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SECTION 5 - CONDUCT AND WORKPLACE PRACTICES

SECTION 5.00 - ETHICS

The Office of the Council values its reputation for integrity and the adherence to the highest ethical standards by its employees. Council employees are expected to maintain the highest possible ethical standards and to perform within the laws of the United States, of the State of Ohio, and of the City of Cleveland, and within the rules established by the Office of the Council. Council employees are expected to exercise sound judgment and common sense to avoid any situation that might be subject to question when conducting Council business.

In addition to the policies of the Office of the Council, you are subject to state laws governing public employee ethics. The Ohio Revised Code contains comprehensive regulation of the conduct of public employees to avoid conflicts of interest, personal gain at the expense of the public interest, and improper influence on governmental action. Criminal charges can be brought for violations of the Ohio ethics laws. Employees of the Office of the Council shall be given a copy of Chapter 102 and section 2921.42 of the Revised Code when they are hired. Although the Employee Handbook describes some of the provisions of those laws, as well as policy of the Office of the Council, the Handbook is not intended to give a comprehensive summary of the Ohio ethics laws that may apply to you.

A. Gifts: No gift, gratuity, money or service shall be sought, solicited or accepted from any individual who is doing or seeking to do business with the Office of the Council under circumstances from which one could reasonably infer that such benefit was intended to influence you in the performance of your duties or was intended as reward for any official action on your part.

Individuals who receive gifts of any kind are advised to return the gift with a thank-you note. Even acceptance of a gift with the intention of donating it to a charity may violate ethics restrictions. Employees of the Council may not solicit or accept anything of value that might indicate a substantial and improper influence on the employee with respect to his or her duties. Furthermore, Office of the Council employees shall not sponsor parties for their staff, if the costs are covered in whole or in part by donations or receipts from the sale of tickets to individuals who are doing or seeking to do business with the Office of the Council.

B. Conflicts of Interest: Council employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. The following are some examples of situations that would constitute or might constitute a conflict of interest or lack of integrity in violation of Council policy or a violation of ethics law if directly or indirectly done or authorized by you or a member of your immediate family. The absence of an example on a particular subject should not be regarded as a “loophole” or excuse for questionable action, and does not mean that all other conduct is permitted by state law or Council policy.

- Receiving or soliciting from a vendor or vendor’s representative any commission, bonus, fee, compensation, loan or gift.

- Participating in travel or trips that are paid for by a vendor or vendor's representative. If the travel or trip relate to a business meeting or function, then you may ask the Clerk of Council or Council President in advance whether the trip can be approved.
- Participating in entertainment such as dinner meetings, parties, sporting events or concerts paid for by a vendor or a vendor's representative. If a representative of the vendor will be in attendance and there is a proper business purpose for participating in the event, then you should ask the Clerk of Council or Council President in advance whether the attending the event can be approved.
- Offering or giving any gift or payment to any person, including a government official, for the purpose of influencing any decision with respect to obtaining, retaining, or directing business, or other benefits, including favorable legislation or rulings, for the Council or an employee.
- Having or owning any stock (more than 1%), bonds, share in profits, options or right to purchase, investment, partnership interest or other interest in any vendor or vendor's representative who deals with the Council in matters over which you have influence.
- Serving as a director, officer, consultant, agent, employee, associate, or representative of, or engaging in any business venture or dealing or being connected in any matter with a vendor or vendor's representative.
- Participating as a partner, investor, developer or in any other way in a venture for the purchase, sale, lease, construction, maintenance, improvement or financing of any real property or building leased, owned or occupied or to be leased, owned or occupied by City or Council, or property in close proximity to such property.
- Taking from, giving to another, or using for your personal benefit, property belonging to the City or Council, or aiding others in doing so.
- Actively engaging in business or other enterprises that require time, attention and loyalty that should be devoted to the Office of the Council.

Within these principles, it is the policy of the Office of the Council to conduct clean, hard, fair and open competition. Any questions or doubts regarding interpretation of these general rules to specific situations should be cleared through the Clerk of Council or Council President.

