

Chapter: Personnel
Subject: Personnel & Prohibited
Convictions for Employment
Section: 3.1
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ODCY Rule: 5180: 2-5-09.1
COA Standard: PA-HR
Review/Revised: 3/25/2020; 4/29/21; 9/17/21; 10/22/21;
11/10/21; 8/16/24; 2/12/26

NRTC has a written descriptions specific for each position or group of positions within the agency's certified function for all college interns, volunteers and employees. The position descriptions are located in each employee's personnel file in the administrative office.

Prior to hire, NRTC will obtain, from persons not related to the subject of reference, at least three written references or written notes on verbal references regarding prospective college interns, volunteers and employees who will have direct contact with youth.

NRTC hires qualified employees to provide the services which it is certified to provide.

1. NRTC will assure that all staff hired or who are under any personal service contract who are required by law to possess any professional license or certification are so licensed or certified.
2. The person employed as the administrator of the agency shall possess a Master's Degree from an accredited college or university, as well as other qualifications and experience as determined by Court Administration in writing.
3. Persons employed in positions responsible for the daily direct care or supervision of youth shall be at least twenty-one years of age and possess a high school diploma or GED.

In those instances when an employee is responsible for varied job responsibilities and, as such, falls within more than one category of the previous section, such employee will meet those qualifications which are the most rigorous among the competing criteria. Additionally, employee selection for a position will align with the job description and their skills and abilities shall meet the position's criteria.

NRTC requires a JFS 01390 "ODCY Medical Statement for Child Care Staff in Residential Facilities" to be completed by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, or certified nurse-midwife within six months prior to employing any person who will have direct contact with youth.

NRTC shall, at its own discretion or at the request of the Ohio Department of Children and Youth, require an employee or prospective employee to provide reports on the individual's physical or mental health from qualified professionals when the individual exhibits signs of a physical or mental health problem which might impair the individual's ability to ensure the health and safety of youth.

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NRTC documents that any person hired after October 29, 1993 as an administrator, child care staff, caseworker, or in any other position responsible for a youth's care in out-of-home care shall not have been convicted of or pleaded guilty to any of the offenses listed in Appendix A to rule 5180: 2-5-09.1 of the Administrative Code, except as provided in paragraph (J) of that rule.

Unless specifically prohibited in Appendix A to rule 5180:2-5-09.1, a prospective employee convicted of or who has pleaded guilty to an offense listed in Appendix C of section 109.572 may be hired by the facility as an administrator, child care staff or caseworker, or in any other position responsible for a youth's care in out-of-home care only if the rehabilitative criteria listed in paragraph (I) of rule 5180: 2-5-09.1 has been met.

It is the prospective employee's duty to provide written verification that the conditions specified in paragraph (J) of rule 5180: 2-5-09.1 have been met. If the prospective employee fails to provide such proof or if the agency determines that the proof offered by the prospective employee is inconclusive or insufficient, the person shall not be hired. Any doubt will be resolved in favor of protecting the youth the Center serves.

To determine whether a prospective employee is qualified to be hired pursuant to paragraph (K) of rule 5180: 2-5-09.1, a criminal records check shall be conducted pursuant to rule 5101: 2-5-09.1 of the Administrative Code (see Policy 3.2).

The provisions of paragraph (J) of rule 5180: 2-5-09.1 must be considered for any prospective employee who has been convicted of, or pleaded guilty to, one or more of the offenses listed in Appendix A to that rule even if the person's record has been sealed by a court pursuant to section 2953.32 of the Revised Code because the information contained in the sealed record bears a direct and substantial relationship to the care of children who may be entrusted to the person's care.

A conviction of, or plea of guilty to, an offense listed in paragraph Appendix A of rule 5180: 2-5-09.1 shall not prevent a prospective employee's hire if the person has been granted an unconditional pardon for the offense pursuant to Chapter 2967 of the Revised Code or the conviction or guilty plea has been set aside pursuant to law. "Unconditional pardon" includes a conditional pardon with respect to which all conditions have been performed or have transpired.

NRTC completes an alleged perpetrator search of abuse and neglect report history through the Statewide Automated Child Welfare Information System (SACWIS) for each prospective employee, volunteer, intern, subcontractor, and anyone who works with youth in any capacity at the facility. NRTC shall obtain a check of the child abuse and neglect registry of any other state a prospective employee, volunteer, intern or subcontractor has resided in the five years immediately prior to the date of the criminal records check required by division (A) of section 2151.86 of the Revised Code. A report with the results of the search is to be placed in the individual's record and is to be used to determine the suitability of the individual to provide care to children.

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NRTC obtains a search of the US Department of Justice National sex offender public website for each prospective employee, volunteer, intern, and subcontractor. A report with the results of the search is to be placed in the individual's record and is to be used to determine the suitability of the individual to provide care to children.

NRTC may refuse to hire a prospective employee, intern or subcontractor and may refuse volunteer services from an individual based solely on the findings of the searches described above. An individual is not eligible for employment or approval as an employee, intern, subcontractor, volunteer, board president, administrator or officer at NRTC if the individual's alleged perpetrator results show a finding of substantiated abuse or neglect within the past ten years, or if the individual is listed on the national sex offender public website.

Prior to hiring or appointing a person as board president, administrator or officer, NRTC shall conduct an alleged perpetrator search, request a certified search of the findings for Recovery Database, conduct a database review at the federal website known as the System for Award Management, and conduct a search of the USDOJ national sex offender public website. These findings are to be kept in a file created for each board president, administrator or officer. NRTC may refuse to hire or appoint a person as a board president, administrator or officer based solely on the findings of the summary report or the results of the searches described in this paragraph.

Personnel Files

NRTC has a separate personnel file for each employee which includes at a minimum:

1. The employee's application for employment
2. Copies of references or three notes on verbal references
3. A copy of the employee's current job description or Service Contract
4. Copies of all educational degrees, diplomas or equivalency certificates
5. Copies of all professional credentials, licenses or certifications
6. A copy of a valid Driver's License (or other proof of age documentation, if not transporting youth)
7. Copies showing proof of current automobile insurance if transporting youth. If the staff member will be utilizing his or her own vehicle when transporting children then they will need a Vehicle State Highway Patrol Inspection completed on their own vehicle.
8. Completed JFS 01390 ODJFS Medical Statement for Child Care Staff in Residential Facilities and a copy of all medical records obtained
 - Information obtained as part of a required medical examination and/or inquiry regarding the medical condition or history of employees is collected and maintained on separate forms and in separate medical files and is treated as a confidential medical record
9. The BCI and FBI criminal records check results required by rule 5180: 2-5-09.1 of the Administrative Code and, if applicable, documentation that the requirements of paragraph (J) of rule 5180: 2-5-09.1 have been met
10. The results of the Ohio Alleged Perpetrator Search and the registry search of any other state the employee resided in within five years prior to hire, if applicable

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11. Results of the search of the United States Department of Justice National Sex Offender Public Website
12. Documentation of all training received, including specific training for and an annual review of acceptable methods of restraint
13. A copy of each job evaluation performed
14. Copies of all disciplinary actions involving the employee
15. Any notification of charges of any criminal offense brought against the employee and any notification of conviction of any criminal offense
16. The employee's date of hire and termination, if applicable

Personnel files for each employee are maintained for at least five years after the date of employment ends.

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ODCY Rule: 5180: 2-5-09.1
COA Standard: PA-HR
Reviewed/Revised: 8/6/2019; 4/28/21, 8/19/24, 2/12/26

The Director or hiring manager designated by the Director of NRTC will request the Bureau of Criminal Investigation (BCI) conduct a criminal records check with respect to any person subject to a criminal records check.

