

## **IPP.0005. Processing of ODJFS Work Actions**

March 10, 2006 - Original

### **I. PURPOSE/REASON:**

#### **A. PURPOSE**

To establish a general prohibition against employees, contractors, and temporary service personnel processing ODJFS work actions for themselves, relatives, co-workers, friends, or persons with whom the employee has a personal business or financial relationship.

#### **B. REASON**

In order to ensure fair and equal treatment of all customers, external and internal, and to prevent any actual or perceived favoritism in the processing of any ODJFS work actions.

### **II. REFERENCES/AUTHORITY:**

#### **A. REFERENCES**

*Note: ORC references can be accessed at LAWriter's Ohio Revised Code (<http://codes.ohio.gov/>) website.*

1. Ohio Revised Code (ORC) 5101.02
2. ORC 2921.02, 2921.41, and 2921.43
3. ORC 124.25
4. OAC 123:1-76-01 through 1-76-14
5. *State of Ohio Employees Drug Testing Programs Manual*
6. Federal Omnibus Transportation Employee Testing Act of 1991
7. Social Security Act
8. United States Code (USC): 42 USC 1320a
9. Code of Federal Regulations (CFR): 42 CFR 1001 and 42 CFR 1003;

### **III. SUPERSEDES:**

No current, agency-wide policy exists regarding this matter.

### **IV. SCOPE:**

This policy applies to all ODJFS employees, contract vendors, and temporary service employees.

### **V. DEFINITIONS:**

A. **WORK ACTIONS:** Any internal or external administrative action dealing with the operation of programs or projects of ODJFS. Examples include but are not limited to:

1. Claims or Cases
2. Licensing and Taxing
3. Investigations - Internal or External
4. Audits - Internal or External
5. Employment Actions
6. Fiscal or Payment Actions

B. **PROCESSING:** A series of actions, changes, or functions bringing about a result or to put through the steps of a prescribed procedure. Further defined as the operations required in a specific office in order to provide its programs' services or implement a prescribed procedure.

### **VI POLICY:**

- A. DAS Directive 06-09 states "All public officials and state employees are prohibited from authorizing or using the authority or influence of his or her position to secure the authorization of employment or benefit (including a promotion or preferential treatment) for a person closely related by blood, marriage, or other significant relationship including business association."
- B. ODJFS employees shall not, on a normal basis, process any ODJFS work actions for themselves, relatives, co-workers, or friends.
- C. Each office within ODJFS will establish written policy pertaining to the handling of such actions. These policies shall include at a minimum:
  - 1. Specific instructions on the processing of ODJFS work actions of current and previous employees of the particular office and ODJFS in general;
  - 2. Specific instructions on the processing of ODJFS work actions for relatives, friends, or persons with whom an employee has a personal business or financial relationship; and
  - 3. Any general or specific exceptions that may apply; and
  - 4. A Subject Matter Expert for the office with complete contact information.
- D. Certain mass operations such as biweekly payroll (other than manual adjustments), mail operations, printing operations; etc. are excluded from the requirement of this policy. Individual office policies should identify any such operation under its control.
- E. Copies of the most current of these office policies will be forwarded to the Bureau of Human Resources for inclusion as part of Appendix B of this policy.
- F. Failure to follow the tenets of these policies may subject the personnel involved to disciplinary actions up to and including removal in accordance with ODJFS-IPP 0003, Standards of Employee Conduct.

**VII APPENDIXES:**

A. SUBJECT MATTER EXPERT(S)

Owning Entity	Address	Name (SME)	Phone/ Fax/ E-mail
Bureau of Civil Rights/ Labor Relations	30 East Broad Street, 30th Floor, Columbus Ohio 43215	Labor Relations Staff	614-644-6514 614-752-6581 IPPM_STAFF@jfs.ohio.gov
Employee Services (ES)	30 East Broad Street, 30th Floor, Columbus Ohio 43215	Timothy Wagner, Deputy Director	614-995-7586 N/A Tim.Wagner@jfs.ohio.gov
Chief Inspector's Office	30 East Broad Street, 32nd Floor, Columbus, Ohio 43215	Jennifer Demory, Project Manager 1	614-466-3015 614-466-0207 jennifer.demory@jfs.ohio.gov

