

5.5 COMPENSATION POLICY

5.5.1 Wages

The salary and wage policy will be reviewed and may be adjusted annually. Unless otherwise negotiated, the Board adopts and maintains a minimum and maximum salary or wage and typical work hours for each position or class of positions.

Experience required to meet the minimum qualifications for the position shall not be considered for credit for placement in the salary range or when determining an hourly wage. Appointments will ordinarily be made at the minimum salary or wage for a position.

For current employees promoted into a higher classification where the application of the above rules would result in lower pay, the employee shall be placed in the range or paid a wage at or above a place where they are above their current salary.

Unless otherwise negotiated or stated in an employee's contract, the salary year shall begin July 1 of each year. Staff whose employment begins or ends during the salary year shall have their annual salary adjusted for any workdays missed prior to their start date. **The effective date for salaries for all 12-month employees shall commence on the first day of the pay period after July 1st.** For nine-month staff, the effective date shall commence on the first day of the pay period that they work after July 1st. Salaries shall generally be paid in bi-weekly installments.

Educational degrees must be from colleges or universities authorized or recognized by the Ohio Board of Regents.

Salaries are paid by voucher drawn by the County Auditor and are received on a biweekly basis. Pay periods are fourteen (14) days in length, with each period beginning on a Sunday. Salaries are paid on alternate Fridays. No provision is made for partial or advance payment.

Direct deposit of pay to a bank account is available through the County Auditor. During seasonal breaks, seasonal employees who do not choose direct deposit may pick up their checks at the respective program office on the designated payday or provide the respective program office with a self-addressed, stamped envelope for mailing. If checks are not mailed or picked up, they will be available the first day on which the seasonal employee returns to work, but in no case will checks be held beyond 30 days. Checks will be returned to the County Auditor's Office after 30 days.

5.5.2 Pay Periods

All employees are to be paid every other Friday under a one (1) week delayed system.

If a holiday recognized by the county auditor's office occurs on a Friday on which a pay day falls, pay checks will be issued on Thursday. If the Friday holiday is not recognized by the auditor's office the checks will be distributed on the next scheduled work day. The personnel office will advise employees of any deviation in this procedure.

Questions regarding an employee's pay are to be referred immediately to the personnel office for resolution.

5.5.3 Payroll Deductions

Certain deductions are made from an employee's paycheck as required by law, in accordance with employee benefit plans, or as requested by the employee. These deductions are itemized on the employee's pay statement that accompanies his/her bi-weekly pay check. Deductions include:

1. ***PERS:*** State law requires that employees contribute to the Public Employees Retirement System rather than Social Security. (Membership in one of these systems is compulsory upon being employed except those employees specifically exempted under the provisions of O.R.C. 145.03. This exemption is limited to full-time school employees employed for less than fifteen hundred hours per year upon filing of the appropriate application with PERS.)
2. ***Income Taxes:*** Federal, state and some city ordinances or school districts with an approved income tax require that taxes be withheld from each salary payment. The amount of tax to be withheld is determined from tables furnished to the personnel office by the Ohio Department of Taxation, the IRS, and various cities, and varies according to the amount of salary, work location, residence, and number of withholding allowances (e.g., dependent exemptions). Employees are required to complete tax withholding forms upon initial employment and to inform the personnel office on the required form of any changes in withholding exemptions or residence whenever such change occurs.

Federal, state and some city ordinances or school districts with an approved income tax require that taxes be withheld from each salary payment. Employees are required to complete tax-withholding forms upon initial employment and to inform the Administrative Office on the required form of any changes in withholding exemptions or residence whenever such change occurs. Deduction for Medicare will be made for employees hired after April 1, 1986, as required by law.

3. ***Medicare:*** For all employees hired after April 1, 1986, a 1.45% deduction will be withheld for federal Medicaid.
4. ***Miscellaneous:*** Examples include garnishments, deferred compensation, child support, Credit Union, United Way, Association dues, or other deductions authorized by the County Auditor or the Board. The employer may refuse to

make deductions, not required by law, which are below certain prescribed minimum amounts, or at irregular intervals, or for other cause that the employer deems not in the best interest of the Board. Unless court ordered, all requests for payroll deductions must be presented by the employee in writing to the personnel office on the prescribed form.

5. Whenever a request for payroll deductions is not personally made by the employee, the payroll department may verify the request with the employee.

5.5.4 Overtime Pay/Compensatory Time Accrual and Use

The purpose of this policy is to establish uniform guidelines for the accrual, payment, and use of overtime pay and compensatory time off. The provisions of this policy shall apply to all non-exempt employees of the Board. Exempt professional and management staff are not eligible for overtime pay or compensatory time but are eligible for flex time.

DEFINITIONS (for the purposes of this policy)

Compensatory Time - is compensation in the form of time off at the rate of one and one half hours off for every hour worked in excess of forty (40) hours in a work week.