The Director or hiring manager designated by the Director of NRTC will inform each prospective employee at the time of initial application, that as a precondition to being approved for that position:

1. The person is required to complete the BCI prescribed criminal records check form and provide a set of fingerprint impressions.
2. A criminal records check is required to be conducted by BCI and, except as provided in paragraph (M) of rule 5180: 2-5-09.1 of the Administrative Code, satisfactorily completed if the prospective employee comes under final consideration for appointment or employment.

The Director or hiring manager designated by the Director of NRTC will provide each prospective employee with a copy of the BCI prescribed criminal records check form and directions to obtain fingerprint impressions.

1. Prospective employees will sign the Authorization for Release of Information for Background Investigation form, and they must go to the Montgomery County Juvenile Justice Center (JJC) to have their fingerprints scanned and submitted to BCI electronically via the BCI's Civilian Identification Fingerprint Card.

Any person subject to a criminal records check who is requested by NRTC to complete the authorization form and provide a set of fingerprint impressions will:

1. Complete the authorization form or provide all the information necessary to complete the form.
2. Go to the JJC to have their fingerprints scanned and submitted.
3. Submit the completed authorization form to NRTC.

If a prospective employee seeking appointment or employment by NRTC fails to provide the information necessary to complete the authorization form or fails to have their fingerprints submitted, the prospective employee will not be employed by NRTC.

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NRTC will submit the authorization form and fingerprints for each person subject to a criminal records check to the BCI at the time NRTC requests a criminal records check.

NRTC will request that BCI obtain information from the Federal Bureau of Investigation (FBI) as a part of the criminal records check for any entity that appoints or employs any person responsible for a youth's out-of-home care.

NRTC will pay to BCI the fee prescribed pursuant to division (C)(3) of section 109.572 of the Revised Code for each criminal records check conducted.

The report of any criminal records check conducted by BCI in accordance with section 109.572 of the Revised Code and pursuant to a request made by NRTC is not a public record. The report will be made available only to the following persons:

1. The person who is the subject of the criminal records check or the person's representative.
2. The agency requesting the criminal records check or its representative.
3. Any court, hearing officer, or other necessary individual involved in a case dealing with the denial of employment, approval or certification to the person.
4. ODCY employees when ODCY determines the report is necessary for certification or monitoring purposes.
5. A county Department of Job and Family Services.
6. A public children services agency.

Reports from BCI or any other local, state or federal agency regarding a person's criminal record are valid for a period of one year from the date of the report.

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Subject: Recruitment, Screening, Assignment, Supervision,
Promotion, Succession
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ODCY: 5180: 2-5-13(A)(23)
COA Standards: PA- HR
Review/Revised: 8/6/2019, 7/22/2020, 8/29/24, 2/12/26

NRTC has written personnel policies and procedures which are provided to all personnel. These policies and procedures include procedures for recruitment, screening, assignment, supervision, promotion, and succession planning.

Equal Employment Opportunity

It is the policy of the Montgomery County Juvenile Court, Juvenile Division, and the Nicholas Residential Treatment Center, to recruit and employ personnel without regard to: race, color, national origin, ancestry, ethnicity, religion, sex, gender or gender identity, sexual orientation, marital or pregnancy status, age, disability, handicap, genetic information, political affiliation, status as a veteran, or any other legally protected status under Ohio, local, and federal laws. NRTC prohibits preferential treatment and nepotism with regards to hiring, supervision and promotion.

Upon request or notice, the Court and/or NRTC will consider any needed reasonable accommodation for any qualified individual with a disability, to allow that individual to participate in services provided by the Court and/or NRTC, including employment.

All personnel are to assist in achieving equal employment opportunity. Any deliberate violation of this policy will be cause for disciplinary action, up to and including discharge.

Recruitment

NRTC posts job openings internally on the Montgomery County and the Juvenile Court's intranet websites. They are also posted externally on both the County's and the Court's internet sites. In addition, postings may be made in local newspapers or on internet job search websites.

Screening

Screening of applicants is initiated when the prospective employee submits an application and resume to the Director or designee. Qualified applicants are interviewed by the Director and/or the direct supervisor of the position for which they applied. Prior to being offered the position, prospective employees must submit to a background check (see Policy 3.2) and drug test, and they must submit form JFS 01390 "ODCY Medical Statement for Child Care Staff in Residential Facilities" (rev. 5/2025) completed by a licensed physician.

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COA Standards: PA-ETH; HR
Review/Revised: 8/6/2019, 7/22/2020, 2/12/26

Orientation

NRTC provides each child care staff person with a minimum of twenty hours of orientation within the first thirty days after the date of hire. Each child care staff person shall receive an additional thirty-two hours of training during the first year of employment. This shall result in each child care staff person receiving a minimum of fifty-two hours of training during the first twelve months of employment (see Policy 3.4).

Assignment

At the time of hire, new employees receive a copy of the position description for their assignment, which details their job title, the title of their immediate supervisor, their working hours and a description of their job duties. NRTC operates under the Montgomery County Juvenile Court's policies and procedures regarding salary and fringe benefits. Corresponding MCJC policies may be viewed on the Montgomery County Juvenile Court's Intranet website (see Policy 3.8).

Supervision

NRTC's Table of Organization delineates the lines of supervision within the agency (see page 3). NRTC operates under the Montgomery County Juvenile Court's policies and procedures regarding employee discipline, suspensions and dismissals (see Policy 3.6). NRTC operates under the Montgomery County Juvenile Court's policies and procedures regarding staff grievances (see Policy 3.7). NRTC requires that any employee notify the Center within twenty-four hours of any charge of any criminal offense that is brought against him/her (see Policy 3.9).

Promotion

Whenever possible, NRTC shall seek to promote internally before seeking external candidates.

Training

Each child care staff person shall receive at least twenty-four hours of structured and formalized training annually (see Policy 3.4)

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Written Annual Evaluation

NRTC operates under the Montgomery County Juvenile Court's policies and procedures regarding annual evaluations of all employees. These written evaluations are done for all employees during the fourth quarter of each year and must be submitted to the MCJC Court Administrator for processing (see Policy 3.5)

Succession

NRTC maintains a succession plan for the assignment and development of future leaders and promotions.

Employment Terminations

A voluntary termination occurs when an employee resigns or is separated from the County at his/her written request. Mirroring Court policy, NRTC expects, for voluntary terminations, that the employee give at least thirty (30) days' notice in writing to his/her immediate supervisor. The Supervisor then immediately notifies the Director, who notifies the Court Administrator. This process and timeline allow for the appropriate hiring and training practices to be implemented.

In the case of involuntary terminations (defined in Court policy as layoff, release, discharge, immediate dismissal or unsuccessful orientation), facility employees in similar job functions/roles and/or new employees will be assigned to fulfill the vacancy and will refer to facility training and policy manuals as needed. Duties may be delegated.

Delegation will be made to a qualified employee in a similar function, title, or role. An employee who has shared or similar job responsibilities is preferred. For example, a Supervisor can perform the role of any supervisory function during a vacancy and provide training upon new assignment. Employees to whom work is delegated will have the assistance of leadership, following with facility Chain of Command.

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ODCY Rule: 5180:2-5-13; 5180:2-9-03; 5180:2-9-42
COA Standard: PA-BSM; ASE, PA-HR; PA-PDS
Review/Revised: 9/21/20; 3/3/21; 4/22/21; 6/24/21; 9/5/23, 8/5/24,
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NRTC provides each child care staff person with a minimum of twenty hours of orientation within the first thirty days after the date of hire. Each child care staff person shall receive an additional thirty-two hours of training during the first year of employment. This results in each child care staff person receiving a minimum of fifty-two hours of training during the first twelve months of employment. This training may be conducted outside the facility. Regular ongoing duties of an employee, including casework supervision and consultation, are not counted toward this training requirement.