B. OFFICE LEVEL POLICIES

- 1. [UNEMPLOYMENT COMPENSATION POLICY](#)

## IPP.10002. Computer and Information Systems Usage

### IPPMTL 0232

December 16, 2010 - Revised

June 28, 2002 - Original

**CLICK [HERE](#) to acknowledge that you have read, understand, and will comply with this policy**

#### I. PURPOSE/REASON:

To inform all ODJFS employees, temporary service personnel, and contractors of the proper use of ODJFS electronic equipment and information systems including but not limited to computers, peripherals, software, Internet, GroupWise, e-mail, and Instant Messenger (IM).

#### II. REFERENCE/AUTHORITY:

*Note: ORC references can be accessed at LAWriter's Ohio Revised Code (<http://codes.ohio.gov/>) website.*

##### A. REFERENCES

1. [ODJFS-IPP 3922](#)
2. [ODJFS-IPP 0003](#)
3. [ODJFS-IPP 9002](#)
4. [ODJFS-IPP 10003](#)
5. [ODJFS-IPP 8501](#)

##### B. AUTHORITY

1. This policy is established by order of the director, ODJFS, hereinafter referred to as *director*.
2. Per [ORC 5101.02](#), all duties conferred on the various work units of the department by law or by order of the director shall be performed under such rules as the director prescribes and shall be under the director's control.

#### III. SUPERSEDES:

ODJFS-IPP 10002 revision dated August 12, 2008.

#### IV. SCOPE:

A. This policy applies to all Ohio Department of Job and Family Services employees, temporary service personnel, or contractors (hereinafter referred to as ODJFS personnel) use of computer and information systems, including but not limited to:

1. electronic equipment-computers, computer peripherals, computer software, and laptops;
2. information systems-documents, recordings, e-mail, Instant Messenger (IM), and the Internet; and
3. other data contained in or recoverable from such electronic equipment and information systems.

B. This applies to any equipment either provided by ODJFS or used on ODJFS property for ODJFS business purposes.

#### V. DEFINITIONS:

N/A

#### VI. POLICY:

A. GENERAL

1. ODJFS computers and information systems are the property of ODJFS. They may be used only for explicitly authorized purposes. ODJFS reserves the right to examine all data stored in or transmitted by their computers and systems. Without notice, the Chief Inspector's Office, ODJFS supervisors, deputies, and authorized management information systems staff may enter, search, monitor, track, copy, and retrieve any type of electronic file of any employee or contractor. These actions may be taken for business-purpose inquiries including, but not limited to, theft investigation, unauthorized access and/or disclosure of confidential business or proprietary information, excessive personal use of the system, or monitoring work flow and employee productivity.
2. **Personnel have no rights to privacy with regard to the Internet and e-mail.** Authorized designees (as referenced above) may access any files stored on or deleted from computers and information systems. When necessary, Internet, e-mail, and Instant Messenger (IM) usage patterns may be examined for work-related purposes, including situations where there is a need to investigate possible misconduct and to assure that these resources are devoted to maintaining the highest levels of productivity. The Chief Inspector's Office has the authority and ability to monitor Internet sites contacted, e-mail, and Instant Messenger (IM) usage at its own discretion or at the request of management.
3. All software installed on any ODJFS computer must be licensed to ODJFS. **Personnel** must receive advance approval from their deputy director and the Office of Information Services (OIS) deputy director (or their respective designees) before adding software programs to any ODJFS computer. Questions regarding currently authorized software programs and/or software licensed to ODJFS are to be directed to the OIS deputy director or designee.

B. ALLOWABLE USES OF COMPUTERS AND INFORMATION SYSTEMS FOR ODJFS BUSINESS PURPOSES

1. facilitating job function performance;
2. facilitating and communicating business information within ODJFS and the county network;
3. coordinating meeting locations and resources for ODJFS;
4. communicating with outside organizations as required in the performance of employee job functions.