Holiday Pay - refers to compensation paid in the form of wages at the base rate for full and part time employees **on the following holidays.**

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
Presidents Day	Veterans Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

All full time and part time employees receive base pay for the number of hours they would normally have been scheduled to work on a holiday. These are the general holidays; refer to the approved calendar for additional paid holidays.

Employees who work on a paid holiday will receive 1.5 times their base rate to be taken in either wages or compensatory time in addition to the holiday pay.

Management Employees - Employees who hold the following positions with the Board are management employees: superintendent, director of business services, director of service and support administration, director of early intervention services, Medicaid services manager, human resources coordinator, investigative agent, maintenance and custodial supervisor, transportation supervisor, and other positions designated by the County Board or the Director of Mental Retardation and Developmental Disabilities as having managerial or supervisory responsibilities and duties. (The Fair Labor Standards Act requires Overtime Exempt Personnel to be salaried and to meet the duties requirements as spelled out by the Fair Labor Standards Act.)

Overtime - Refers to actual time worked in excess of forty (40) hours in any one work week. An individual's time on paid leave or time off for a paid holiday does not count toward the forty (40) hours of actual time worked. Time worked on a holiday is not considered as time worked when calculating overtime eligibility because the time is compensated at a premium rate whether or not the employee works a forty (40) hour week. (See definition for work week.)

Overtime Eligible Employees - Refers to employees of the Board who are not overtime exempt employees. All overtime eligible employees are also eligible for compensatory time off and holiday compensatory time off.

Overtime Exempt Employees - Refers to those employees of the Board whose positions are professional, administrative or executive in nature and whose positions/classifications have been placed on the Overtime Exempt Classifications list (see Attachment #5). These positions must be salaried and meet the duties and requirements spelled out by the Fair Labor Standards Act. Overtime exempt employees are also exempt from earning compensatory time.

Overtime Pay - is compensation in the form of wages at the rate of one and one half times the employee's hourly rate of pay.

Part-time Employee- is an employees whose typical work week is less than 40 hours per week.

Professional Employees - Employees of the Board who hold the following positions: school personnel certified pursuant to O. R.C. 3319, early intervention specialist,, speech and language specialist, , registered nurse, , service and support administrators and other professional positions designated by the county board or the director of mental retardation and developmental disabilities. (The Fair Labor Standards Act requires overtime exempt personnel to be salaried and to meet the duties requirements as spelled out by the Fair Labor Standards Act.)

Work Week - Refers to that time period commencing at 12:01 a.m. on Sunday and ending seven twenty-four hour periods later at midnight on Saturday.

PROCEDURE

1. OVERTIME

All actual hours worked in excess of 40 hours in a given work week **must be approved by the superintendent/designee prior** to the employee actually working the hours.

2. OVERTIME PAY

All "overtime eligible employees" will be compensated at one and one half times their base rate of pay for actual hours worked in excess of forty hours during one work week in

accordance with the Fair Labor Standards Act. Leave time does not count toward the 40 hours worked in a given week.

Hours worked on a holiday or during a calamity interval are not considered hours worked for the purpose of calculating total hours worked as it relates to establishing overtime eligibility because this time is automatically compensated at a premium rate.

If an overtime eligible employee works at two different rates, overtime will be paid at the weighted average of the two overtime rates (FLSA). An Agreed Overtime Rate Form shall be completed for each employee who wishes to work two or more jobs that pay different rates. This completed form must be included with the pre-employment paperwork before an employee is appointed to a second position if the second position is paid at different rates from the first position.

Overtime exempt employees are not permitted to earn overtime pay.

Scheduled overtime that is subsequently canceled for any reason shall not entitle the employee to overtime compensation.

3. COMPENSATORY TIME ACCRUAL

All overtime eligible employees may choose to receive compensatory time off in lieu of overtime pay.

Compensatory time, if requested, is earned at the rate of one and one half hours for each actual hour of overtime worked.

Employees who wish to earn compensatory time instead of overtime pay must complete a Compensatory Time Agreement prior to working in excess of 40 hours in a work week. The Compensatory Time Agreement must be attached to the division/department's time sheets for the appropriate work weeks. Failure to do so will result in the employee being paid overtime - assuming prior approval to work was obtained.

In order to be credited with compensatory time earned for working in excess of 40 hours, a completed Compensatory Time Accrual/Overtime Pay Request Form must be attached to the division/department time sheets for the work weeks involved. The superintendent/designee's signature on this form verifies that all hours recorded were prior approved by the superintendent/designee.

Employees who earn compensatory time will have the time added to their compensatory time account to be used at a time and date to be requested and approved by the employee's supervisor.

Overtime exempt employees are not permitted to earn compensatory time.