A copy of Ohio's Ethics Laws – Revised Code Chapter 102 and Section 2921.42 - are attached as Appendix A

SECTION 5.01 - INFORMATION MANAGEMENT

A. Protection of Confidential, Proprietary or Privileged Information.

The Office of the Council maintains records, files and information that are confidential in nature. An employee may not use or release information acquired as a result of employment if it is confidential by statute law or designated as confidential by Council management. It is important to keep in mind that confidential information can be improperly released through conversation as well as through a paper or electronic record.

It is the duty of each employee to protect the Council's confidential information from inappropriate disclosure. Each employee must be sensitive to the fact that e-mail and voice mail messages may be subject to discovery by opposing parties during litigation. Additionally, emails may be considered public records and are subject to Ohio public records laws (see below.) You must assume that anything you e-mail, text or leave as a voice mail will be seen or heard by someone other than your intended recipient. Failure to follow appropriate and recommended precautions may result in harm to the Council.

B. One Office, One Voice Policy - Media Relations.

The Office of the Council adheres to a "One Voice, One Office" policy. In other words, only the designated spokesperson is authorized to give out information on behalf of the Office of the Council. The designated spokesperson interacts, answers questions and handles requests for information from the public or any news media organization. No one but the Council President, the Clerk or the designated Council spokesperson should formally interact with media representatives, answer any media questions or provide information to reporters, editors and other employees of news organizations.

C. Records Management, Retention and Disposal; Producing Records.

The Clerk of Council is responsible for organizing and maintaining all records that serve to "document the organization, functions, policies, decisions, procedures, operations or other activities" of the Office of the Council. This includes electronic records (emails). Employees of this office must maintain their public records in a manner in which they can be made available for inspection or copying in accordance with the law. Employees should check Council's Records Retention and Disposition Schedules (available on Council's website) to determine which records they may be responsible for keeping and organizing. These Schedules should be referred to when determining for how long to keep public records or whether to dispose of certain public records. Employees will also find useful the Records Retention and Disposal Guidelines appended to this Handbook (Appendix B.) Permission must be obtained from the City Records Commission, the Ohio Historical Society and the State Auditor's office prior to disposing of any public documents not listed in the Schedules. Further, we must inform the Ohio Historical Society prior to disposing of any records after the time set forth in our Retention Schedules, so that the Historical Society may determine whether it wants to keep the records for historical purposes. Employees who have any questions regarding records retention and disposal should contact the Clerk and/or a member of Council's legal staff.

All public records shall be made available for public inspection in a manner that serves the public's right to review these records while maintaining the order of the Office of the Council and the security of original documents, in accordance with the law. (City Council's Public Records Policy is attached as Appendix C.)

Although many of the Council's records are available for public inspection upon request, it is important to follow appropriate administrative procedures in connection with requests for public records in order to protect original documents, promote orderly maintenance of Council files, and maintain security of information that is protected by law from disclosure. It is important to know exactly what records are requested and to know whether the requestor wants to inspect records or to have copies made at the requestor's expense. All employees must follow this Council's written process for responding to public records requests (see Council's Protocol for Processing Public Records Requests appended to this Handbook, Appendix D.)

SECTION 5.02 - OFFICE SUPPLIES AND OFFICE EQUIPMENT

Equipment and supplies are essential for accomplishing job duties. As a public office, the Council has a special responsibility to be efficient and economical in its acquisition, use, and maintenance of supplies and equipment. In general, office supplies are available from Council's supply room. However, Council staff should not "help themselves," but should request supplies through the Clerk or her designee.

In order to ensure that Council does not exceed its budget for office supplies, the ordering of supplies will generally be limited to traditional office supplies (such as paper, pens, file folders, etc.). Employees requesting an item that is not considered a traditional office supply item (such as a calculator, desk accessories, etc.) may complete an order form requesting the item and the Clerk will determine the appropriateness and need of such item. In all instances, employees of Council are to be mindful that all supplies and equipment are purchased with public funds and should seek to minimize expenses for supplies and equipment. Employees are also requested to recycle office supplies and equipment and to reuse office supplies and equipment when possible.