C. PROHIBITED USES OF COMPUTERS AND INFORMATION SYSTEMS INCLUDING, BUT NOT LIMITED, TO E-MAIL, INSTANT MESSENGER (IM), AND THE INTERNET

1. violating local, state, and/or federal law (See ODJFS-IPP 0003);
2. harassing or disparaging others based on age, race, color, national origin, sex, sexual orientation, disability, religion, or political beliefs (See ODJFS-IPP 9002 and ODJFS-IPP 10003). Harassment and disparagement include but are not limited to slurs, obscene messages, or sexually explicit images, cartoons, or messages;
3. threatening others;
4. soliciting or recruiting others for commercial ventures, religious or political causes, outside organizations, or other matters which are not job related;
5. using computers or information systems in association with the operation of any for-profit business activities or for personal gain;
6. sabotage, e.g. intentionally disrupting network traffic or crashing the network and connecting systems or intentionally introducing a computer virus;
7. accessing an employee's files without authorization and with no substantial business purpose;
8. vandalizing the data of another user;

9. forging electronic mail and Instant Messenger (IM) messages;
10. sending chain letters;
11. sending rude or obscene messages (e-mail or Instant Messenger (IM) should not be used to send anything that would embarrass or discredit ODJFS or the State of Ohio);
12. disseminating unauthorized confidential or proprietary ODJFS or client documents or information or data restricted by government laws or regulations (See ODJFS-IPP 8501 and ODJFS-IPP 3922);
13. disseminating (including printing) copyrighted materials, articles, or software in violation of copyright laws (See ODJFS-IPP 0003);
14. accessing the Internet in any manner that may be disruptive, offensive to others, or harmful to morale;
15. transmitting materials (visual, textual, or auditory) containing ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on age, race, color, national origin, gender, sexual orientation, disability, religious or political beliefs;
16. sending or soliciting sexually-oriented messages or images;
17. using the Internet or Instant Messenger (IM) for political activity;
18. using the Internet to sell goods or services not job related or specifically authorized in writing by an approving authority;
19. downloading and viewing non-work-related streaming audio or video (e.g. listening to radio stations, etc) due to the limited bandwidth of the system;
20. intentionally using Internet facilities to disable, impair, or overload performance of any computer system or network or to circumvent any system intended to protect the privacy or security of another user;
21. speaking to the media or to the public within any news group or chat room on behalf of ODJFS if not expressly authorized to represent ODJFS;
22. uploading or downloading games, viruses, copyrighted material, inappropriate graphics or picture files, illegal software, and unauthorized access attempts into any system.

**NOTE:** Whether during work hours or not, these prohibitions apply at all times.

**Personnel cannot expect that the information they convey, create, file, or store in ODJFS computers and information systems will be confidential or private regardless of the employee's intent.**

D. USE OF THE E-MAIL SYSTEM AND INSTANT MESSENGER (IM)

1. Official Use
  - a. When using e-mail or Instant Messenger (IM), as with all written official communications, personnel are expected to display a formal, businesslike demeanor in order to reflect professionalism and credibility on ODJFS and themselves.
  - b. Everyone is responsible and liable for the content of his or her electronic mail or message. As stated earlier, all electronic data may be accessed at anytime by the Chief Inspector's Office or management for legal or business purposes.
2. Nonofficial Use
  - a. Personnel may access the e-mail and Instant Messenger (IM) system for nonofficial business provided that such communication does not disrupt or interfere with official ODJFS business, is kept to a minimum duration and frequency, and is not political in nature. Similar to telephone usage, minimal

personal e-mail and Instant Messenger (IM) may be received or sent provided that no cost is incurred by ODJFS.

- b. **CAVEAT: Please remember that there is no expectation of privacy for anything sent by e-mail or Instant Messenger (IM) and that others can view this information at any time.**

3. INTERNET ACCESS GUIDELINES:

- a. Applicability

This policy provides only guidelines to ODJFS personnel for Internet access. It does not supersede state or federal laws or any office policies regarding confidentiality, information dissemination, or standards of conduct.

- b. General Information

In our effort to enhance client service and facilitate communication among personnel, ODJFS provides all personnel with Internet access. Personnel Internet access accommodates basic e-mail functions, file transfer, and interactive terminal access to accomplish ODJFS business goals. ODJFS permits personnel to use and explore this technology so that everyone may become as proficient as possible in order to improve work quality and efficiency. All ODJFS personnel must become familiar with and acknowledge ODJFS policies relating to the Internet use in order to make the best use of the technology, maintain a professional environment, and protect valuable ODJFS and client information.