Scheduled compensatory time that is subsequently canceled for any reason shall not entitle the employee to compensation in any form.

4. HOLIDAY COMPENSATORY TIME ACCRUAL

All overtime eligible employees may choose to receive holiday compensatory time off in lieu of holiday pay if they are required to work on a holiday

All hours worked on a holiday **must be prior approved by the superintendent/designee**. The superintendent/designee's signature on the division/department time sheets verifies that all recorded hours worked on holidays were prior authorized.

Employees who wish to earn holiday compensatory time in lieu of holiday pay must complete a Holiday Compensatory Time Agreement prior to working on the holiday. This Holiday Compensatory Time Agreement must be attached to the division/department's time sheets for the appropriate work weeks. Failure to do so will result in the employee being paid holiday pay.

Should a holiday fall during a calamity interval, there shall be no compounding of benefits. Whenever a holiday falls during a calamity interval the rules governing holiday procedures will be used exclusively.

Overtime exempt employees are not permitted to earn holiday compensatory time.

Scheduled holiday compensatory time that is subsequently canceled for any reason shall not entitle the employee to compensation in any form.

5. COMPENSATORY TIME AND HOLIDAY COMPENSATORY TIME USE

Employees who are required, by the supervisor, to work overtime shall, at the employee's request, be granted compensatory time or overtime, both to be computed at time and a half. Administrators and supervisors shall attempt to grant compensatory time off that is convenient to both the Board and the bargaining unit member. If compensatory time off is not taken, it shall be paid at the bargaining unit member's hourly rate. The accrual and use of compensatory time must be reported on the appropriate form to ensure accountability. By 5/5 and 11/15 of each year, the employees will receive notice of current compensatory leave balances together with a form allowing them to request either total payout or to carry over up to 24 hours for the next 6 month period. The form is due to the Superintendent or his designee, by 6/1 and 12/1 of each year. Payment will be received in the paycheck following 6/1 and/or 12/1. Failure to timely submit the form will result in automatic payout.

6. OVERTIME EXEMPTION STATUS DETERMINATION

Determination of an employee's overtime exempt status shall be individually based upon each employee's signed, official position description.

Each employee whom the appointing authority determines to be overtime exempt shall be informed of this exemption by receipt of a copy of the Board's Department of Labor FLSA Exempt State Determination Form that has been signed by the appointing authority. One copy is given to the employee's division/department, another is placed in the employee's personnel file.

Appeals from the determination of exempt status should follow the established grievance procedure.

A list of overtime exempt classifications will be maintained in the personnel office.

7. VOLUNTEER TIME

The time in which an employee engages in volunteer activities outside normal work time shall not be compensable. Board supervisory personnel shall not overtly direct or covertly imply that employees participate in any volunteer activities. Employees shall independently and freely determine their level of participation, if any, in volunteer activities related to the agency. No employee shall volunteer to perform the same or similar duties that he/she performs during regular work hours.

8. MOVING FROM AN ELIGIBLE POSITION TO AN EXEMPT POSITION

Any overtime eligible employee with a compensatory time balance who moves into an overtime exempt position will be permitted to use the remaining compensatory time in accordance with the principles set forth above. Once an employee moves to an overtime exempt position, he/she cannot earn additional compensatory time.

The transferring employee may carryover up to 24 hours of compensatory time to be used within 180 days of the transfer. Any earned compensatory time that is not carried over shall be paid out at the employees' base rate of pay at the time the compensatory time was earned. If any or all of this compensatory time was accrued more than 180 days before the date of transfer, cash pay will be made. All pay outs will be made at the base rate of pay the employee was earning at the time he/she receives the compensatory time.

9. PAYMENT OF COMPENSATORY TIME UPON TERMINATION OF EMPLOYMENT (FLSA)

Upon termination of employment, an employee shall be paid for unused compensatory time at the employee's final regular rate of pay.

10. FLEXIBLE WORK SCHEDULES (Professional and Management staff only)

Department directors may authorize adjustment in work schedules to meet various operational needs of their department. When these adjustments can be reconciled to the employee's regular work schedule and do not require the employee to work more than 40 hours within any work week, these adjustments may be made by the department director on his/her own authority. Any adjustment outside of these limits must be approved by the superintendent/designee.

11. ALTERNATE WORK TIME

Certain staff may be authorized to work on alternate work schedules. That is, to adjust their work schedules outside of the one week, 40 hour limit noted above. To be eligible for alternate time, an employee must:

- Meet the criteria as executive, administrative or professional employee as defined by the Department of Labor.
- Submit and have approved a Request for Alternate Work Schedule Approval and submit an Alternative Work Schedule Record every two weeks.

Once approved, employees are authorized to work an alternate work schedule and accumulate work time that may be used on an equal time basis at a later date. No employee is authorized to accumulate more than 40 hours of alternate work time.

