

## **INTRODUCTION**

This employee manual has been prepared to provide Ohio Turnpike Commission employees, other than those who are covered by a Collective Bargaining Agreement, with information regarding employee rights, benefits, policies and procedures.

Employees of the Commission are employees “at will” and have no specific contractual rights to continued employment. This manual does not constitute a contract guaranteeing employment in any way and should not be construed as such. Employees are free to terminate their employment with the Commission at any time with or without a reason. The Commission also has the right to terminate an individual’s employment with or without reason and with or without notice. Only the Executive Director has the authority to alter any employee’s at will employment, and any such alteration must be in writing and signed by the Executive Director.

Final interpretation of this manual resides with the Commission and the Commission reserves the right to revise the manual at any time. This publication is not inclusive of all matters affecting your employment. If you have questions or for more information, please contact our Human Resources Department.

**SECTION ONE**

**OPERATIONAL PRACTICES**

## 1.1 HOURS OF OPERATION

To ensure the efficient operations of the Ohio Turnpike, it is necessary that many positions be staffed twenty-four (24) hours per day. Not all positions or departments will have the same working hours or schedules.

### A. MAINTENANCE FIELD PERSONNEL

This section applies to Foremen and Assistant Foremen, Division Trades Supervisors, Division Superintendents, **Assistant Division Superintendents, Division Clerical Supervisors**, Division **Secretaries**, Section Clerks, and other non-bargaining unit employees in the Maintenance Department.

Maintenance Foremen and Assistant Foremen are responsible for the maintenance of the assigned section twenty-four (24) hours per day, seven (7) days per week. Normal working hours shall be from 7:30 a.m. until 4:00 p.m., Monday through Friday from September 16 through **the last Friday in April**. Normal working hours for the period of **the Monday after the last Friday in April** through September 15 shall be 6:30 a.m. until 3:00 p.m., Monday through Friday.

The Maintenance Engineer may, at his/her discretion, vary hours of work for any and all positions within the Maintenance Department.

In cases in which an employee is absent for less than one (1) full workday, the department head may permit the employee to make up the lost time at a later date within the same work week **as the absence** without loss or adjustment to pay.

### B. TOLL OPERATIONS FIELD PERSONNEL

Toll Plaza Supervisors and Assistant Toll Plaza Supervisors are responsible for the operations of toll facilities twenty-four (24) hours per day, seven (7) days per week. The workweek shall begin on Sunday and end the following Saturday. The hours of work in a workweek may vary, and will be scheduled as necessary for the effective operations of each toll facility.

In cases in which an employee is absent for less than one (1) full workday, the department head may permit the employee to make up the lost time at a later date within the same work week **as the absence** without loss or adjustment to pay.

C. ADMINISTRATIVE EMPLOYEES

The normal hours of work shall be from 8:30 a.m. until 5:00 p.m., Monday through Friday unless otherwise designated in writing by the Department Head.

Supervisors' normal workweek shall consist of a minimum forty (40) hours, with additional hours to be worked when necessary for the effective operation of the department.

Radio Operators, custodial and janitorial positions' working hours and days will be scheduled by their supervisor for the effective operation of the applicable department.

Subject to the appropriate department head's approval, employees have the option of taking a one (1) hour lunch period with no rest periods, OR a lunch period of one-half (1/2) hour and two (2) rest periods of fifteen (15) minutes each.

In cases in which an employee is absent for less than one (1) full workday, the department head may permit the employee to make up the lost time at a later date within the **same** work week **as the absence** without loss or adjustment to pay.

D. SERVICE PLAZA PERSONNEL

1. Hours of work for Service Plaza personnel will vary depending on employment status (full-time, part-time, seasonal), plaza location, time of year, and departmental approval. Shifts for Service Plaza personnel are regularly adjusted during peak travel days, such as before and after holidays and for the busy travel season which typically includes evenings, nights, weekends and holidays.
2. Service Plaza personnel will be paid appropriately for all hours worked beyond 40 hours in a work week based on their Fair Labor Standards Act (FLSA) classification.
3. Lunches and breaks will be based on the number of hours worked or scheduled.