- c. Guidelines for Incidental/Occasional Personal Internet Usage:

Generally, the Internet is to be used for work-related purposes. ODJFS will permit personal use of the Internet with reasonable restrictions as to the amount of time devoted to personal usage and sites visited provided such use does not adversely affect business or productivity. Incidental/occasional use is comparable to time authorized for meals and reasonable breaks during the workday and those times only should be used to attend to personal matters. ODJFS has the right to insist that agency Internet resources are devoted to maintaining the highest degree of productivity. Personal Internet usage is a privilege, not a right. As such, the privilege may be revoked at any time and for any reason.

**CAVEAT:** Please remember incidental/occasional use is considered part of the meal and break time of personnel. Personnel are not permitted to utilize the Internet equal to meal and break times and also take their scheduled meal and breaks. Such actions will be considered excessive.

- d. Filtering by Screening Software

ODJFS has the right and may filter and deny users Internet access to sites considered inappropriate. Although not all-inclusive, examples of inappropriate sites that may be filtered are those depicting violence/profanity, partial or full nudity, sexual activity, gross depictions, intolerance, satanic/cult images, militant/extremist images, questionable/illegal, and gambling activities.

**CAVEAT: Please remember that there is no expectation for privacy for an employee's use of the Internet and that others can view this activity at any time.**

E. SECURING COMPUTER EQUIPMENT AND ELECTRONIC DATA

1. ODJFS employees who are responsible for or are assigned portable computer equipment and electronic media (i.e., laptops, thumb drives, external hard drives, DVD's, CD's, etc.) shall secure those items when they are not present in the office. These items routinely contain confidential and/or HIPAA information which could be compromised if lost or stolen.

2. If over night travel is required, the computer equipment is expected to be secured in the hotel room, residence, etc. When necessary, computer equipment can be placed in the trunk of a vehicle so long as items are not visible, but the trunk and the vehicle must be locked. Leaving computer equipment on the front or back seat of a vehicle, or in any way visible, is not permitted.
3. If an ODJFS employee is responsible for a pool of portable equipment (e.g., equipment that is shared by many employees), the equipment shall be secured while in and out of the office. Sign-in and sign-out sheets shall be utilized to track the location of the equipment at all times. The sign in and out sheet at a minimum should include the employee's name who is using the equipment and the pick up and return date.
4. If an employee loses a piece of equipment or it is stolen, they are required to immediately notify their supervisor and the Chief Inspector's Office.
5. Failure to properly secure portable computer equipment and electronic data is subject to disciplinary action.

F. VIOLATIONS OF POLICY:

Violations of this policy will be reviewed on a case-by-case basis and may result in disciplinary action up to and including removal.

**CLICK [HERE](#) to acknowledge that you have read, understand, and will comply with this policy**

VII. **APPENDIXES:**

A. SUBJECT MATTER EXPERT

Owning Entity	Address	Name (SME)	Phone/ Fax/ E-mail
Chief Inspector	30 E. Broad St., 32nd Floor Columbus, OH 43215-3414	Jennifer Demory	614-466-3015 614-466-0207 Jennifer.Demory@jfs.ohio.gov

## IPP.0003. Standards of Employee Conduct

### IPPMTL 0245

May 11, 2011 - Revised

May 23, 2003 - Original

CLICK [HERE](#) to acknowledge that you have read, understand, and will comply with this policy.

#### I. PURPOSE/REASON:

- A. To provide all ODJFS employees with a clear understanding of the behaviors expected of them, behaviors that are prohibited, and the penalties that may be imposed for engaging in prohibited behaviors.
- B. An additional purpose is to standardize the rules of employee conduct so that they are applied fairly and understood by all employees.