All requests for supplies must be reviewed and approved by the Clerk. No employee may order supplies or equipment without the prior written approval of the Clerk. When requesting a supply order, employees are to complete the office supply form and obtain their Manager's approval prior to submitting the form to the designated staff for processing.

Supplies purchased by City Council are for use at City Hall only and office supplies may not be removed from City Hall. Supplies needed by Council Members which are not stocked in the supply room can be purchased and reimbursed via the Council Member's expense account. Supplies needed at ward offices should always be procured in this manner, since central office supplies cannot be removed from City Hall.

When using Council property, employees are expected to exercise care, perform required

maintenance, and follow all operating instructions, safety standards, and guidelines. Seek instruction before operating any unfamiliar equipment to minimize risk of harm to you and to the equipment, and to promote efficient use of the equipment.

Please notify your Manager and the Information Technology Manager and Administrator (IT Manager) if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The IT Manager can address any questions about an employee's responsibility for maintenance and care of equipment.

SECTION 5.021 – COMPUTER AND OTHER INFORMATION TECHNOLOGY EQUIPMENT

Be advised Council employees do not have an expectation of privacy with respect to Council IT Systems which include Council-owned computers and City-owned cell phones and PDAs used in the conduct of City Council business by Council staff and council members, whether or not the activities are conducted from City premises; thus, Council IT Systems may be accessed, monitored and or/reviewed by the City, and/or the Clerk or her designee at any time, in order to promote the efficient operation of Cleveland City Council. For Council's specific policies and rules regarding use of information technology, see City Council's Policy on Employee Use of E-mail and the Internet and all related policies, which are contained in a separate document and are given to every staff and council member of City Council.

SECTION 5.03 – TELEPHONE USE

The Office of the Council recognizes that it may be necessary to make or accept a limited number of personal calls while at work. However, the frequency and duration of personal calls must be kept at a minimum. Employees should try to make any necessary personal calls during personal time, if possible, and should discourage incoming personal calls and limit their duration. You may not conduct business for profit or gain from an Office of the Council telephone. Naturally, all 900 numbers are prohibited. You may not publish the Council's telephone number on business cards for your own personal business.

You may make a personal long distance call if you charge it to a personal credit card or third party non-city number, or use your personal cell phone. For emergencies, a personal long distance call may be made, but you must report the call when it is made and reimburse the call to the Council's Finance Division.

When long distance telephone calls are made for office business purposes, the number called and the reason for the call should be documented.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Employees should confirm information received from the caller and hang up only after the caller has done so.

In addition to the policies set forth in this Section 5.04, the City of Cleveland Policy on Telephone and Telecommunications, dated October 15, 2003, is followed by this office. A copy of this Policy may be obtained from the Clerk. Employees are responsible for reading the City of Cleveland Policy on Telephone and Telecommunications. Any employee who violates this policy may be subject to disciplinary action, up to and including termination.

Be advised that employees have a limited expectation of privacy with regard to use of City-owned telephones, cell phones and other communications devices owned by the City; the City reserves the right to access, retrieve, read and disclose any data, logs, and voice mail messages and text messages stored on City telecommunications systems for any purpose.

SECTION 5.04 – OFFICE BEVERAGES AND FOOD

In certain instances and circumstances, the Clerk of Council has legislative authority to provide food and beverages to employees of Council and persons conducting business with Council. This authority is vested solely with the Clerk, and therefore no employee may order beverages or food for Cleveland City Council without the prior authorization of the Clerk.

In order to ensure that Council does not exceed its budget for office beverages and food, employees are to be mindful that beverages and food are purchased with public dollars and to avoid waste and unnecessary expense.

SECTION 5.05 - MAIL SYSTEM

The use of Office of the Council paid postage for personal correspondence is not permitted. No employee may use Office of the Council paid postage for personal correspondence or other personal mail.

SECTION 5.06 - DELIVERY SERVICE

Delivery service is designed for the delivery of important documents that must be received or delivered in an expeditious manner. Employees should avoid indiscriminate or unnecessary usage.

Delivery service may be used only for City Council business and with the prior approval of the Clerk or the Clerk's designee. Delivery service shall not be used for personal reasons. No employee may use delivery service or overnight mail service for personal use if the cost of the service is to be billed to the Office of the Council.