Initial orientation of new child care staff shall include, but not be limited to:

1. Familiarization of the employee with emergency and safety procedures of NRTC.
2. The principles and practices of child care.
3. Administrative structure, procedures, and overall program goals of NRTC.
4. Appropriate techniques of behavior management.
5. Techniques and methodologies of crisis management including acceptable physical restraint (CPI and Subject Control).
6. Familiarization of the employee with the discipline policy restrictions outlined in rule 5180:2-9-21 of the Administrative Code (Policy 8.2), the discipline and behavior intervention policy required by rule 5180:2-5-13 (Policy 8.4), and any additional requirements NRTC may have.
7. Procedures for reporting suspected child abuse or neglect pursuant to section 2151.421 of the Revised Code.
8. The emergency medical plan of NRTC.
9. Universal precautions.
10. If a child care staff person will be providing care for a youth at least fourteen years of age, the person shall be prepared adequately with the appropriate knowledge and skills to understand and address the issues confronting adolescents preparing for independent living, and provide such services as are needed and appropriate.
11. A review of Chapter 5180:2-9 of the Administrative Code, as applicable to the functions of NRTC.
12. The implementation of the Community Engagement Plan as described in division (B) of section 5103.051 of the Revised Code (Policy 9.8).

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13. The procedures for responding to incidents involving a child at the facility and neighbors or the police as described in division (B) of section 5103.051 of the Revised Code (Policy 12.11).
14. The reasonable and prudent parent standard as described in division (C) of section 5103.162 of the Revised Code.
15. Trauma 101, which is the trauma-informed approach implemented by NRTC as required by rule 5180-2-9-42 of the Administrative Code.

Trauma-Informed Approach

All employees, volunteers, interns and independent contractors within the facility are trained in trauma-informed approach within the first 30 days of hire and annually thereafter in accordance with rule 5180:2-9-42 of the Administrative Code.

1. For NRTC employees and licensed clinical and nursing independent contractors, the initial Trauma 101 training sessions are conducted within the first 30 days of hire by NRTC staff and/or contracted South Community, Inc. therapists who have completed the Trauma Informed Approaches Train the Trainer course through the Montgomery County ADAMHS Board. Annual training for employees and licensed clinical and nursing independent contractors will either be conducted in person, or through the use of training videos on approved trauma informed topics related to agency needs.
2. The following documentation of Trauma training will be in each employee's file to ensure training completion:
 - a. A training certificate that details the date the training occurred.
 - b. A training evaluation form completed by the employee after the conclusion of the training.
 - c. The employee's annual cumulative training record, which lists the dates of all training received, including Trauma training.
 - d. For licensed clinical and nursing independent contractors, the following documentation will be in their files: A training certificate that details the date the training occurred; A training evaluation form they complete after the conclusion of the training; and Documentation of the dates they receive initial and annual Trauma training
3. For volunteers, interns, and non-licensed independent contractors, initial and annual training will be via a video recording of the Trauma 101 training. The following documentation of Trauma training will be in their file to ensure training completion:
 - a. A training certificate that details the date the training occurred.

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- b. A training evaluation form completed by the volunteer, intern or non-licensed independent contractor after the conclusion of the training.
 - c. Documentation of the dates they receive initial and annual Trauma 101 training.
4. All youth receive the SAMSHA approved ACE'Q screener and the SOQIC trauma assessment within two business days of admission to the program. All clinical staff at NRTC are contracted through South Community, Inc., where they receive training on the ACE'Q and SOQIC, in compliance with South Community's NRTC Best Practices.
- a. NRTC does not train staff other than those with clinical responsibilities on the use of these tools. Only trained South Community staff administer the ACE'Q and SOQIC.

Crisis Management

Initial and ongoing training in techniques and methodologies of crisis management are taught to all direct care staff using Crisis Prevention Intervention curriculum. Staff are trained in a range of preventative strategies, de-escalation skills and communication skills. CPI teaches psychological and physiological responses that minimize the potential harm of disruptive and aggressive behaviors. All staff are required classroom and virtual training and must demonstrate proficiency in lessons learned.

CPI training includes:

1. Recognizing aggressive and out-of-control behavior, identifying contributing factors that may lead to a crisis such as triggers and medical conditions.
2. Understanding how staff behaviors can influence the behaviors of service recipients
3. Limitations on the use of restrictive interventions
4. De-escalation techniques such as listening, communication, negotiation, mediation, separation and minimizing an audience, voluntary escorts, personal time-outs, encouraging self-calming behaviors and other non-restrictive interventions.

Following the completion of the initial orientation training listed in the above, each child care staff person receives at least twenty-four hours of structured and formalized training annually. Regular ongoing duties of an employee, including casework supervision and consultation, do not count toward this training requirement.

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COA Standard: PA-BSM; ASE, HR 5; PA-PDS
Review/Revised: 9/21/20; 3/3/21; 4/22/21; 6/24/21; 9/5/23: 2/12/26

If a child care staff person is separated from employment from NRTC and returns to work at NRTC, the employee will not be required to complete the new orientation training requirements listed in this policy if the employee returns to work within one year from the date the employee separated employment.

If a child care staff person fails to complete their continuing training in a timely manner:

1. The employee will not be left alone with youth until all of the incomplete training hours are met.
2. The record will contain documentation of the reason the training hours were not met.
3. The employee is to complete the missed training within sixty days of returning to work.
4. The employee is responsible for completing their ongoing annual continuing training in addition to any training they failed to complete.

A child care staff person may still be allowed to work if the employee was not able to meet the continuing training requirements due to any of the following:

1. Extended leave.
2. Separation of employment for less than one year.
3. Extended illness.
4. Critical emergencies.
5. Cancellation of training classes.

NRTC assures that all child care staff hired possess a current American Heart Association first aid and cardiopulmonary resuscitation (CPR) certification or equivalent at the time of hire or within six months following the date of hire. Child care staff shall be certified in the type applicable to the age and size of the youth to be served in the facility. The first aid and CPR certifications shall be maintained current at all times, unless the employee meets one of the following exceptions:

1. Extended leave.
2. Separation of employment for less than one year.
3. Extended illness.
4. Critical emergencies.
5. Cancellation of training classes.

A child care staff person is not be permitted to work with youth without another child care staff who is current on all first aid and CPR training and who is present at all times.

If a child care staff person's first aid and CPR certification has been expired for more than ninety days, the staff member is not permitted to work at NRTC without the required certification.

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There will be at least one staff person with first aid and CPR certification on duty at all times in a living unit.

1. All staff members at NRTC are required to be certified in first aid, adult and pediatric CPR, and adult and pediatric AED within six months following the date of hire. Training sessions are offered at least twice annually so staff can be recertified as necessary.

NRTC documents the completion of the training activities required by this rule in the personnel record maintained pursuant to rule 5180: 2-5-09 of the Administrative Code.

1. Training records are maintained and updated regularly by the Business Manager. Documentation of all training received is included in each employee's personnel file.

Physical restraint of a youth is only to be utilized by a child care staff person who has received specific training for and an annual review of acceptable methods of restraint. Documentation of such training is contained in the employee's personnel record. NRTC completes annual training in acceptable methods of restraint for the child care staff (see Policy 8.2).

If the NRTC revises any policy pertaining to youth or child care staff, the child care staff shall receive training on the policy within thirty days of the revision.