#### II. REFERENCES/AUTHORITY:

##### A. REFERENCES

1. Ohio Revised Code (ORC) [124.34](#)
2. ORC [5101.02](#)
3. Ohio Ethics Law, [Chapter 102](#)
4. ORC [2921](#) *et al*
5. OCSEA Labor Agreement *et al*
6. SEIU 1199 Labor Agreement *et al*
7. All ODJFS Internal Policies and Procedures (IPPs)
8. OAC [123:1](#) *et al*
9. DAS policy [HR-D-02](#)

##### B. AUTHORITY

1. This policy is established by order of the director, ODJFS, hereinafter referred to as director.
2. Per ORC 5101.02, all duties conferred on the various work units of the department by law or by order of the director shall be performed under such rules as the director prescribes and shall be under the director's control.

#### III. SUPERSEDES:

ODJFS-IPP 0003 Standards of Employee Conduct dated September 4, 2009.

#### IV. SCOPE:

- A. This policy applies uniformly to all employees who are under the jurisdiction of the Ohio Department of Job and Family Services (ODJFS), with the following exceptions:
- B. Unclassified employees, as defined by the Ohio Revised Code, shall be required to comply with the Standards of Employee Conduct set forth in this document, however no provision of this document is to be construed as an employment contract. All unclassified employees are employed at will and serve at the pleasure of the appointing authority.
- C. Fair Labor Standards Act (FLSA) overtime-exempt employees are subject to the Standards of Employee Conduct; however, the schedule of discipline shall be adjusted to accommodate the overtime exemption.

- D. Initial probationary employees may be removed from their positions at any time during the probationary period for services that are unsatisfactory in accordance with OAC 123:1 and OCSEA and SEIU/1199 labor agreements.

**V. DEFINITIONS:**

- A. **COUNSELING:** Corrective counseling is a tool used to communicate, define expectations, and provide an opportunity to achieve success. A corrective counseling meeting is not discipline. Counseling should be documented with a written memo noting the inappropriate behavior, steps to avoid the inappropriate behavior and a warning that future incidents may result in discipline. Such memos are not put in the employee's personnel file.
- B. **VERBAL (ORAL) REPRIMAND:** Memorandum to the employee with a copy to the personnel file (not placed in the personnel file for SEIU/1199) recording and documenting the nature of the verbal admonishment. The memorandum shall be on the standard Labor Relations form and include the date, rule violation and the nature of the violation as well as the proper course of behavior and future consequences, if the behavior is not corrected.
- C. **WRITTEN REPRIMAND:** Memorandum to the employee with a copy to the personnel file recording and documenting the nature of the written admonishment. The memorandum shall be on the standard Labor Relations form and include the date, rule violation and the nature of the violation as well as the proper course of behavior and future consequences, if the behavior is not corrected.
- D. **SUSPENSIONS:**
1. **NON-WORKING:** The loss of a scheduled workday without pay.
  2. **WORKING SUSPENSION:** Equal in weight and retention to a non-working suspension, but differs in that the employee continues to work and receive pay. NOTE: May not be imposed on SEIU/1199 without the employee's consent.
  3. **Lengths:**
    - a) Minor - One day in length
    - b) Medium - Two to four days in length
    - c) Major - Five days in length
  4. Exempt employee suspensions, reductions, or fines are governed by OAC 123:1-31-01.
- E. **FINE:** Employee fines are governed by the applicable collective bargaining agreement and Ohio Administrative Code.
- F. **DEMOTION:** A reduction of exempt employees in pay or positions. Exempt employees may be reduced in pay and position for violations of the Ohio Revised Code 124.34.
- G. **REMOVAL:** The involuntary termination of employment with the Ohio Department of Job and Family Services.
- H. **LAST CHANCE AGREEMENT (LCA):** An agreement that is normally crafted when an employee is facing a major suspension or removal. The LCA requires that the employee not violate any specified standard of conduct for the term of the agreement or face removal without recourse.
- I. **OVERTIME EXEMPT EMPLOYEES:** Employees who are exempted from the overtime pay provisions of the Fair Labor Standard Act (FLSA) due to their job duties and responsibilities and/or professional status.
- J. **REDUCTION OF LEAVE:** Leave Reductions are governed by the applicable collective bargaining agreements. NOTE: May not be imposed without employee consent.