SECTION 5.07 - PERSONAL PROPERTY

The Office of the Council is not responsible for any personal property an employee brings into the building. Employees are strongly discouraged from bringing non-essential personal items to work because of the chance of loss or damage.

SECTION 5.08 - EMPLOYEE PARKING - CITY PARKING GARAGE

The Office of the Council offers Council employees parking privileges in the Willard Park Garage. Employees who wish to have parking privileges will be issued a parking card. If an employee's parking card is misplaced, lost, or stolen, a fifty-five dollar (\$55.00) replacement fee is required. There are no exceptions.

The transfer of parking cards is prohibited among employees. Parking validation is no longer issued for employees not having parking cards in their possession.

Any unidentifiable vehicles parked illegally in any designated parking space for Council will be ticketed and possibly towed at the expense of the owner. Please inform Parking Division staff in the garage of this violation or of any suspicious or unusual activity.

The Office of the Council is not responsible for theft or damage involving employees' automobiles or their contents.

Employees are eligible to receive either paid parking privileges in the Willard Parking Garage or a monthly RTA bus pass. Employees may not simultaneously receive both privileges.

SECTION 5.09 – EMPLOYEE RTA BUS PASSES

For those employees who choose to utilize public transportation, the Office of the Council provides monthly RTA bus passes. Employees receiving RTA bus passes shall see the Clerk of Council monthly to receive their bus passes.

In the event that an employee's monthly bus pass is lost, misplaced, or stolen, the Office of the Council will not provide a replacement.

Employees are eligible to receive either paid parking privileges in the Willard Parking Garage or a monthly RTA bus pass. Employees may not simultaneously receive both privileges.

SECTION 5.10 - BUSINESS ATTIRE AND CASUAL DAYS

Employees of the Council are always expected to dress appropriately for an office environment and for their role as public employees who represent the Office of the Council. Business attire is normally required, but Fridays are casual days, when business casual attire is acceptable. The following tables show specific standards for business attire and business casual attire.

Notwithstanding the range of attires listed, employees may be required to wear appropriate business attire when in contact with external customers, vendors, visitors, and at Council meetings.

Business Attire: (Monday through Thursday)

Appropriate Dress	Inappropriate Dress
Suits, dockers, corduroys, khaki pants, casual skirts, and dress slacks.	Denims or jeans of any color or style. Sweat pants, jogging suits, or shorts.
Shirts w/ collar or banded collar, polo shirts or golf shirts, blouses.	Polo shirts w/ large company logos, T-shirts, sheer or see-through blouses or dresses.
Sweaters.	Sweatshirts, spandex, tank tops, halters, or other bare midriff or bareback apparel.
Skorts or culottes no more than 4 inches above the knee, capri pants.	Beach-type or workout clothing, cut-offs or running/athletic wear.
Hose or socks must be worn at all times.	Fashion hats or baseball caps.
Dresses no more than 4 inches above the knee.	Frayed, patched, torn (holes) or stained clothing or shoes.
Hard-soled, rubber-soled shoes, loafers.	Tennis shoes.
All clothing must appear neat, pressed and clean.	Clothes that appear too tight or too short.

Casual Business Attire: (Friday only)

Appropriate Dress	Inappropriate Dress
Dockers, corduroys, khaki pants, cargo pants, casual skirts, and dress slacks.	Sweat pants, jogging suits, or shorts.
Shirts w/ collar or banded collar, golf shirts, polo shirts w/ subtle logos, blouses.	Shirts with large company logos, T-shirts, sheer and see-through blouses or dresses.
Sweaters.	Sweatshirts, spandex, tank tops, halters (and other bare midriff or bareback apparel).
Skorts or culottes no more than 4 inches above the knee, capri pants.	Beach-type or workout clothing, cut-off and running/athletic wear.
Hard-soled, rubber-soled shoes, loafers or sandals.	Tennis shoes, fashion hats or baseball caps.
Dresses no more than 4 inches above the knee.	Frayed, patches, torn (holes) or stained clothing or shoes.
All clothing must appear neat, pressed and clean.	Clothes that appear too tight or too short.