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Subject: Written Annual Evaluation
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ODCY Rule: 5180: 2-5-13(A)(23)(a)
COA Standard: PA-HR, PDS, AM
Review/Revised: 8/6/2019, 8/29/24; 2/13/26

Employee Performance & Individual Development Plan (MCJC Policy 3.11)

NRTC operates under the Montgomery County Juvenile Court's policies and procedures regarding annual evaluations of all employees. NRTC's Employee Performance and Individual Development Plan is designed to assist Managers and Supervisors in the assessment of employee growth and potential through the use of a system of planned review, feedback and developmental planning. The Employee Performance and Individual Development Plan is to be utilized during the following intervals:

1. **Evaluation Period:** Used for those employees who have completed a fixed evaluation period as a result of new employment with NRTC or as a result of a promotion or new position. These evaluations must be approved by the Director and submitted to the MCJC Court Administrator. Once an employee has signed the evaluation form, management shall not make any further changes.
2. **Annual:** These written evaluations are done for all employees during the fourth quarter of each year and must be submitted to the MCJC Court Administrator for processing no later than November 30th.
3. **Special Evaluations:** These evaluations can be completed at any time. These evaluations shall be used to communicate an employee's progress and to develop an employee's skill and understanding. A special evaluation can also be completed when circumstances occur that result in an employee to come under a different supervisor, such as the present supervisor leaving employment at NRTC. A special evaluation can be completed as an assessment tool for new employees, employees who are promoted and employees in new positions, but do not indicate a fixed period. Special evaluations are to be reviewed by the supervisor and department director prior to review by the employee.
4. **Special Circumstances:** When an individual's performance has fallen below established job criteria, as determined by management, and specific performance goals must be established and successfully completed in order for the employee to continue employment with NRTC.

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Subject: Written Annual Evaluation
Section: 3.5

Performance Categories

The established performance categories for the Managers/Supervisors and Staff Performance and Evaluation Reports are as follows:

Managers/Supervisors

Knowledge of Work
Personnel Administration
Staff Assessment & Training
Organization
Leadership
Communication
Problem Solving/Decision Making
Professionalism

Staff

Knowledge of Work
Quality of Work
Quantity of Work
Initiative
Adaptability
Cooperation
Dependability
Communication/Judgment
Professionalism

Performance Ratings

Each individual job responsibility on the performance report is rated, using the following scale:

N/A - Not Applicable: The performance item is not relevant to the employee's responsibilities. An N/A rating has no negative impact on the final scoring.

1 - Does Not Meet Expectations: The employee is not meeting expectations or, on a more positive note, is approaching the expectation of a specified job responsibility. This employee may need additional training and development in this responsibility. This is where the Individual Development Plan may be utilized to enhance the employee's skills.

2 - Meets Expectations: The employee has demonstrated the ability to effectively perform the specified job responsibility. He/she has met all established guidelines as required in performing the job.

3 - Exceeds Expectations: The employee consistently exceeds the normal expectations for the position; exceeds expected criteria for quality, quantity, and timeliness of work; consistently exceeds goals and objectives; achieves results beyond those expected for the position. Note – usage of this category is highly limited.

The individual performance ratings are added together and that sum divided by the total number of appraisal questions to reach the final performance rating. Performance Evaluations have a direct effect on monetary increases.

Employee/Supervisor Conference

All performance categories are discussed and reviewed with the employee by the supervisor prior to being signed. Employees have the opportunity to make comments concerning the evaluation.

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INDIVIDUAL DEVELOPMENT PLAN (IDP)

When an individual's performance has fallen below established criteria as determined by management, an Individual Development Plan (IDP) will be used. An IDP measures an employee's current job performance against the expectations of their role. A thoughtful IDP can increase productivity, lay a clear path toward long-term goals, build trust between management and employees, and improve retention. An IDP provides key milestones to date, areas for development and new skills to focus on. An IDP is not a performance evaluation tool or a one-time activity. It should be looked at like a partnership between the employee and supervisor. It involves preparation and continuous feedback. In some situations, the Court may use a Probation Contract in addition to or in lieu of an IDP.

Quarterly Reviews

These evaluations are written quarterly or every three months with direct care staff. Evaluations do not need completed during the fourth quarter as staff will have their annual evaluation at that time. These evaluations are used to communicate an employee's progress and to develop an employee's skill and understanding. Areas identified are specific to job duties within the facility. Training needs and performance goals are also reviewed. These evaluations must be approved by the Director.

Chapter: Personnel
Subject: Employee Discipline
Section: 3.6
Page: 1 of 2
ODCY Rule: 5101: 2-5-13(A)(23)(b)
COA Standard: PA-HR
Review/Revised: 8/6/19; 12/8/20; 2/13/26

Employee Discipline (MCJC Policy 7.1)

Juvenile Court employees are unclassified and serve at the pleasure of the Administrative Judge. In the best interest of the Court, it may be necessary to discipline any employee for any breach of established Court policy, procedure, rule or regulation, who performs unsatisfactorily, or whose conduct falls below minimum standards. The Court may suspend or discharge any employee who violates Section 124.34 of the Ohio Revised Code for incompetency, inefficiency, insubordination, discourteous treatment of the public, neglect of duty any failure of good behavior, misfeasance, malfeasance, or nonfeasance. Employees may be discharged with or without cause or prior notice, because they serve at the pleasure of the Judge.

The recommended disciplinary procedures are:

1. Verbal reprimand: While verbal, a notation that an employee received a verbal reprimand will be placed in the employee's personnel file.
2. Written reprimand: The employee will be provided with a written memorandum, which will also be placed in their personnel file.
3. Probation Contract/Individual Development Plan (IDP): The IDP is to be initiated on an "as needed" basis or "requested" basis any time of the year.
4. Suspension: Involuntary separation from active pay status, at the end of which regular employment status resumes.
5. Dismissal

In addition, an employee may be placed on a paid administrative leave that is not disciplinary in nature while the Court investigates whether to impose discipline.

These kinds of discipline need not be imposed in any order. That is, an employee may be discharged without any instances of prior discipline, or he or she may be verbally reprimanded multiple times without being subjected to a written reprimand. These guidelines are informational only and do not affect an employee's status as an at-will employee. The decision to discipline or discharge an employee, with or without cause and with or without notice, remains at the discretion of the Administrative Judge or her designee.

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INTERNAL INVESTIGATION

In the event the Court determines it necessary to undertake an internal investigation, employees are to cooperate fully by providing all pertinent information. Full cooperation requires truthfully responding to all questions and providing a signed affidavit, if requested. Any employee who fails to cooperate fully or who hinders an investigation is subject to disciplinary action, up to and including termination. In the course of this process, no employee will be hindered or discouraged from engaging in protected activity under any State or Federal law. Disciplinary action may be taken against employees for any of the following reasons, as well as any other reasons deemed appropriate, by the Court Administrator:

- *Violation of any policy in this handbook
- *Breach of confidentiality of Court information
- *Misappropriation of funds
- *Assault or threat of harm
- *Theft
- *Failure to maintain insurance on any personal vehicle used for Court business
- *Dishonesty, including, but not limited to, falsifying work records/ time sheets / public documents or misrepresenting any fact to management or on behalf of the Court
- *Fighting, disorderly conduct, or any other behavior that is dangerous or disruptive to Court operations
- *Possession or consumption of or being under the influence of alcoholic beverages on Court premises or on duty
- Manufacture, distribution, dispensation, sale, possession, or use of illegal drugs, un-prescribed controlled substances, or prescribed substances in amounts exceeding the prescription
- *Engaging in off-duty conduct that is unbecoming of an employee of the Court, regardless of whether the employee is ultimately convicted of a crime
- *Conviction of a criminal offense Reckless or willful mishandling/damage of Court property
- *Excessive absenteeism or tardiness
- *Gambling on duty Sleeping on duty / excessively attending to personal matters on duty
- *Abusive or threatening language to co-workers or visitors to the Court
- *Willful or reckless violation of safety practices or policies
- *Use of profane language while representing the Court
- *Disclosing private information of Court employees or parties/witnesses
- *Insubordination
- * Interference with the work performance of another employee
- *Making or receiving excessive personal phone calls / cell phone calls
- *Failure to follow the Court's Code of Ethics Failure to cooperate with an internal investigation
- *Any conduct or activity which adversely affects the morale of the Court or its ability to accomplish its mission

Chapter: Personnel
Subject: Staff Grievances
Section: 3.7
Page: 1 of 2
ODCY Rule: 5180: 2-5-13(A)(23)(c)
COA Standard: ETH; PA-RPM; PA-HR
Review/Revised: 8/6/2019, 8/29/24; 2/13/26

NRTC operates under the Montgomery County Juvenile Court's policies and procedures (7.2) regarding staff grievances. For purposes of this handbook a grievance is defined as: A disagreement between an employee and management as to the interpretation or application of policy, rule or regulation; or State or Federal laws or regulations relating to terms or conditions of employment; or other disagreements stemming from perceived unfair or inequitable treatment during employment.