Alternate work schedules and taking time off still require notification and approval of your supervisor. Upon termination of employment, earned but unused alternate time will be forfeited. Alternate time cannot be taken during an employee's final four (4) weeks of employment

5.5.5 Timekeeping

All Erie County Board of MR/DD staff are required to accurately account for their work time utilizing the timekeeping methods established by the Board.

DEFINITIONS

- A. Fair Labor Standards Act (FLSA)** - Federal legislation that sets standards for minimum wage and overtime pay. The FLSA includes standards of equal pay, record keeping, and child labor standards for employees who are covered by the Act and who are exempt from specific provisions.
- B. Overtime Exempt-** An FLSA term referring to employees whose salaries and /or duties exempt them from overtime requirements set forth in the Act. FLSA overtime exempt positions include but are not limited to: the Superintendent, other management staff, Teachers, Early Interventions Specialists, Service and Support Administrators, Therapists, and Nurses.
- C. Employees Call-Off Report:** The report used as a communication tool to document the verbal notification by an employee indicating that they are not going to report for work as scheduled and the reasons for not reporting.
- D. Exception/Correction Form:** Form completed by a Manager and submitted to the Payroll Officer when a timekeeping/payroll error is noted and used to initiate the necessary action to correct a problem in regards to the error.
- E. Schedule Adjustment/Time Change Request Form:** Form completed by all staff, including management staff, which are being paid by Erie County and are performing regular duties during their regularly scheduled hours, at a site other than the county board and/or other assigned duties outside their scheduled work hours.
- F. Request for Leave Form:** Leave completed by the employee whenever they do not report to or leave their scheduled work assignment for non-work related reasons.
- G. Request for Approval of Overtime Form:** Form completed by the employee to obtain prior approval for overtime worked.
- H. Extenuating Circumstances:** An event or condition over which an employee has no control that prevents the employee from meeting the time frames established in this

procedure. When an employee makes a claim of “extenuating circumstances” they may be required to provide documented verification.

- I. **Timekeeping Supervisor:** An employee who is designated to input into the Datamatics Automated Timekeeping System the hours worked/leave used, assemble the timekeeping package, and submit it to the Payroll Officer.

PROCEDURE:

Employee Timekeeping Responsibilities

Each employee is ultimately responsible for the accurate usage of the timekeeping system and supporting documents as required by all applicable Board policies. Failure to insure the accuracy of time and/or the submission of leave forms may result in the temporary or permanent loss of wages or other disciplinary action.

1. Employees are required to clock in and out on a daily basis when they re performing work related duties for the Board..
 - a. An employee who leaves work during the day to attend to personal business (e.g., a doctors appointment, lunch break, etc.), shall clock out when he/she leaves and clock in again when he/she returns. A request for Leave Form must be completed for the time which the employee is not at work.
 - b. An employee who leaves on a work assignment and will not be returning to the facility at the end of their shift, shall clock out prior to leaving and complete a Time Change Request form that must have “**Prior approval**” by their Supervisor or Designee.
 - c. An employee who encounters a problem in clocking in and/or out or has forgotten to clock in or out, shall notify their supervisor immediately and complete a Missed Punch Form
 - d. Contract staff must also clock in and out to document their work hours on the Datamatics Time Card.
2. **7 Minute Rule**
 - a. All overtime-eligible employees are restricted from clocking in more than seven (7) minutes prior to the beginning of their scheduled shift or from clocking out more than seven (7) minutes after the end of their shift unless prior approval for overtime has been obtained.
 - b. Overtime eligible employees who arrive reasonably early (prior to the seven-minute window) may wait in the staff lounge or lobby until time to clock in.
 - c. Supervisors will monitor employees’ compliance with this procedure by closely reviewing the Datamatics Timekeeping System. Employees in violation of the policy and/or FLSA requirements are subject to disciplinary action.
 - d. Overtime eligible employees shall be paid for time on the clock as represented by Datamatics Timekeeping System.
 - e. Supervisors who fail to hold subordinate employees in compliance are also subject to progressive disciplinary action.
3. **Working at Home**

- a. FLSA overtime-eligible employees are prohibited from taking work home to complete.
 - b. Supervisors are to ensure that FLSA overtime-eligible employees do not take work home.
 - c. Overtime eligible employees in violation of this policy will be paid overtime for hours worked and will be subject to disciplinary action.
 - d. Supervisors who fail to hold subordinate employees in compliance are also subject to disciplinary action.
4. **Payment Error**
- a. If an employee discovers that an error has been made on their paycheck or earnings statement, the employee shall communicate this to their Supervisor and Payroll for investigation as soon as it is discovered.