SECTION 5.11 - VISITORS IN THE WORK AREAS

In order to provide for the safety and security of employees and facilities at the Office of the Council, only authorized visitors are allowed in the workplace. All visitors should enter the Office of the Council at the reception area. All authorized visitors will be escorted to their

destination. Employees are responsible for the conduct and safety of their visitors.

Any unauthorized individual observed on Office of the Council's premises should be immediately reported to the Manager and security personnel. The employee should also direct the individual to the Council reception area.

Restricting unauthorized visitors helps maintain safety standards within the office, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

SECTION 5.12 - BREAKS AND MEAL PERIODS

All full-time regular employees are entitled to one (1) one-hour meal period each workday. Management will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods. Lunch hours are not cumulative and must not be "saved up" to leave early.

For every four (4) hours an employee is scheduled to work, the employee will be scheduled for a fifteen (15) minute paid break. Your Manager determines the scheduling of all breaks.

SECTION 5.13 – EMPLOYEE LOUNGE

The employee lounge is equipped with a sink, microwave, refrigerator, storage cabinet and other kitchen utensils and condiments. Fresh coffee is made periodically throughout the day.

The entire staff shares the employee lounge. Please be mindful of the designated one (1) hour lunch period. Also, remember to discard any unwanted food and other material and leave the area clean. For the convenience of everyone, please exercise rules of hygiene and safety.

When using the employee lounge, you must remember that loud laughter and boisterous conversations are distracting to other areas of the office and may be inconsistent with a professional office environment.

Each Friday, if food that you stored in the refrigerator has not been eaten, please remove it. Items left for long periods will be discarded without notice.

SECTION 5.14 - FIRST AID KIT

A First Aid Kit is located in the employee lounge.

SECTION 5.15 - BULLETIN BOARDS

Two bulletin boards are located in the office, one in Room 216 and one in the employee lounge,

for posting Council Agendas and other Council information or City business.

Space allowing, employees may post notices or announcements on the bulletin board located in the employee lounge. Posting of this nature must be in good taste, typed, dated, and no larger than 8 ½ x 11". The Office of the Council reserves the right to be the final judge of the appropriateness of any posting and will remove inappropriate or outdated material. Because of limited space, available preference will be given to non-commercial postings. Personal postings over thirty (30) days will be removed.

SECTION 5.16 - NO SOLICITATION POLICY

Employees of the Office of the Council are not permitted to solicit each other or customers for the purchase of merchandise, funds, contributions, memberships, or any other purposes during working time. This includes the sale of Girl Scout cookies, Avon products, church raffle tickets, etc.

Individuals not employed by the Office of the Council are not permitted to solicit or distribute literature to employees or customers for any cause or purpose anywhere on Council property at any time.

Posting or distribution of non-Council sponsored notices, circulars, or other written materials is prohibited in work areas. Such material may be posted on the personal bulletin board in the employee lounge.

SECTION 5.17 - EMPLOYEE ASSISTANCE PROGRAM

Employees of the Office of the Council are eligible to use the City of Cleveland's Recovery Resources Program. Recovery Resources related services are intended to assist employees in resolving personal and family related problems that adversely affect work, relationships, quality of life, as well as to identify and alleviate obstacles for maintaining good mental and personal health.

Participation in the program is available to all full-time employees. Services include an assessment of problem areas, counseling, if needed, and referral to additional support services for more comprehensive treatment.

Check with your health care provider for extended services.

SECTION 5.18 - DRUG AND ALCOHOL FREE WORKPLACE POLICY

Drug and alcohol abuse in the workplace presents a danger to our employees, our customers and our business. To maintain a workplace free from the effects of drugs and alcohol, substance abuse will not be tolerated on Council premises.

Any employee found to be in the possession of, under the influence of, impaired by, using, selling, offering for sale, or trading illegal drugs or alcohol during working hours or on City of Cleveland property is subject to immediate termination.

For purposes of this policy, the term “illegal drug” means any drug other than a lawfully obtained prescription drug or an over-the-counter drug being used for the purpose intended by the manufacturer.