General Policy

No employee shall be disciplined, harassed or dealt with in any unfair manner, as a result of filing a grievance or testifying in a grievance hearing.

Where a grievance cites issues of law that the respondent (individual hearing the grievance) cannot address, the respondent may elect to forward the grievance to the Prosecutor for an opinion before proceeding. All time limits set forth in this procedure shall be in abeyance until a response from the Prosecutor is received.

Time limits as set forth in the procedure may be extended by mutual agreement of the parties in writing. Written time extension must: clearly identify the particular grievance, specify the dates from and to which the extension applies, and indicate what required action is being extended.

All grievances filed under this procedure shall be legibly written on the authorized grievance form only and must be filed within five (5) consecutive days of the incident in which the problem/grievance occurred.

Problem/Grievance Resolution Procedure

Each employee shall follow these steps to express and resolve problems, concerns and disagreements:

Step 1

The employee may informally discuss the matter with his/her immediate supervisor. If discussed verbally and settled, the matter is considered resolved. The supervisor will try to resolve the situation as quickly as possible, but within seven (7) working days. The supervisor makes a decision based upon the facts as well as established MCJC and NRTC policy.

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Subject: Staff Grievances
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If the problem cannot be resolved informally, the employee should submit the problem or complaint in writing to his/her supervisor. Supervisors are required to document each employee complaint and the supervisory action taken in the matter. The supervisor must hold a meeting with the employee and respond to the complaint in writing within seven (7) working days of receipt of the complaint.

If no response to the complaint is received within the agreed upon time frame, the complaint/problem may be taken to Step 2 within five (5) working days after the reply should have been received. Should the supervisor be unable to resolve the problem to the employee's satisfaction, the employee may appeal the complaint/problem to the Director.

Step 2

If the employees does not feel their complaint/problem was resolved with their supervisors decision under Step 1 of this procedure they may appeal the complaint/problem to their manager within five (5) actual working days following receipt of the answer from the supervisor. The distribution by the employee of the copies of the written complaint shall be as follows: one copy to the immediate supervisor, one copy to the manager, and one copy to be retained by the employee. The manager will review the complaint/problem and make inquiries into the matter of the issue and provide a written reply within five (5) actual working days to the employee.

Step 3

An employee whose complaint/problem has not been settled under Step 2 of this procedure may appeal the complaint/problem to the Director within five (5) actual working days following receipt of the answer from the manager. The distribution by the employee of the copies of the written complaint shall be as follows: one copy to the immediate supervisor, one copy to the manager, one copy to the Director, and one copy to be retained by the employee. The Director will investigate and make inquiries into the matter of the complaint and provide a written reply within five (5) actual working days to the employee.

Step 4

If a solution is not agreeable to both parties in Step 3, either party may request that all files relating to the grievance be forwarded to the Administrative Judge, by Court Administration, for final advisement and/or resolution within five (5) working days. The decision of the Administrative Judge shall be final and binding. NOTE: If an employee goes outside to seek resolution to action taken against him prior to, or simultaneous with, filing an internal complaint, this policy will not be used.

Employees in the supervisory range and above will not go to Step 1, but will proceed directly to the step appropriate to their direct supervisor.

Chapter: Personnel
Subject: Salary & Benefits
Section: 3.8
Page: 1 of 2
ODCY Rule: 5180: 2-5-13(A)(23)(d)
COA Standard: PA-HR
Revised: 8/6/2019, 8/28/24; 2/13/26

NRTC operates under the Montgomery County Juvenile Court's policies and procedures regarding salary and fringe benefits. Corresponding MCJC policies may be viewed on the Montgomery County Juvenile Court's Intranet website. (Chapter 4)

Wage and Salary Rates

Starting salary for new employees is determined by job classification. The actual starting pay will reflect current rates for employees in the same or similar positions within the same or similar departments.

Overtime

Salaried employees are not eligible for overtime compensation. The Court pays overtime compensation to hourly employees where appropriate under the law and Court guidelines and where such overtime has been specifically authorized by department manager or supervisor. No employee may work beyond the normal work-day or work-week without the written, official authorization of the immediate supervisor and department director. Non-exempt employees are not to begin work prior to their scheduled starting time. Supervisors shall do their best to plan ahead before requiring overtime.

Benefits

As employees of Montgomery County Juvenile Court, NRTC staff members receive an extensive benefits package. Benefits include, but are not limited to the following:

1. Sick Leave (MCJC Policy 4.1)
2. Vacation Leave (MCJC Policy 4.2)
3. Holidays (MCJC Policy 4.3)
4. Personal Leave (MCJC Policy 4.4)
5. Funeral Leave (MCJC Policy 4.5)
6. Jury Duty & Other Legal Processes (MCJC Policy 4.6)
7. Military Leave (MCJC Policy 4.7)
8. Nursing Mother's & Pregnant Workers Fairness Act Military Leave (MCJC Policy 4.8)
9. Leave of Absence Military Leave (MCJC Policy 4.9)
10. Disability Leave (MCJC Policy 4.10)
11. Group Health Insurance/Other Insurance and Benefits (MCJC Policy 4.11)
12. Tuition Reimbursement (MCJC Policy 4.12)
13. Workers Compensation (MCJC Policy 4.13)
14. Retirement Plan (OPERS) (MCJC Policy 4.14)
15. 457 Deferred Compensation Plans (MCJC Policy 4.15)
16. Employee Assistance Plan (MCJC Policy 4.16)
17. Short-Term Disability (MCJC Policy 4.17)
18. Family and Medical Leave (MCJC Policy 4.18)

Chapter: Personnel
Subject: Salary & Benefits
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19. Employee Leave Donation Short-Term Disability (MCJC Policy 4.19)
20. Paid Parental Leave Short-Term Disability (MCJC Policy 4.20)
21. Precinct Election Official Leave (MCJC Policy 4.21)

Chapter: Personnel
Subject: Notification of Charges
Section: 3.9
Page: 1 of 1
ODCY Rule: 5180: 2-5-09 (G,10)
COA Standard: PA-HR
Review/Revised: 8/6/19; 12/8/20;2/12/26

NRTC requires that any employee notify the Center within twenty-four hours of any charge of any criminal offense that is brought against him/her.

Failure to notify the Center within twenty-four hours of any charge of any of the crimes listed in rule 5180: 2-5-09 of the Administrative Code shall result in immediate dismissal of employment.

If the charges result in a conviction, the employee shall notify the NRTC within twenty-four hours of the conviction. Failure to notify NRTC of any conviction of any criminal offense shall result in the employee's immediate dismissal from employment.

Conviction of any of the crimes listed in rule 5180: 2-5-09 of the Administrative Code while in the employ of NRTC shall result in immediate dismissal from employment with NRTC.