**VI. PROCEDURES:**

- A. **RESPONSIBILITY**

1. The director or designee is responsible for ensuring that the *Standards of Employee Conduct* are provided and made known to each employee of the department.
2. It is the responsibility of all employees of ODJFS to familiarize themselves with and adhere to the policies and procedures of the Agency. Consistent with that is the responsibility of all employees of the Agency to conduct themselves in such a manner that their activities, both on and off duty, are consistent with the mission of the Agency and do not adversely affect their ability to perform their duties.
3. Managers and Supervisors are responsible for the appropriate and consistent application of the standards of employee conduct, policies, and procedures of the department. Supervisors also are responsible for counseling employees when appropriate and initiating the request for disciplinary action as soon as they are aware of a potential situation and have consulted with Labor Relations.
4. Labor Relations staff is responsible for providing requested advice, guidance, and assistance. Labor Relations staff are the Agency's designated management advocates and the Agency Designee for Union Contract Administration.
5. Labor Relations must be contacted anytime there is a question about counseling or discipline to ensure equal protection to the employee, supervisor and the Agency.

#### B. GENERAL STANDARDS OF CONDUCT

1. Attendance
  - a) Each employee is important to the operation of the organization and each job function is essential. Accordingly, it is essential that each employee take personal responsibility for good attendance practices, as attendance is a vital concern to the Agency. It is recognized that illness, personal matters, and emergencies may occasionally occur which could not have been predicted and that may cause an employee to be away from work.
  - b) Abuse or misuse of leave and failure to timely notify a supervisor of one's need for leave adversely impacts operation of the Agency. The abuse or misuse of leave results in excessive costs to the Agency (e.g., overtime to cover absent staff). Several violations are listed in the disciplinary grid to address the various elements of attendance violations.
2. Government Property
  - a) All government property, including but not limited to automobiles, supplies, equipment, telephones, computer hardware, computer software, electronic mail, ODJFS information systems, internet usage, and facilities are to be used for official purposes only, unless otherwise stated. Misuse, abuse, loss, theft, damage, or destruction of an employee's government property must be reported to his/her supervisor immediately.
  - b) ODJFS credentials or identification cards shall not be used to coerce, intimidate, or deceive others or to obtain any privilege or article not otherwise authorized in the performance of official duties.
3. Personal Conduct

Employees have a responsibility to respect the diversity of our workforce and afford their fellow workers a workplace free from harassment and intimidation. Employees shall recognize the limitations of their authority and at no time use the power of their position for personal advantage or gain. No employee shall accept or solicit bribes, gifts, money, or favors from vendors or agencies/entities with which ODJFS has a regulatory or fiduciary relationship.
4. Civil Workplace

**Civility is valued here.** ODJFS is dedicated to maintaining a workplace that is both productive and civil. Employees must treat colleagues, coworkers, internal/external customers, and the public with respect. Courteous and positive communication is expected; belittling, rude, hostile, and volatile behavior will not be tolerated. Vulgar language and gestures are not conducive to a reasonable and satisfactory work environment. Disagreements shall be settled by discussion and intervention.

5. Outside Employment

Employees shall not have a direct or indirect financial interest or other interest that conflicts or appears to conflict with one's government duties and responsibilities. For more information regarding conflicts of interest or outside employment see Chapters 102 (the Ohio Ethics Law) and 2921 of the Ohio Revised Code. Employee must report outside employment in accordance with IPP 5003.

6. Illegal Activities

Illegal activities on the part of any employee, in addition to being unlawful reflect on the integrity of the Agency and betray the trust and confidence placed in it by the public. It is expected that employees will obey, not only the letter of the law, but also the spirit of the law whether engaged in personal or official activities. An employee convicted of a felony must immediately report it to the Director or designee.

7. Confidentiality

Employees of the Agency have access to many different types of information. Each employee may only disclose or release information consistent with applicable law and agency policy.

8. Nepotism

- a) Except as provided in Section D of DAS policy HR-D-02, no public official or employee shall supervise any person closely related by blood, marriage or other significant relationship including business association.
- b) Employees will not authorize or use their authority or influence of his or her position to secure the authorization of employment or benefit (including a promotion or preferential treatment) for a person closely related by blood, marriage or other significant relationship including business association.