Employee Call-Off Procedure:

1. When an employee is unable to report to work as scheduled and is not on pre-approved leave, the employee must personally call-off or notify their supervisor indicating the reason for the absence, the expected date of return, and the type of leave requested. The Board has established a phone mailbox, extension 199 for call-offs.
2. All employees shall report their absence at least **30 minutes** prior to the time they are scheduled to report to work, unless union contract dictates otherwise and then the terms of the contract will be followed.

All employees are required to follow the Call-off Procedure for each day they do not report to work that has not been pre-approved.

3. Employee Call-Off Reports shall be e-mailed to the employee's supervisor each day for review and shall become part of the Timekeeping package for that pay period.

Acknowledgment of the Call-off should not be interpreted as approval of the leave request, since no approval can be granted until it has been requested on a "Request for Leave" form and has been reviewed and approved by the employees supervisor and/or the Superintendent or Designee.

4. Request for Leave Forms shall be completed and submitted to the employee's supervisor within the employee's "**first two days back to work**". Failure to do so may result in administrative action.

Any required documentation should be submitted with the leave request but no later than **first two days back to work** i.e. 3 consecutive missed days due to illness of employee or qualified family member physicians note may be requested.

Request for Leave:

1. All employees must use a “Request for Leave” form when applying for paid or unpaid leave, in accordance with the relevant collective bargaining agreements and Board policies governing same. Examples of leave include, but are not limited to:
 - a. Vacation Leave
 - b. Sick Leave
 - c. Personal Leave
 - d. Leave Without Pay
 - e. Court Leave
 - f. Military Leave
 - g. Compensatory Time
 - h. Bereavement Leave
 - i. Disability Leave
 - j. Other
2. The “Request for Leave” form must be filled out completely by the employee, with only **one (1) type of leave** being requested on each form, and the leave request must **not overlap pay periods**.
 - a. An employee requesting leave shall provide appropriate documentation when submitting the “Request for Leave” form, whenever requested to do so by their supervisor. The documentation submitted shall be original documents with original signatures of the individual providing the service (when applicable), which required the use of leave.
 - b. **If medical attention is required for the period indicated by the** “Request for Leave” form, the employee must obtain a signed statement from a licensed practitioner indicating when the employee was seen by the physician and when he/she is released to return to work. A signature stamp is acceptable only if the person affixing the signature to the form or statement initials it.
3. It is the employee’s responsibility, when requesting leave, to ensure that they have sufficient leave balances available to cover the leave being requested.

Leave shall not be granted in-lieu of sick leave unless a current approved FMLA form is on file.

4. Request for leave processing will take place as follows:
 - a. The employee shall fill out the “Request for Leave” form and forward all three copies to their immediate Supervisor for recommendation for approval/disapproval.
 - b. If sick leave is requested, the “If absence is due to a condition in which a FMLA is on file” must be checked yes or no.

- c. The employee may make a copy of the form before forwarding it to their supervisor, if desired.
- c. Once received, the Supervisor shall indicate whether the requested hours are approved or disapproved, sign and date the form, and forward all three copies to the Superintendent or Designee.
- d. If the leave is disapproved the supervisor shall note the reasons for disapproval and forward all three copies to the superintendent for review. The Superintendent or Designee shall indicate whether the hours are recommended for approval or disapproval, sign, date and return the form to the immediate Supervisor.
- e. Once all signatures have been obtained, the Supervisor shall split the form into three parts, forward the pink copy to the employee, retain the canary copy, and forward the white (original) copy, at the end of the pay period, to the Payroll Officer, along with the employee's time.

Overtime Request:

1. An employee is only authorized to work scheduled hours, unless prior approval is obtained from the employee's supervisor, Superintendent or designee to work for paid overtime.
 - a. When requested to work overtime the employee shall complete a "Request for Approval of Overtime" form and submit it to the Supervisor or Designee making the request.
 - b. The Supervisor or Designee requesting the overtime will sign the form and forward it to the Superintendent or Designee for signature.
 - c. The form must be completed and signed by the Supervisor or Designee before the employee completes the shift.
 - d. When the "Request for Approval of Overtime" is approved, the supervisor shall maintain the white copy for submission at the end of the pay period to the Payroll Officer, and submit the canary copy to the employee.
 - e. Overtime eligible employees who fail to receive prior approval will be paid overtime for hours worked and may be subject to disciplinary action.