Chapter: Personnel
Subject: Code of Ethics, Professional Conduct
Section: 3.10
Page: 1 of 2
COA Standard: PA-ASE ; PA-HR (14); RPM
Revised: 4/27/20, 8/27/20, 8/19/24, 2/12/26

NRTC, under the Montgomery County Juvenile Court, follows the American Correctional Association's Code of Ethics for all employees and volunteers. This policy is intended to establish consistent standards and expectations regarding the ethical conduct of employees in the performance of their duties with the facility and Court.

If an employee has a question regarding a proposed action or any items outlined in this policy, the employee should consult his or her supervisor for direction.

No staff member will use their official position, perceived or actual, to secure privileges for themselves, engage in behavior which would bring discredit to the organization, engage in activities inconsistent with NRTC's mission or violate any individual's constitutionally guaranteed rights. Employees shall conform with all governmental statutes and regulations relating to campaigning, lobbying and political practices.

This policy applies to all board members, advisory group members, facility staff, contract staff, and volunteers and requires signed acknowledgement from facility staff. All parties are also accountable for the Court's Code of Ethics noted in the Courts Handbook, Section 6.1.

1. Relationship with clients, colleagues, other professions and the public:
 - Staff members will respect and protect the civil and legal rights of all youth.
 - Staff members will serve each case with appropriate concern for the youth's welfare and with no purpose of personal gain.
 - Relationships with colleagues will be of such character as to promote mutual respect within the profession and improvement of its quality of its service.
 - Statements critical of colleagues or their agencies will be made only as these are verifiable and constructive in purpose.
 - Staff members will respect the importance of all elements of the system and cultivate a professional cooperation with each segment.
 - Sexual harassment is prohibited. It is an unlawful employment practice, which is in violation of Title VII of the Civil Rights Act of 1964. Sexual harassment is defined as unwanted, unwelcome and/or repeated sexual attentions or advances.

2. Professional conduct and practices:
 - No staff member will use his/her official position to secure privileges or advantages for him/herself.
 - No staff member will act in an official capacity in any manner in which he/she has personal interest that could in the least degree impair his/her objectivity.
 - No staff member will use his/her official position to promote any partisan political purposes.
 - No staff person will accept any gift or favor of a nature to imply an obligation that

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Section: 3.10

is inconsistent with the free and objective exercise of his/her professional responsibilities.

3. Public Comment and Social Media

- **Public Comment:** In any public statement, staff members will clearly distinguish between those that are personal views and those that are statements and positions on behalf of NRTC and the Court.
- **Social Media:** NRTC and the Court's policies on employee conduct are equally applicable to activity that occurs online. Employees should consider these policies whenever posting content to electronic mail, chat rooms, text messages, blogs, social networking sites (e.g., Facebook, Twitter, LinkedIn), or other public forums.

Regardless of whether their conduct occurs online or elsewhere, employees remain equally responsible to maintain the confidentiality of non-public Court information, avoid workplace harassment, and follow all other NRTC and Court policies designed to ensure workplace productivity and public confidence.

Any public post should have clear disclaimers that the views employees express do not represent the views of NRTC and/or the Court. Employees should remain respectful to the Court, co-workers, litigants, and other visitors to NRTC and/or the Court in online posts, avoiding any online conduct that could negatively impact the public's perception of NRTC and/or the Court. Nothing in this policy is intended to alter or infringe upon eligible employees' rights of free speech or ability to speak out on matters of public concern.

Employees shall report perceived or actual violations of this policy to their Supervisor. Violations will be investigated, resolved, and documented by the Director and/or the Court Administrator.

- Each staff member will report without reservation any corrupt or unethical behavior, which could affect either a client or the integrity of the organization.
- Staff members will not discriminate against any client, employee or prospective employee on the basis of race, sex, creed or national origin.
- Each staff member will maintain the integrity of private information; will neither seek personal data beyond that needed to perform his/her responsibilities nor reveal case information to anyone not having proper professional use for such.
- Any staff member who is responsible for agency personnel actions will make all appointments, promotions or dismissals only on the basis of merit and not in furtherance of partisan political interests.

Staff members, volunteers and college interns who work with the youth will receive a copy of this Code of Ethics Policy and agree in writing to abide by it.

Chapter: Personnel
Subject: Code of Ethics
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Chapter: Personnel
Subject: Attendance
Section: 3.11
Page: 1 of 6
COA Standard: PA-HR
Review/Revised: 4/27/20, 2/12/26

NRTC operates under the Montgomery County Juvenile Court's policy on Attendance (Section 6.2), which follows:

Employee Attendance Policy

Employees are expected to report for work on time, on a regular basis. Unnecessary absenteeism and tardiness is expensive, disruptive, and places an unfair burden on other employees and supervisors. Unsatisfactory attendance will result in disciplinary action, including reprimand, suspension, and discharge. Attendance has an effect on promotional considerations and merit increases. Attendance patterns are reflected in performance evaluations in the categories of Dependability and Quantity of Work.

By accepting employment with the Court, each employee is required to meet certain job standards. Attendance is considered to be an essential job function; therefore dependable attendance is one of the primary standards to which all employees must adhere and one, which can ultimately determine the employee's continuation on the job.

Whenever a FLSA (Fair Labor Standards Act) non-exempt employee is tardy, or leaves work early, that employee will be subject to a reduction in pay according to scale. FLSA exempt staff will not be reduced in pay for partial day absences because they are paid on a salaried basis, but may be reduced in full-day increments when absent for an entire day. In addition, both exempt and non-exempt employees will be subject to appropriate disciplinary action for excessive instances of tardiness, or early departures, or for patterns.

Any employee who is absent from work for three or more successive scheduled days, without notifying the Court in accordance with these policies, or without approved leave, will be considered to have resigned, effective as of the last day actually worked.

The Court defines its attendance policy in these terms:

1. Absence. The failure of an employee to report during the hours he or she is normally scheduled to work or leaving work without permission.
2. Tardiness. This occurs when an employee is not on the job at the time work is normally scheduled to begin.

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3. Absence with Notification. This occurs when an employee notifies his/her immediate supervisor of an upcoming absence for an acceptable reason such as illness, personal or family emergency, or the like. The supervisor must give the employee permission to be absent and note such permission in writing for the absence to be considered.

- a. Although the Court does not use a set number of reprimands to trigger termination, it does not tolerate excessive reprimands and reserves the right to terminate an employee after consideration of each case on an individual basis.
- b. The Court also reserves the right to terminate any employee who is absent without notification after 3 occurrences.

In regard to **unexcused absence**, the following steps are to be taken:

- c. The supervisor endeavors to discuss the reason for an unexcused absence with the employee. If there are clearly mitigating circumstances, such as a proven emergency, no reprimand is written.
- d. In the absence of justifiable mitigating circumstances, the employee's immediate supervisor writes a reprimand for each occurrence*, gives it to the employee, and files a copy in his/her own personnel record.

*An occurrence is defined as each unexcused absence.

4. In regard to tardiness, the following procedures are to be followed:

- a. Tardiness is subject to written reprimand, with repeated instances subject to more severe disciplinary actions up to and including termination, which may be imposed for repeated instances of tardiness and prior related disciplinary actions.
- b. The supervisor endeavors to discover the cause of an employee's unexcused tardiness.
- c. If there are no mitigating circumstances for frequent tardiness, the supervisor issues a written reprimand to the employee, and enters it into the employee's permanent personnel file.

5. Notification Procedures:

- a. If an employee is to be late or absent for any reason, the employee must telephone his/her supervisor as far in advance of the employee's starting time as possible.
- b. If notification cannot be made in advance of the employee's starting time, an employee is encouraged to call his/her supervisor within **one-half hour** after their scheduled starting time. Notification to the employee's supervisor must be made within **two hours** after the employee's scheduled starting time.
- c. If the employee's job duties are of a continuous nature in a division which operates twenty-four hours a day, seven days a week, inability to report for work must be reported at least two hours before the employee's scheduled starting time, unless emergency conditions make it impossible.