C. INVESTIGATIONS

Allegations of misconduct will be investigated. During the course of an investigation, employees are to cooperate fully by providing all pertinent information. Failure of an employee to answer any inquiry fully, truthfully and to the best of their knowledge will be grounds for disciplinary action. Individuals may also be required to submit to an official search of person or property. An employee may be placed on Administrative Leave during an investigation.

D. EMPLOYEE ASSISTANCE PROGRAM (EAP)

1. Employees experiencing personal problems that interfere with their duties and responsibilities are encouraged to seek the services of the Employee Assistance Program.
2. Participation by an employee in an EAP program may be considered in mitigating disciplinary action.
3. Imposition of discipline can be delayed until the employee completes an EAP program. Upon notice by the OHIO EAP of successful completion under the provisions of an Ohio EAP Participation Agreement, ODJFS will give serious consideration to modifying the contemplated discipline.
4. Separate disciplinary action may be instituted for offenses committed after commencement of an EAP Participation Agreement.

E. DISCIPLINE

1. In the Ohio Department of Job and Family Services, it is important that disciplinary actions be for just cause and be administered fairly throughout the department within the guidelines set herein. The discipline shall be commensurate with the offense taking into account the severity of the violation, mitigating circumstances, as well as previous discipline and other aggravating circumstances.
2. ODJFS is committed to the policy of constructive progressive discipline. Disciplinary actions should be imposed with the intent of giving the employee the opportunity to correct his/her behavior so long as the discipline is commensurate with the offense. If the behavior is not corrected, discipline should become increasingly more severe up to and including removal. However, certain offenses warrant severe discipline to include removal on the first offense.
3. Individual violations are not mutually exclusive. Progressive discipline need not be measured in terms of following the complete progression in each category. The violation of different work rules, the closeness in time and repetitive nature of the violations are examples of circumstances that aggravate the penalty.

F. VIOLATIONS AND PENALTIES

1. Appendix B provides the Violations and Penalties commonly referred to as the disciplinary grid. This is a guideline to inform employees of those actions that are considered unacceptable and the possible corrective action for such. **These guidelines are not all-inclusive and may vary depending upon individual mitigating or aggravating circumstances.**
2. Disciplinary corrective actions include, but are not limited to, the following forms:
  - a) Verbal Reprimand
  - b) Written Reprimand
  - c) Fine
  - d) Reduction of Leave
  - e) Working Suspension
  - f) Non-Working Suspension
  - g) Demotion
  - h) Removal

NOTE: Per appropriate bargaining unit contract or statute, not all corrective actions may be applicable.

**CLICK [HERE](#) to acknowledge that you have read, understand, and will comply with this policy.**

VII. **APPENDIXES:**

A. SUBJECT MATTER EXPERT(S)

Owning Entity	Address	Name(SME)	Phone/ Fax/ E-mail
Bureau of Civil Rights / Labor Relations	BCR/LR Office: 30 East Broad Street, 30th Floor, Columbus Ohio 43215	Labor Relations Staff	614-466-6514 614-752-6381 IPPM_STAFF@jfs.ohio.gov

B. THE DISCIPLINARY GRID, ODJFS STANDARDS OF EMPLOYEE CONDUCT, RULE VIOLATIONS AND PENALTIES

**DISCHARGED/VIOLATION OF COMPANY POLICY****Claimant's Name** Glenda Hain

1. Describe the final event that caused the discharge, including the date it occurred or was discovered by the company.

On 11 January 2011, Glenda Hain had a verbal altercation with a fellow employee. Glenda admits in her own statement that she started the altercation and exacerbated the situation. (Statement attached)

2. Explain the company rule or policy violated by the claimant.

ODJFS IPP 0003

F3: Discourteous and or rude behavior of another.

F25: Any failures of good behavior that may discredit embarrass, undermine or interfere with the mission of ODJFS.

3. Was claimant aware of the rule or policy?

Yes

If yes, how was claimant made aware?

Signed standards of conduct on 5/14/10 (Attached)

Previous incident 5/10/10 (Attached)

4. Is this rule uniformly applied to all employees, including this claimant?

Yes

If not uniformly to this claimant, please explain.