Drug and alcohol testing through urinalysis may be done, at the Council’s sole discretion, in the following situations:

- pre-employment;
- post-accident, applicable to employees who have an accident at work resulting in an injury or damage to City of Cleveland property;
- reasonable suspicion, applicable to employees whose actions or appearance result in a reasonable suspicion that they are under the influence of illegal drugs or alcohol; and
- return to employment following leave.

Voluntary participation in a drug or alcohol rehabilitation program will not result in disciplinary action. However, drug or alcohol use or dependency will not excuse unacceptable performance or violations of Council policy that would normally result in disciplinary action or termination.

If an employee voluntarily reports a drug or alcohol dependency, he or she will be granted a medical leave of absence to enter a rehabilitation program. The costs of drug or alcohol rehabilitation are the responsibility of the employee except to the extent covered by the City of Cleveland’s medical benefits.

If an employee suspects a violation of the Drug and Alcohol Free Workplace Policy, he or she must contact the Clerk of Council and/or the Council Personnel Administrator.

An employee taking legal drugs prescribed by his or her physician that might impair behavior or work performance must report this fact to his or her Manager. The Office of the Council retains the right to require a medical release from a physician that the employee’s ability to work safely is not impaired by taking the prescription drugs.

Nothing in this or any other Section of this Handbook should be interpreted as limiting the Office of the Council’s legal right to terminate any employee at will.

SECTION 5.19 - CRIMINAL CHARGES AND CONVICTIONS

Employees of the Office of the Council are required to notify the Clerk and the Personnel and Human Resources Manager if they are arrested for or if they are convicted of a criminal offense

while they are employed by the Office of the Council. Because of the high public scrutiny of public employees and of elected officials' offices in particular, it is especially important for Council Management to be aware of information about employees that may attract public attention.

Employees are required to notify the Clerk and the Personnel and Human Resources Manager if they are arrested for or if they are convicted of a drug-related offense. Any employee convicted of a drug-related offense while employed by the Office of the Council may be subject to termination. Any employee who fails to notify the Office of the Council that he or she has been arrested for or convicted of a drug-related offense may be subject to termination.

Nothing in this or any other Section of this Handbook should be interpreted as limiting the Office of the Council's legal right to terminate any employee at will.

SECTION 5.20 - SEXUAL HARASSMENT OR OTHER HARASSMENT

The Office of the Council is committed to maintaining a work environment that is free from all forms of discrimination. Unlawful harassment based on race, religion, color, gender, sexual orientation, gender identity or expression, national origin, age, disability, ethnic group, or Vietnam-era or disabled veteran status is strictly prohibited, whether directed at an employee, vendor or customer. This policy applies to all employees, managers, supervisors and officers of the Council. Any employee who feels that he or she is being subjected to harassment based upon race, religion, color, gender, sexual orientation, national origin, age, disability, ethnic group, or Vietnam-era or disabled veteran status should follow the procedures listed in subdivision C, "Procedures," below.

With respect to sexual harassment in particular, the Council's policy is to provide a workplace free of unwelcome sexual advances, requests for sexual favors, and any other conduct constituting sexual harassment as defined and prohibited by law.

A. Policy Guidelines

Sexual harassment refers to behavior based on the sex of an employee that is unwelcome or offensive to the employee at whom it is directed. Sexual harassment does not require physical contact, nor does it require that there be a communicated threat to an employee's employment. The following behaviors are considered inappropriate and may constitute sexual harassment. These examples are not exhaustive, but serve as a general indicator of the conduct that violates this policy:

Physical – Unwanted intentional physical conduct of any kind, such as touching, pinching, patting, grabbing, bumping, or coerced sexual relations.

Verbal – Sexually-oriented or suggestive comments, sexual innuendoes, jokes, propositions and threats, referring to a person in suggestive, insulting or demeaning terms, or repeated requests for unwanted dates.

Non-verbal – Display of sexually oriented objects or pictures, obscene or insulting gestures, or suggestive or insulting sounds such as whistling.

B. Two Basic Categories of Sexual Harassment

Quid Pro Quo: The definition of quid pro quo is “something for something.” This kind of sexual harassment involves a supervisor or a “boss” who uses threats such as firing, blocking promotions, transferring, or giving poor evaluations to an employee who does not go along with sexual advances. Quid pro quo sexual harassment can also refer to promising or providing rewards such as hiring, promoting or giving salary increases to an employee who does go along with sexual advances.

