



Policy: 2019022

Date in Effect: 11/18/2019

Latest Revision: 11/18/2019

EMPLOYEE STATUS POLICY

POLICY STATEMENT

It is the policy of the City of Findlay to maintain standard definitions of employment status available to City employees; and to include such definitions with every job description title/category which the City adopts, both by City ordinance and by City policy. Furthermore, the City ensures that these definitions are neutrally applied to all job classifications/titles. The City conforms its employee status determinations with applicable City Ordinance, Civil Service rule, state statute, and federal guidelines.

EMPLOYEE CLASSIFICATION

At-will employment status – In Ohio, non-bargaining employees are considered “at will”; that is either the City or the employee may terminate the employment relationship for any reason that is not contrary to law. This handbook does not alter the at-will relationship between the City and its employees, although it does contain disciplinary procedures in the Employee Discipline Policy. All employees (excluding those covered by a collective bargaining agreement) are subject to the rules and procedures outlined in the Employee Discipline Policy. Employees are either categorized as Unclassified (Appointed) or Classified:

- A. Unclassified Service of Civil Service – Unclassified employees serve at the pleasure of the appointing authority. Unclassified employees are not subject to the competitive selection process that may be associated with classified positions. Unclassified employees are not entitled to the employment protections under the terms of the Ohio civil service laws. The unclassified service of the civil service of the City shall include the following:
 1. All officers elected by the people
 2. All directors and heads of departments
 3. All officers and members of boards and commissions whose appointment is subject to concurrence by Council.
 4. One administrative assistant to each elected officer and the various directors or heads of departments, the Deputy Auditor and one secretary and one assistant or clerk for each board of commission appointed by the Mayor
 5. The City Clerk
 6. The legal assistants to the Law Director
 7. Bailiffs, constables, clerks of court and deputy clerks of court, official stenographers, and other employees of the courts.

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8. Physicians, nurses, engineers, veterinarians, and surveyors, or other comparable professions which require licensing under the laws of the State of Ohio.
 9. Those employees whose job duties require, as essential qualifications over and above technical competency requirements, a high degree of trust, confidence, reliance, integrity or fidelity and who perform non-ministerial, discretionary duties in the department heads place and stead.
- B. **Classified Service of Civil Service** – Classified employees hold positions that are awarded based on objective merit and fitness, which is typically determined by a competitive selection process such as competitive examination. Classified employees have protections under the terms of the Ohio civil service laws. The classified service shall be comprised of all positions not specifically included under the unclassified.

PERSONNEL STATUS

- A. **Full Time** - Employees having completed their regular work schedule of thirty (30) or more hours per week on a twelve (12) months per calendar year basis. Full time employees are eligible for participation in benefits programs
- B. **Part Time** – Employees having completed their regular work week schedule of less than thirty (30) hours per week on a twelve (12) months per calendar year basis.
- C. **Seasonal/Temporary** – Employees who are hired for jobs established for a specific purpose, for a specific period of time, or for the duration of a specific project or group of assignments.
- D. **Intern** – Student or trainee who works, sometimes without pay, at a trade or occupation in order to gain work knowledge and experience

FAIR LABOR STANDARDS ACT (FLSA) STATUS

- A. **Exempt** - Employees primarily performing work that is not subject to overtime provisions of the Fair Labor Standards Act (FLSA). Overtime pay is not required by FLSA for exempt employees. There are five (5) categories of exempt employees:
 - Executive
 - Administrative
 - Professional
 - Outside Sales
 - Computer
- B. **Non-Exempt** – Employees primarily performing work that is subject to the overtime provisions of the Fair Labor Standards Act. Overtime compensation is required for employees that work in excess of 40 hours per week. For more details on overtime compensation review Overtime pay section in the City Salary Ordinance.



EFFECT OF EMPLOYMENT STATUS

- A. All employees of the City of Findlay, regardless of employment status, are subject to all City policies, rules, and procedures that apply to their employment status.
- B. All employees regardless of their employment status may also be subject to a disciplinary process solely at the discretion of the Mayor, Director of Public Safety or Director of Public Service.

Director of Law Review

A handwritten signature in blue ink, appearing to be 'D. M.', written over a horizontal line.

Human Resources Director

A handwritten signature in black ink, appearing to be 'D. M.', written over a horizontal line.

Mayor

A handwritten signature in black ink, 'Christina M. Murphy', written over a horizontal line.