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d. When calling in an absence, the employee must speak to his/her supervisor, or the supervisor in charge. The employee should explain why he/she will be absent and when he/she expects to return to work. It is the employee's responsibility to ensure that proper notification is given. *Asking another employee, friend, or relative to give his/her notification is not considered proper, except under emergency conditions.*

e. For absences beyond one day, daily notification is required unless other arrangements have been established by the director of your department.

f. Upon returning to work, application for approval of sick leave pay must be made.

g. Any employee who fails to give proper notification will be charged with an unexcused absence. If proper notice of absence is given but the absence is not authorized upon application for sick leave pay, it will be considered an unexcused absence. Unexcused absences are subject to disciplinary measures.

h. Appropriate discipline does not require each or all steps be followed. Rather, progressive discipline will be determined by severity of the infraction and any appropriate step may be used.

i. **It is important to remember that all absences are subject to supervisory approval.** Unexcused absences, i.e., those, which require the prior approval of the Director and result in withholding of pay are considered unauthorized and are subject to disciplinary action per established Court policy.

j. Employees are encouraged to carefully manage your leave time to avoid exhausting your reserves. A serious extended illness should be the only circumstance that would prevent you from building up a reserve to protect you from the risk associated with unauthorized leave.

TARDINESS PROCEDURES FOR THE FOLLOWING 24-HR FACILITIES AND HOURLY WAGE EMPLOYEES:

- CAS
- DETENTION
- INTERVENTION
- NRTC
- CLERK'S OFFICE

Notification:

1. It is the responsibility of the employee to notify their immediate supervisor when they are going to be late.
 - a. Such notice should be given as early as possible.
 - b. If a supervisor has not heard anything from you by **quarter after the hour** of the shift you were scheduled for, they are authorized to cover the shift with another employee.
2. Leave forms for lateness should be filled out as soon as the employee clocks in for duty. They are to be signed by you and turned in to your designated department supervisor.

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3. Time will be divided as listed below in 1/10th of an hour.

- a) 1 minute to 6 minutes = Tardy (docked .10 hour)
- b) 7 minutes to 12 minutes = (docked .20 hour)
- c) 13 minutes to 18 minutes = (docked .30 hour)
- d) 19 minutes to 24 minutes = (docked .40 hour)
- e) 25 minutes to 30 minutes = (docked .50 hour)
- f) 31 minutes to 36 minutes = (docked .60 hour)
- g) 37 minutes to 42 minutes = (docked .70 hour)
- h) 43 minutes to 48 minutes = (docked .80 hour)
- i) 49 minutes to 54 minutes = (docked .90 hour)
- j) 55 minutes to 60 minutes = (docked 1.0 hour)

2. The policy for dealing with tardies in each of the twelve (12) month periods is as follows:

First tardy: You will be docked according to the above scale.

Second tardy: You will be docked according to the above scale AND you will receive an e-mail notification from your direct manager with your assigned supervisor copied. Said e-mail will state that you have accrued two (2) tardies for the month and each successive incident of tardiness, in that month, will lead to a one (1) day suspension.

Third tardy and each additional tardy thereafter: You will receive a one (1) day unpaid suspension in addition to being docked according to the above scale AND you will receive an e-mail notification from your direct manager with your assigned supervisor, the Administrative Team, and the Court Administrator's Executive Assistant copied. Said e-mail will state that you have accrued three (3) or more tardies for the month and each successive incident of tardiness, in that month, will lead to a one (1) day suspension. The e-mail will be printed and placed in your official Court file and in your department's internal employee file as acknowledgement of the feedback and future consequences provided to you.

NOTE: Suspension days and recommendation for dismissal are at the discretion of the department director.

Use of the Time Clocks

Actual Use of the Time Clock: The following is for all employees except the salaried staff.

- a. All employees *swipe in* and out.
- b. On Friday's only, all employees must *swipe out* and back in between a double shift.
- c. All employees *swipe in* and out on the floor to which their card has been assigned.
- d. Persons making hospital runs are not required to clock out for the run.
- e. Supervisors are responsible for being aware of whether or not all of the staff on the shift have clocked in and should make changes on the schedule if an employee is late, as well as ensure that the proper forms are completed.

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f. All employees *swipe in* and out for any training or meetings for which they are scheduled to attend, even if it is their scheduled day off, unless the training is held outside of the building.

g. Each employee shall swipe his or her own timecard. Swiping another employee's timecard, or falsifying a time card is grounds for immediate termination.

h. Excessive failure to clock in or out will result in progressive discipline.

Overtime Scheduling Policy

It is understood that employees will perform reasonable overtime assignments when required, except where cases of personal emergency exist.

Supervisors will make every effort to insure that the on-coming shift is properly staffed. In the event an employee scheduled to work a shift calls in sick, the supervisor attempts to cover the shift in the following manner:

1. Review the schedule to see if any staff on duty is scheduled less than 40 hours.
2. Ask all staff on duty if they can work the next shift.
3. Contact all staff that are off work to see if they would like to work.
4. To insure equity of shifts, each supervisor will review the schedule daily and maintain the overtime/draft list if applicable for your department. The employee whose name is at the top of the list will be informed that he/she is drafted to work. In the case of two or more staff working that have the same date of the last extra shift they have worked, choose the staff with the next closest day off.

Overtime/Work Schedules Adjustment

Overtime by non-exempt employees must be prior approved by the employee's supervisor, prior to its being worked. Management reserves the right to control overtime by adjusting work schedules as follows:

1. The employee's supervisor may adjust a non-exempt employee's schedule and reschedule his/her hours of work so that the employee does not work more than forty (40) hours during a work period, in so far as such adjustment occurs within the same work period in which the employee worked outside of his/her scheduled hours.

2. Overtime is determined at the end of each week.

Record Keeping

1. It is each employee's responsibility to accurately record all overtime hours worked on the court overtime form and turn it in to the Operations Manager.
2. All overtime forms must be signed by the approving supervisor.
3. It is each department's responsibility to maintain the record of all hours worked on the Kronos time keeping system.

Chapter 3: Personnel
Subject: Workplace Discrimination and Harassment
Section: 3.12
Page: 1 of 3
COA Standard: PA-ETH; PA-HR
Reviewed/Revised: 7/22/20, 8/19/24

It is the policy of the Court that all employees should enjoy a working environment free from all forms of unlawful discrimination and harassment for all employees, including gender-based discrimination due to sexual harassment. Recognizing that workplace harassment and discrimination are demoralizing, humiliating, degrading, and harmful to workplace morale, we serve notice to all employees that it will not be tolerated.

Employees will complete harassment training by the end of their orientation period as well as periodically, as deemed necessary by Court Administration.

In order to maintain this environment, discrimination and harassment, whether committed by supervisors, coworkers, or members of the public, is strictly prohibited. This policy also prohibits workplace bullying.

A. HARASSMENT DEFINITION:

Discriminatory harassment is any type of harassing conduct that is based upon an employee's race, color, sex, national origin, age, genetic history, religion, military status, disability, or any other legally protected status. Sexual harassment includes, but is not limited to the following:

1. Repeated unwanted and/or offensive sexual flirtations, advances, or propositions;
2. Repeated verbal abuse of a sexual nature;
3. Graphic or degrading verbal or written comments about an individual, the individual's appearance, or the individual's sexual orientation;
4. The display of sexually suggestive objects, pictures, or the display of same through other media;
5. The implication or threat that an employee's or applicant's employment, assignment, compensation, advancement, career development, or other condition of employment will depend on the employee's or applicant's submission to sexual harassment in any form; and
6. Any offensive, abusive, or unwanted physical contact.