Hostile Environment: Hostile environment sexual harassment is defined as conduct based on the sex of an employee that unreasonably interferes with job performance or creates an intimidating, hostile, or offensive work environment. Examples of such conduct include unwelcome sexual advances, suggestive or lewd remarks, unwanted hugs, touches, or kisses, requests for sexual favors, or derogatory or pornographic posters, cartoons or drawings.

These examples are not exhaustive, but serve as a general indicator of the conduct that violates the Office of the Council’s policy and may violate the law.

The conduct described above is unacceptable in the workplace, as well as in any setting outside the workplace that involves other Office of the Council employees, including but not limited to, business trips, business-related social events, and social events with co-workers.

C. Procedures

In order for the Council to effectively enforce this Policy, occurrences must be brought to the attention of management. Each complaint will be promptly investigated. The Council will make all reasonable attempts to keep complaints as confidential as possible.

Any employee who feels that he/she has been harassed should promptly report the incident to his or her Manager. However, if the harassment involves his or her Manager, or if the employee feels that this reporting avenue is uncomfortable or inappropriate, he or she should contact any Manager in the employee’s direct reporting chain of command at a level above the employee, or the Personnel and Human Resources Manager.

If the complainant is not satisfied with the outcome of the investigation, he/she may contact the Clerk of Council.

All employees (including all levels of management) must cooperate fully with any investigation of harassment. Failure to cooperate fully may result in significant adverse action.

No employee will be subject to reprisal or retaliation for making a complaint of harassment or

for cooperating in an investigation of a complaint of harassment. However, employees who knowingly provide false information or make an untrue statement of fact regarding such a complaint violate this Policy.

Any employee who violates this Policy will be subject to disciplinary action, up to and including termination.

All employees must document the receipt and understanding of this Sexual Harassment and Other Unlawful Harassment Policy by signing and dating the "Receipt of Sexual Harassment and Other Unlawful Harassment Policy" form and submitting it to their Manager.

SECTION 5.21 - WORKPLACE VIOLENCE

The Office of the Council does not tolerate violence within its workplace. No person employed by the Council shall participate in any of the following:

- Obscenities, ethnic slurs, or other offensive epithets
- Threats of bodily harm to another or damage to another's property
- Actual bodily harm or damage to another's property
- Callous or intentional disregard for the physical safety or well-being of others
- Possession of any weapon or the brandishing of any object that could reasonably be perceived as a weapon
- Any other conduct that a reasonable person would perceive as a threat of violence

Any employee who becomes aware of an apparent violation of this policy shall notify the Personnel and Human Resources Manager or the Clerk of Council immediately.

SECTION 5.22 - SMOKE-FREE WORKPLACE

For the safety and physical well being of all employees, smoking is prohibited throughout the workplace. Employees may smoke while on break or during lunch periods in the area outside designated by the Office of the Council.

City Hall is a smoke-free building.

SECTION 5.23 - ACCIDENT PREVENTION

Prevention of accidental injuries based on common sense is the best approach to safety. No horseplay of any kind will be tolerated.

Preventing accidents is much easier if all employees look for and correct any potentially hazardous conditions and inform your Manager about their existence.

Despite everyone's best efforts, however, accidents do sometimes occur. If you are involved in any accident while at work, report it to your Manager immediately. Reporting incidents can serve several important purposes, including protecting your rights under the law, ensuring that you receive prompt and proper attention, and preventing other employees from being exposed to the condition that may have caused your accident.

If you are injured at work, you may be entitled to benefits through the Workers' Compensation laws. Workers Compensation requires employers, including the Office of the Council, to fund payments for employees' medical expenses as well as other benefits for those who are injured while on the job.

SECTION 5.24 - POLITICAL ACTIVITY

Federal, state, or local laws may impact the political expression or activity of a public employee. These laws are intended to balance the employees' right of freedom of political expression, the public interest in an efficient workforce, and the public officeholders' need to trust and rely upon their key employees. Application of these laws may depend upon the employee's duties or status, upon the type of political expression or activity involved, the location of the employee's exercise of political expression or activity, and upon other factors.

