilities Act, as Amended in 2008 (ADAAA).

UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHT ACT

The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services. Employees are required to provide advance notice of their service obligations unless military necessity makes this impossible. USERRA applies to service in peacetime as well as wartime. The MVRCOG adheres to the rights outlined in the USERRA, and will grant military leave in accordance with Ohio and Federal Law.

AMENDMENTS

The procedures, policies and benefits described here may be amended from time to time. We will try to inform you of any changes as they occur.

MAHONING VALLEY REGIONAL COUNCIL OF GOVERNMENT

7320 N. PALMYRA ROAD CANFIELD, OH 44406

Human Resources

Phone 330-533-8755 Fax 330-533-8777

MVRCOG Employee Report of an Occupational Incident

On (date) _____ at (time) _____ I was involved in an Occupational Incident
at (Building, Room Number or Location) _____

Employee's Name _____

Job Title and Department _____

Home Address _____

Home Telephone Number (_____) _____

Date of Birth _____ Social Security Number _____ - _____ - _____

Were you at work when the incident occurred? ☐ Yes ☐ No

Were you on work time? ☐ Yes ☐ No

Please provide a detailed description of the incident--What happened, where did it happen and what caused it to happen?

Were there any witnesses or any other employees involved?
Provide names and telephone numbers.

To whom did you report the incident and when did you report the incident?

Identify the **EXACT** part of your body affected by the occupational incident.
- _____

Did you receive first aid treatment at the work site?

☐ Yes ☐ No

If yes, when (date _____) and by whom?

Did you see a physician for treatment? ☐ Yes ☐ No

If yes, please provide the name, address, and
telephone number of the physician.

Date of appointment with physician. _____

Did you go to a hospital for treatment? ☐ Yes ☐ No

If yes, please provide the date treated and the name
and address of the hospital.

Name of attending physician: _____

What was the last day you worked? _____

Did you return to work on the same day of the accident? ☐ Yes ☐ No

If no, then when did you return to work? _____

Are you reporting this accident as an industrial injury? ☐ Yes ☐ No

NOTE: Filing this report does not constitute certification of an industrial claim.

I hereby certify that all of the information I have submitted as part of my report of this occupational incident is true, accurate and complete. I understand that any misrepresentation or willful omission of facts shall be sufficient cause for disciplinary action, up to and including discharge.

Employee Signature

Date

Please send this report immediately following an occupational incident to: **the MVRCOG Office.**

Date Report Received _____