E. RADIO OPERATORS

The Commission's Communications Center is a continuous 24 hour/7 days per week operation and must be maintained by radio operators at all times. **Six (6)** shifts of eight (8) hours each have been created to provide for the operational duties of the Communication Center. Normal working hours are as follows:

<u>Shift</u>	<u>Hours of Work</u>
A	12:00 AM to 8:00 AM
B	4:00 AM to 12:00 PM
C	8:00 AM to 4:00 PM
D	12:00 PM to 8:00 PM
E	4:00 PM to 12:00 AM
F	8:00 PM to 4:00 AM

All shifts will start and end on the hour. If a radio operator is not ready to start their shift at the beginning of the hour, they will be considered tardy.

All radio operators will be given the opportunity to select their preferred shift based upon their seniority to the extent operationally feasible. The new schedule will take effect on the first day of the first pay period in January of each year and will remain in effect until the first day of the first pay period in January of the succeeding year. Shift selection will normally be made approximately six weeks prior to the start of the schedule and shall be posted by December 1 of each year. The schedule must remain in the Communications Center at all times. In the event permanent modifications are made to the schedule, radio operators will reselect shifts based upon seniority. Management reserves the right to change their schedule or shift based on operational necessity.

**F. TARDINESS AND ABSENTEEISM.**

The Commission expects all employees to assume diligent responsibility for their attendance and promptness. Should an employee be unable to report to work, the supervisor or department head must be notified in accordance with the Commission's leave policies.

For any department to operate efficiently, each employee must be at their place of assignment at the scheduled starting time. Excessive tardiness on the part of any employee will not be tolerated.

Habitual tardiness or absenteeism is subject to disciplinary action, up to and including termination of employment.

**G. BREASTFEEDING BREAKS.**

**Employees who are nursing are provided with reasonable unpaid break time to express breast milk after the birth of a child as long as providing such break time does not unduly disrupt operations. The Commission will make reasonable efforts to provide a private location. Employees will not be retaliated against for exercising their rights under this policy.**

## 1.2 OVERTIME

- A. Non-exempt employees\* will be compensated for overtime hours worked, at the rate of one and one-half (1½) times their regular hourly wage. All hours worked in any one (1) work week by a non-exempt employee in excess of forty (40) regularly scheduled, straight-time hours, shall be considered as overtime hours. **Sick leave, vacation leave and holidays do not count toward the calculation of hours worked for purposes of overtime at premium pay.**
- B. When a supervisor requests that an employee work overtime hours in addition to regularly scheduled hours for a given day, the employee shall be expected to work all of the employee's scheduled hours on that day, in addition to the overtime hours, unless circumstances require approved paid leave for a portion of the day.
- C. An employee's regularly scheduled work hours for any day shall be those established hours of work for that employee's performance of duties, or that equivalent period for which the employee is requested, by the immediate supervisor, to be on duty during that particular work day.
- D. All employees shall work overtime when required to do so by their supervisor, unless the supervisor excuses the overtime work for good cause. Refusal of, or the unavailability for overtime work, shall be deemed sufficient cause for disciplinary action up to and including termination. The disciplinary action will be determined by taking into consideration the reasons for the refusal to perform overtime work. If the employee is unavailable due to a prior commitment such as a medical appointment, no disciplinary action will be taken.
- E. Overtime requires prior approval from the appropriate supervisor. Employees who work overtime without supervisory approval may be subject to disciplinary action. All overtime hours worked must be reported by the employee on the "Employee Record of Hours" timesheet at the time that the overtime was earned.
- F. Scheduled overtime, which is subsequently cancelled for any reason, shall not entitle the employee to overtime compensation.

\*Those employees eligible for overtime pay pursuant to the Fair Labor Standards Act.

### 1.3 COMPENSATORY TIME

All exempt, full time, non-bargaining unit employees of the Commission, excluding the Executive Director, are eligible to accrue compensatory time. Compensatory time accrual and usage is subject to the approval of the appropriate supervisor based upon operational need. The request must be approved by the Department Head in advance of the additional work being performed.

#### A. EXEMPT EMPLOYEES:

1. Exempt employees (those who are not eligible for overtime compensation under the Fair Labor Standards Act) shall be credited for each hour worked in excess of their regularly scheduled hours in any workweek. Compensatory time will be earned on an hour for hour basis. Compensatory time may not be used before it is accrued. The maximum accrual of compensatory time shall be one hundred **sixty (160)** hours. Compensatory time must be used within **eighteen (18)** pay periods from when it was earned. Employees who have accrued one hundred **sixty (160)** hours of compensatory time shall not be permitted to accrue additional compensatory time until such time as the balance falls below one hundred **sixty (160)** hours.
2. The record of hours timesheet is the only form to be used for recording compensatory time. Employees shall record in the "remarks" section of the time sheet the reason for compensatory time accrual. *The supervisor's signature on the employee time sheet certifies that the employee had prior approval to earn compensatory time and that the compensatory hours requested are accurate.* Any employee who has accrued compensatory time and requests use of the compensatory time shall be permitted to use such time off within a reasonable period after making the request, provided that the requested leave does not unduly disrupt the operations of the Commission. Timekeepers will receive a compensatory time report showing hours accrued per employee each pay period.