Employees of the Office of the Council should be aware of the following provision in Section 3517.092, "Solicitations from Public Employees," in the Ohio Revised Code's election and campaign laws:

- (F)(1) No public employee shall solicit a contribution from any person while the public employee is performing the public employee's official duties or in those areas of a public building where official business is transacted or conducted.
- (2) No person shall solicit a contribution from any public employee while the public employee is performing the public employee's official duties or is in those areas of a public building where official business is transacted or conducted.
- (3) As used in division (F) of this section, "public employee" does not include any person holding an elective office.

SECTION 5.25 - OUTSIDE EMPLOYMENT

Employees may hold outside jobs as long as they meet the performance standards of their job with the Office of the Council. All employees will be judged by the same performance standards and will be subject to the Office of the Council's scheduling demands, regardless of any existing outside work requirements. If the Office of the Council determines that an employee's outside work interferes with performance or the ability to meet the requirements of the Office of the

Council or is incompatible with the employee's position or job duties, the employee will be asked to terminate the outside employment. Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the Office of the Council for materials produced or services rendered while performing their work for the Office of the Council.

SECTION 5.26 - RECYCLING

The Office of the Council supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes commitment to the purchases, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

Special recycling receptacles have been set up to promote the separation and collection of various recyclable materials at the Office of the Council, including computer paper, white high grade or bond paper, aluminum, steel, and printer cartridges.

The Office of the Council encourages reducing and, when possible, eliminating the use of disposal products. Source reduction decreases the consumption of valuable resources through such workplace practices as communication through computer networks with e-mail; posting memoranda for all employees in lieu of individual flyers; two-sided photocopying; reusing paper clips, folders, binders, and packaging material; and turning off lights when not in use.

Whenever possible, employees of the Office of the Council are encouraged to purchase products for the workplace that contain recycled or easily recycled materials. Buying recycled products supports recycling and increases the markets for recyclable materials.

If you have any questions or new ideas and suggestions for the recycling program, contact the Clerk of Council.

SECTION 5.27 – COUNCIL BUSINESS TRAVEL AND EXPENSES

In general, the Clerk of Council approves all travel and expense reimbursement and is responsible for determining that travel requests are necessary and further a public purpose. All Council business travel must be requested in advance in writing to the Clerk for consideration.

Travel that requires an employee to be away from home overnight shall be requested and expenses processed in accordance with City Council's Travel Policy. A copy of the Travel Policy may be obtained from the Clerk.

Expenses associated with all other travel (that is, travel that does not require an employee to be away from home overnight) may be paid by the Office of the Council or eligible for reimbursement at the discretion of the Clerk. Eligible travel expenses include expenses associated with seminar registration fees, parking costs, and mileage. Mileage will be determined in accordance with Codified Ordinance Section 171.43. The Office of the Council

will consider requests for mileage reimbursement for travel outside of Cuyahoga County, Ohio.

The Office of the Council does not reimburse employees for food or beverage expenses that are incurred in connection with travel that does not require an employee to be away from home overnight.

It is expected and required that employees of the Office of the Council are conscientious and honest when claiming reimbursement for travel-related expenses. Knowingly fraudulent claims, whether by an individual or group, are considered theft of Office of the Council property, will not be tolerated, and will be subject to appropriate and severe action. Receipts are required and only actual expenses shall be reimbursed.

Employees who are involved in an accident while traveling on Council business must promptly report the incident, in writing, to the Clerk and to their Manager.

Costs associated with parking tickets and moving violations will not be reimbursed.

SECTION 5.28 - EMPLOYEE INNOVATIONS

The Office of the Council encourages employees' involvement in generating new ideas or actions that result in significant ways to improve services, increase efficiency, enhance safety or save money. An award will recognize the employee who submits an idea that meets the above criteria and is deemed appropriate for our business. It is our intention to widely publicize all winning ideas in an effort to stimulate excitement and commitment on the part of our employees to become "innovators," continually striving to find ways to enhance the Council's performance.