N/A

5. Please explain your disciplinary policy.

In accordance with ODJFS IPP 0003 and Bargaining Unit/ Labor Relations Policy

6. Please explain how employees, including this specific claimant, are advised of the disciplinary policy.

Through the use of Standards of Conduct document and IPPs

7. Had claimant received warnings and/or discipline for the same or similar incidents in the past year?

Yes

If yes, provide details including dates of warnings or other discipline and the nature of the discipline.

5/10/10 Received Written Reprimand for similar incident (Attached)

8. If no previous discipline, or if your company discipline policy was not applied to this claimant, explain why claimant was discharged at this time.

N/A

9. Is there a grievance procedure available to claimant, either through a company plain or through a labor union?

No

If yes, did claimant follow an established grievance procedure?

N/A

10. Please provide any additional information that you believe may have significance to the separation.

According to Contract Article 7.03 ( An employee in an intermittent position may be terminated at will without recourse, and such termination is considered for just cause).

**11. Please provide the name, title and phone number of the individual who is the Source of the above information.**

<u>Brian Nelson</u>	<u>Program Delivery Supervisor</u>	<u>(513) 479-8908</u>
Name	Title	Phone Number

12. Please provide the name, title and phone number of your preferred contact if different than above.

<u>HR Benefits</u>	
Name	Phone Number

(5/11/2011) KATHERINE DUMOND - Re: Glenda Hain - Cincinnati Call Center intermittent

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**From:** BETH BRANNIGAN  
**To:** HAMILTON, KATHY; NELSON, BRIAN  
**CC:** FIELDS, MARGE; ROWLAND, SANDY; WATSON, LISA  
**Date:** 2/14/2011 2:51 PM  
**Subject:** Re: Glenda Hain - Cincinnati Call Center intermittent  
**Attachments:** Scann001.PDF; Intermittent Separation Letter - G. Hain.pdf

Good afternoon,

Please find the attached DISCHARGED/VIOLATION OF COMPANY POLICY form and supporting documentation regarding the removal of Glenda Hain.

Please let me know if you need additional information.

Thanks Beth

--

Beth A. Brannigan  
Region 5 Coordinator,  
ODJFS Local Operations  
P.O. Box 454  
Chillicothe, Oh 45601  
cell: 614-306-9087  
fax: 740-774-8517  
Beth.Brannigan@jfs.ohio.gov

>>> On 2/14/2011 at 12:35 PM, in message <4D59217B.BB28.007D.0@jfs.ohio.gov>, KATHY HAMILTON wrote:

> Hi Beth & Brian, please see the request below from Sandy Rowland and return by  
> 2-18-11. The removal letter and supporting documentation are attached.  
> Thank you.

>

>>>> SANDY ROWLAND 2/14/2011 9:54 AM >>>

> Hi Kathy,

>

> The attached questionnaire would seem appropriate. Could you please help in  
> getting it completed?

>

> Please return to my attention by 2/18/11. Thanks!

>

> Sandy

>

>

> Sandy Rowland

> Benefits Officer

> Ohio Department of Job & Family Serv.

> Payroll/Benefits Section

> 30 E. Broad St., 30th floor

> Columbus, OH 43215-3414

> Phone: (614) 466-9438

> Fax: (614) 995-7048

>

(5/11/2011) KATHERINE DUMOND - Re: Glenda Hain - Cincinnati Call Center intermittent

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>  
>>>> KATHY HAMILTON 2/14/2011 8:05 AM >>>  
> Hi Sandy, we do not agree, she was removed. She was an intermittent at a  
> One Stop (the subject line has she was a Cincinnati CC intermittent). The  
> removal letter and supporting documentation are attached. Thank you.  
>  
>>>> SANDY ROWLAND 2/11/2011 4:14 PM >>>  
> Hi Kathy,  
>  
> Glenda Hain has filed for unemployment benefits . The reason stated was  
> Lack of Work. Do you agree?  
>  
> Please advise by 2/17. Thank you so much.  
>  
> Sandy  
>  
>  
>  
> Sandy Rowland  
> Benefits Officer  
> Ohio Department of Job & Family Serv.  
> Payroll/Benefits Section  
> 30 E. Broad St., 30th floor  
> Columbus, OH 43215-3414  
> Phone: (614) 466-9438  
> Fax: (614) 995-7048  
>  
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