Supervisor Timekeeping Responsibilities:

1. Each supervisor is responsible for ensuring the employee's leave forms, call-off documents, exception/correction forms, and any other required documentation is accurate, complete, and submitted to the Human Resource Coordinator in accordance with the requirements of this procedure and other timekeeping policies
2. **Each supervisor shall be responsible for:**
 - a. Reviewing and approving employee time by 9:00 am the Monday following the last day of the pay period. 8:00 am on the Tuesday following a Monday holiday after the last day of the pay period.
 - b. Supervisors shall notify the Human Resource Coordinator by 9:30 am to confirm that timekeeping records have been reviewed and approved.
3. Do not use correction fluid at any time on official and legal timekeeping documents.
4. All timekeeping documents are legal documents. Timekeeping information may not be altered or changed once it has been submitted.,

Human Resources Coordinator Responsibilities

1. The Human Resources Coordinator is responsible for accurately posting Timekeeping information from the Datamatics timekeeping system to the Payroll Journal.
2. The Human Resources Coordinator should not alter or correct the Timekeeping information submitted to him/her without obtaining the approval of the employee's Supervisor, including any necessary documentation.
3. **Leave of absence forms will not be altered as to exact amount of leave actually used. The timecard report will reflect time actually used and will be the official binding document of record. All leave of absence forms will be attached as supporting documentation to the timecard report.**
4. **Vacation/ sick/ scheduled accrued comp time will be backed out in quarter hour increments to reflect a forty hour week for all FLSA overtime eligible employees, and credited back to their balances.**
5. **Vacation /sick will be backed out of the pay period to reflect eighty hours for all FLSA overtime exempt employees, and credited back to their balances.**
6. **Personal time can only be backed out in one hour increments if applicable.**
7. **After all records have been approved the HRC will lock edit screens.**
8. **The HRC will inform supervisors to print timecard report for staff, obtain signatures and forward payroll packages to HRC.**
9. **Payroll packages will be reviewed, recorded and filed.**

Datamatics Card

1. It is the responsibility of the Maintenance Supervisor and the employee's supervisor to ensure that every employee, including contractual employees, has an identification badge that can be used with the automated time keeping system.

5.5.6 Fringe Benefits

Health Insurance

The Board offers group medical insurance for all eligible employees. Part-time, substitute, temporary and contracted employees are not eligible for health insurance coverage regardless of the number of hours worked.

The Board offers group dental & vision insurance for all eligible employees, these are not COBRA qualified.

COBRA

The Board will comply with Public Law 99-272, Title X, (COBRA) to provide continuation of applicable health benefits to eligible former employees who were covered by the Board's group health plan or their spouses and dependent children if they meet the COBRA requirements. COBRA does not apply to life insurance or disability insurance. The "qualified beneficiary" will be offered the opportunity to continue the group health care insurance benefits under COBRA.

In order for continuation coverage to be made available, one of the following "qualifying events" which would result in a loss of coverage must occur:

1. The death of a covered employee
2. The termination of the covered employee's employment (termination other than by reason of misconduct.
3. Voluntary resignation.
4. Reduction in work hours (strike, layoff, leave of absence, full-time to part-time).
5. The divorce or legal separation of the covered employee from the employee's spouse.
6. The covered employee becoming entitled to Medicare benefits.
7. A dependent child ceasing to be an eligible family dependent under the plan requirements.
8. Chapter 11/Bankruptcy of the Employer

Should a "qualifying event" take place, a "qualified beneficiary" includes one or more of the following individuals whom, on the day prior to the "qualifying event", is a covered member under the Board's group health plan. Each qualified beneficiary may make an

individual decision in reference to determining COBRA plan coverage. "Qualified beneficiary" is:

1. A covered employee
2. The spouse of the covered employee.
3. The dependent child of a covered employee

"Qualified beneficiaries" shall be responsible for 100% payment of all health care premiums as well as any monthly premium for administrative fees. All premiums and fees must be paid by the first day of the month. The premium shall be made payable to the Erie County Board of MR/DD or administrator of the program.

"Qualified beneficiaries" may elect to continue coverage up to 18 months from the date coverage would have terminated due to being:

1. A covered employee who was terminated (gross misconduct exception), had a reduction of hours of employment which resulted in loss of coverage, or voluntarily resigned
2. The spouse and/or dependent children of a covered employee who was terminated, had a reduction of hours of employment which resulted in loss of coverage, or voluntarily resigned.

A "qualified beneficiary" who is disabled (according to Title II or XVI of the Social Security Act) at the time of the 18-month "qualifying event" may elect to continue coverage up to 29 months. The "qualified beneficiary" must provide the plan administrator with Notice of Disability (from Social Security Administration) before expiration of the eighteen (18) month COBRA period and within sixty (60) days of notice.