- B. **RESPONSIBILITY:** It is the responsibility of all employees to aid the Court in maintaining a work environment free from discrimination harassment and bullying. Therefore, it is the responsibility of each employee, including supervision and management, to immediately report any instances of discrimination, harassment, or workplace bullying through the complaint procedure outlined in this policy. Any employee who observes any conduct that may constitute discriminatory harassment of any Court employee, but fails to report the same, may be subject to disciplinary action.

- C. Complaint Procedure: 1. Any employee who believes they have been the subject of discrimination, harassment, workplace bullying and/or any employee who has witnessed an incident, or incidents of same should immediately report the matter(s) to their immediate supervisor, department director, Court's EEO/ADA Coordinator, or Human Resources. If the immediate supervisor or department director is the subject of the complaint, the employee should report to the next higher ranking person in the table of organization. The employee should report the complaint to the Court Administrator or Administrative Judge if all lower positions in the chain of command are implicated in the complaint.
2. The employee shall place their complaint into writing, providing the following:
 - a. The employee's name;
 - b. The name of the subject of the complaint;
 - c. The act(s) complained of;
 - d. The date(s) of the act(s);
 - e. Any witnesses to the alleged act(s); and
 - f. The remedy the employee is seeking.
 3. If the employee is unwilling or unable to place their complaint into writing, the complaint may be made orally and the above listed information will be documented by the person to whom the verbal complaint was made.
 4. Once a complaint has been received, or an instance has been reported, the Court will immediately investigate the matter.
 5. If, after a thorough and prompt investigation, it is determined that discrimination, harassment, and/or workplace bullying has occurred, the employee who has been found to have committed such act(s) will immediately be disciplined, up to and including termination of employment. The complaining and/or reporting employee(s) will be informed of the results of the disciplinary decision.
 6. If, after the investigation, it is determined that no discrimination, harassment, or bullying occurred, or that there is insufficient evidence to determine whether or not such discrimination, harassment, or bullying occurred, the complaining employee and/or reporting employee will be informed of the same. Any employee that makes a false statement and/or false accusations during the investigation will be subject to appropriate discipline up to and including termination.
 7. The charged party may be placed on paid administrative leave pending the final resolution of the complaint. 8. The Court expressly prohibits any form of retaliatory action against any employee availing themselves of this complaint procedure or who served as a witness during the investigation. Retaliation is a separate violation of this policy and will result in disciplinary action, up to and including termination. If any employee believes they are being retaliated against, the employee is encouraged to immediately report the matter through the above complaint procedure. Management will promptly investigate claims of retaliation and will take prompt, remedial action when substantiated.

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Policy

The Juvenile Court and NRTC abide by the Ohio Whistleblower Protection Act O.R.C.124.341. The Court and NRTC encourage all staff, interns, and volunteers, acting in good faith, to report suspected or actual wrongful conduct. The Court and NRTC are committed to protecting individuals from interference with making a protected disclosure in good faith and retaliation for having made a protected disclosure or for having refused an illegal order.

Staff, interns or volunteers are prohibited from retaliating against an individual who has made a protected disclosure or who has refused to obey an illegal order. Staff, interns or volunteers are prohibited from using their position with the Court and NRTC for the purpose of interfering with the rights of individuals to make a protected disclosure to their immediate Supervisor or other appropriate administrator about matters within the scope of this policy.

This policy is also intended to protect individuals against false allegations of wrongful misconduct and any communication that proves to be both unsubstantiated and made with malice or with knowledge of its falsity is not protected by this policy.

Guidelines

- A. Protected Disclosure includes communication about actual or suspected wrongful conduct or violation of state or federal law by any Juvenile Court/NRTC staff, intern, or volunteer or the use of facility property, resources or authority for personal gain or non Juvenile Court/NRTC purposes. Anyone who is aware of or has reason to suspect wrongful conduct should report the conduct in writing to his or her immediate Supervisor or Director. If this is not possible, contact Human Resources to file a report.
- B. Good Faith Reporting is making a protected disclosure or filing a complaint concerning a suspected violation. The individual making the report must be acting in good faith and have reasonable grounds and information for believing the information disclosed is true and accurate and indicates a violation of any Juvenile Court/NRTC policy.

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- C. False allegations include knowingly or with reckless disregard for the truth or malice giving false information or making a false report. The individual making the report will be subject to disciplinary action that may result in termination. Allegations determined to be made in good faith but are not substantiated are not subject to corrective action.
- D. No individual who makes a protected disclosure will suffer reprisal, harassment, or an adverse employment action based on his or her good faith report of alleged wrongful conduct. Any individual who retaliates against a person for making a good faith protected disclosure is subject to discipline that may result in termination.
- E. All reports will be promptly investigated within 60 days and appropriate corrective action will be taken if it is determined through the investigation to warrant such action.
- F. Nothing in this policy is intended to interfere with legitimate employment decisions made by Court Administration.
- G. Persons wishing to file a report of actual or suspected wrongful conduct may do so anonymously.

*Forms for making a good faith report may be retrieved from the Courts Human Resources office.

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NRTC provides a telephone system to be used to conduct facility business. The use of personal cell phones and smartwatches shall not occur while actively supervising, in the presence of, or any common area where such action could potentially be visible by youth (e.g. walking down common hallways). This policy is applicable to all staff members employed by NRTC working within facility.

A. Cellular Telephones & Smart Watches:

1. Direct Care Staff

- a. NRTC Administration recognizes the importance of mobile devices and the role they play in keeping us connected. Due to this, NRTC will provide radios to keep staff connected while in the facility. (See policy 8.8)
- b. Direct Care Staff are to secure personal cell phones in their assigned locker.
- c. Direct Care Staff are only permitted access to personal cell phones & smart watches while on approved breaks in designated areas to include the staff locker rooms, control room, bathrooms, Supervisors' offices, NRTC Administration wing, outside, etc.

2. Non-Direct Care Staff

- a. Professional and Support staff members (i.e. Administration, Clerical, Education, Facility Support, Custodial, Control, and Medical) are permitted access to personal cell phones & smart watches when not in direct sight, sound and supervision of youth and with Supervisory approval. Usages of such devices in the common hallways remain prohibited for all staff members. Usage should primarily be contained within your personal and private work area(s).
- b. At no time are cell phones to be laid down anywhere in the open including the staff podium to prevent youth access and potential theft.
- c. Staff member's directly supervising youth shall keep phones and smart watches on silent mode while performing official job duties.

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- d. At no time are cell phones or smart watches to be physically utilized in the presence of any NRTC youth. This includes, but is not limited to; talking, surfing, or physically pulling out the phone for any reason. Common hallways where such action(s) could be potentially viewed by youth from their living units or other designated areas are also prohibited.
 - e. Employees are expected to limit any personal cell phone and smart watch use (making or receiving any calls) to non-work time (breaks, lunch) where it is possible to not interfere with NRTC processes and the safety and security of employees, the public, and the youth we serve.
3. It is the employee's responsibility to make family and friends aware of this policy. When staff are required to work an extra shift they may call home, to a family member, etc. and this will be considered a business call.
 4. NRTC will not be responsible for the loss of a personal cell phone or smart watch that is brought into the workplace and damaged in anyway during the routine performance of established job duties up to and including physical restraints of youth.
- B. Visitors:
1. Only visitor(s) authorized by the Director may use/carry personal cell phones/electronic communication devices passed the reception area and only to conduct official business in the facility. Devices shall be locked in the visitors' locker upon checking in.
- C. Discipline:
1. Any staff member found to have allowed a youth access to their personal cell phone or smart watch will receive an automatic recommendation for suspension. A termination recommendation may be made given the level of the security threat involved.
 2. Other violations of this policy will be addressed utilizing disciplinary action with progressive steps. Each violation shall be dealt with on an individual basis, which could include, but not limited to, recommendation for termination.