A "qualified beneficiary" may elect to continue coverage up to 36 months from the date coverage would have terminated due to being:

1. A surviving spouse and/or children of a deceased employee
2. A legally separated or divorced spouse and/or dependent children of the covered employee
3. The spouse and/or dependent children of a covered employee becomes eligible for and enrolls in Medicare benefits
4. The spouse and/or dependent children of a covered employee currently in a period of 18 month coverage and second qualifying event occurs before the end of that 18 month period
5. Dependent child ceasing to be a dependent

COBRA coverage may be terminated by the Board under the following conditions:

1. Eighteen (18) months from the event date for an individual whose coverage ended due to termination or reduction of hours
2. Twenty-nine (29) months from the event date of an individual whose coverage ended due to a termination or reduction in hours where the continuation coverage was

extended to twenty-nine (29) months due to the individual's Social Security disability determination

3. Thirty-six (36) months from the event date of an individual whose coverage ended because of the death of an employee, divorce/legal separation, a dependent child ceasing to be a dependent or the employee's Medicare entitlement
4. The date the individual becomes entitled to Medicare unless the Medicare entitlement is due to End Stage Renal Disease (ESRD) or the individual being deemed a "disabled active individual" under a "large group health plan"
5. The first day for which timely payment is not made to the plan
6. The date the individual becomes covered under another group health plan that does not limit coverage for a pre-existing condition of the beneficiary
7. In the case of a beneficiary who was deemed disabled by the Social Security Administration and is receiving the eleven (11) month COBRA extension, coverage may terminate the month that begins thirty (30) days after the date of the final determination that the individual is no longer disabled
8. In the case of a Medicare entitlement (where insurance is not lost), COBRA shall not terminate for qualified beneficiaries other than the employee for such event or subsequent event, before thirty-six (36) months after the date of the Medicare entitlement
9. The day the employer ceases to maintain any group health plan

COBRA Notification and Election Timeframes:

“Qualified beneficiaries” shall be notified of their COBRA rights by the employer and/or plan administrator at the time of commencement of coverage under the plan. Notification shall be sent first class mail to the enrollee, spouse and dependent(s) at the last known address. Notification to the spouse is deemed notification to all individuals residing with the spouse.

Following a death, termination of employment, reduction in hours or Medicare eligibility, the Board must notify the beneficiary of the eligibility for continuation coverage within thirty (30) days.

Qualifying event notification shall be made to inform each qualified beneficiary that they have rights to continue their health insurance coverage under COBRA. Notification shall be sent with proper language within fourteen (14) days of a qualifying event.

Notification shall be sent first class mail to the enrollee, spouse and dependent(s) at the last known address. Notification to the spouse is deemed notification to all individuals residing with the spouse.

An eligible beneficiary shall have sixty (60) days to exercise the continuation coverage option. The sixty (60) day period shall begin on the later of the date when existing coverage ends or when the beneficiary receives notice of the continuation coverage options.

“Qualified beneficiaries” shall have forty-five (45) days from the date they elect coverage to pay all back premiums.

Following a change of family status, such as in the case of divorce, legal separation, or dependent child ceasing to be a dependent, the employee or the qualified beneficiary must notify the Group Health Plan Administrator and the superintendent of the qualifying event within sixty (60) days of the later of the date of the event or the date the qualified beneficiary would lose coverage due to the event. Upon notification by the employee or affected beneficiary, the Board must notify the beneficiary of the continuation coverage options within fourteen (14) days.

The Board or the administrator of the program, upon notification of a COBRA extension, may provide extension notifications to inform the qualified beneficiary of new continuation coverage time frames, monthly premium rates, premium due date and reasons coverage can be canceled prior to the end of the maximum coverage period. Extension of COBRA coverage can be extended for the following reasons: a) standard secondary event, b) special Medicare entitlement, c) Medicare entitlement interruption, and d) disability. Notification shall be sent first class mail to the enrollee, spouse and dependent(s) at the last known address. Notification to the spouse is deemed notification to all individuals residing with the spouse.

The Board or the administrator of the program shall notify all COBRA continuees of open enrollment periods. The notification shall be sent prior to open enrollment and inform the continuee of the open enrollment period, the options available during the enrollment period and the monthly premium rates for those options. Notification shall be sent first class mail to the enrollee, spouse, and dependent(s) at the last known address. Notification to the spouse is deemed notification to all individuals residing with the spouse.

The Board or the administrator of the program shall notify all COBRA continuees of plan changes. The notification shall be sent as soon as the employer is aware of the plan change and inform the continuee of the plan benefit changes, premium rate changes and other modifications to the plan. Notification shall be sent first class mail to the enrollee, spouse, and dependent(s) at the last known address. Notification to the spouse is deemed notification to all individuals residing with the spouse.

The Board or the administrator of the program shall notify all COBRA continuees of the right to convert. The notification shall be to notify the individual that the COBRA coverage is coming to an end and they have the right to elect an individual conversion policy (if such a policy is available under the group health plan). Plan administrators are required to notify all qualified beneficiaries of their right to elect a conversion option within one hundred and eighty (180) days prior to the expiration of their COBRA coverage. Notification shall be sent first class mail to the enrollee, spouse, and dependent(s) at the last known address. Notification to the spouse is deemed notification to all individuals residing with the spouse.

Life Insurance

Permanent, full time employees are eligible for \$50,000 life insurance at no cost to the employee. Additional insurance may be available through payroll deduction.

Deferred Compensation Program

Deferred compensation programs are available for eligible employees. Possible tax benefits may result where deferred income and earned interest are not taxable until received by the employee. For more information contact the human resources office.

Liability Insurance

The Board, its operations, employees and volunteers are covered under the general liability insurance coverage of the Erie County Board of Mental Retardation and Developmental Disabilities.

Retirement Plan

Employees of the Board are required by law to participate in either P.E.R.S. or S.T.R.S. as applicable. In addition to retirement benefits, PERS/STRS provides other benefits such as disability retirement, survivor benefits, and health insurance for retirees, etc.

Employees should direct questions about retirement benefits to:

Public Employees Retirement System
277 East Town Street
Columbus, OH 43215
(614) 466-2085

Worker's Compensation

State Law provides that every Board employee is eligible for Workers Compensation for injuries arising out of, or in the course of, his/her employment. The Board works with the Erie County Loss Control Office to manage all worker's compensation claims and to get employee back to work as quickly as possible. In general the guidelines for administering Workers Compensation are set forth below.

1. Should an employee be injured during the course of employment with the Board, the employee shall immediately notify his/her supervisor and shall complete an injury report form. This report shall be completed, regardless of the apparent seriousness of the injury, and regardless of whether medical attention is required. Such report shall be signed by the department director following an investigation of the injury/accident and forwarded within 24 hours to the personnel office.
2. Should an employee's injury require medical attention, the injured employee shall go to Fireland's Medical Center, Fireland's Corporate health, or their family physician. The employee shall notify the physician that the injury occurred during the course of

employment. Worker's compensation claim forms (BWC FROI form) shall then be completed by the attending physician and the injured employee and then forwarded to BWC and the Board's the personnel office for review.

3. The County's Insurance Coordinator may certify worker's compensation claim forms only when a Board injury report form has been submitted and the employee and physician sections have been completed on the workers compensation form.
4. Upon approval by the Bureau of Workers Compensation, a claim number will be assigned and mailed to the injured employee. The injured employee shall notify the attending physician that all professional medical charges be directed to the Bureau for payment with such claim number.
5. The personnel office must be advised and continually updated if an employee continues to be absent due to a work-related injury. Employees are responsible for providing their supervisor with a physician's statement identifying the nature of the disabling condition and the projected date of return. This physician statement must accompany the leave request form.
6. Employees who are injured in the line of duty and must leave work to obtain medical treatment before completing their scheduled work day shall be granted paid administrative leave for the remainder of the shift if the time is needed for medical treatment.
7. If an injured employee is unable to obtain a return to work release from their physician, they may elect to use accrued sick leave and vacation leave prior to receiving payments from Workers Compensation. If an employee sustains a work related injury and is unable to return to work in their current position, the Board may elect to offer age continuation for a designated period of time and/or provide a transitional or modified duty position. Employees are prohibited, however, from receiving payment for sick leave or wage continuation while simultaneously receiving payment from Workers Compensation.
8. The Board may designate as Family and Medical Leave time, qualifying absences due to work related injuries.

5.5.7 Expense Reimbursement

Mileage, Parking and Tolls: Employees authorized to use personal vehicles shall be reimbursed for actual miles while on official Board business and at the Board approved mileage rate. No mileage reimbursement shall be made for employees using county vehicles. Such payment is considered to be total reimbursement for all vehicle-related expenses. Mileage reimbursement is payable to only one employee if two or more employees traveling on the same trip use the same vehicle.

Meals: The Board shall adopt a meal reimbursement rate each year.

Charges incurred for meals, parking and tolls, or other expenses are reimbursable at the actual amount, however, original receipts are required.

No expense reimbursements are paid for travel between home and work location.

5.5.7 Professional Development

All employees are encouraged to take advantage of training activities designed to improve their skills and provide better services to individuals with developmental disabilities and their families. Employees may receive these funds may be used to pay for conferences, meetings, college courses, or other training programs to improve job related skills. Substitutes, temporary, and contracted employees are not eligible for the professional development allowance. The Board may require employees to attend additional trainings and professional developmental opportunities, such training are at Board expense.

5.5.8 Commercial Driver License Training

Each full-time employee of the Board required to obtain a commercial driver license (CDL) to complete their duties may be granted limited reimbursement to obtain the license based on the availability of funds. Reimbursement for obtaining the CDL shall be contingent upon the employee's enrollment in specialized coursework and testing procedures for the issuance of the license. Coursework must have direct bearing on the preparation for license testing as related to operating Board vehicles.

Reimbursement shall not be approved for persons attending coursework during their regular working hours. Coursework must be taken at times not requiring approved absence from employment.