#### B. LIMITATIONS:

1. Compensatory time worked or used may not be recorded for less than one half hour (1/2 hour). Thereafter, compensatory time may be recorded in one quarter (1/4) hour increments. For example, an employee **may** claim three-quarters of one hour (3/4) of compensatory time.
2. Compensatory time may not be accrued during an employee's lunch hour, authorized breaks or for work completed at home unless authorized and approved by the Executive Director.
3. Compensatory time use must be documented on a Request for Leave form signed by the employee and approved by the employee's supervisor prior to the leave being taken.
4. Compensatory time may be used in conjunction with scheduled paid leave days as scheduling permits.

5. Compensatory time may not be used to extend an employee's date of resignation nor date of retirement.
6. Employees may be credited for compensatory time for out-of-town travel, if such travel is required by the Department Head. If such travel is not a requirement of the employee's job or required by the employee's Department Head, but rather is voluntary travel, then any possible compensatory time will be approved or denied jointly by the Department Head and Executive Director. Only time spent outside the employee's normal working hours traveling to/from the out-of-town location and/or attendance at the out-of-town meetings/sessions is eligible for compensatory time. All requests for compensatory time associated with out-of-town travel must be submitted in advance on the Out-of-Town Travel Request form.
7. There is no cash payment for compensatory time balances when the employee separates service.
8. Compensatory time accrued at another state agency is not transferable to the Commission.

## 1.4 USE OF VEHICLES ON COMMISSION BUSINESS

### A. Purpose.

1. To establish a policy that promotes the safe and responsible use of vehicles used by employees in performing Commission business.
2. To designate responsibilities and outline procedures to ensure the proper use and operation of vehicles by Commission employees.

### B. Scope.

1. This policy applies to all Commission employees that use vehicles provided by the Commission or personal vehicles to perform Commission business.
2. This policy applies to all Commission employees who are assigned responsibilities in connection with vehicle use and rules of operation.

### C. Vehicle Use.

1. Authorized Use – Commission vehicles are authorized for use in performing official Ohio Turnpike Commission (OTC) business. Authorized use of a Commission vehicle includes the following:
  - a) Travel between the place of vehicle dispatch and the place(s) where official Commission business is performed.
  - b) For employees assigned a vehicle in accordance with the Vehicle Assignment Policy, travel is permitted between the place of vehicle dispatch, the place of official Commission business and the employee's personal residence (including incidental stops for personal errands while commuting en route to or from work).
  - c) Transport of employees or guests when they are engaged in Commission business.
  - d) Transport of consultants, contractors, representatives of commercial firms, etc. when such travel is directly **related to** Commission business.
  - e) When on approved Out-of Town travel status, travel from places of lodging and places of business to locations as follows:
    - Places to obtain meals.
    - Places to obtain medical assistance.
    - Places of worship.
    - Places related to health and welfare (such as dry cleaners, barber shops, drugstore, etc, excluding places of entertainment).
2. Unauthorized Use – Commission vehicles are not authorized to be used in the following ways:

- a) Using a vehicle for personal business, gain or profit.
- b) Using a vehicle during the commission of a crime.
- c) Using a vehicle to go to sporting or entertainment events (including hunting, fishing, golfing, etc.) which are not part of Commission business.
- d) To transport people or animals who are not employed by the Commission or serving the interests of the Commission (such as family, friends, pets, hitchhikers, etc.), except in emergency situations or with written approval from the Executive Director.
- e) To transport alcohol, firearms, or any item that may create the appearance of impropriety on the part of the Ohio Turnpike Commission or any of its employees.

D. Vehicle Rules of Operation.

- 1. Those driving vehicles on Commission business shall possess a driver's license that is valid in the State of Ohio and that is appropriate for the class of vehicle being driven.
- 2. Drivers and passengers shall comply with applicable state and local traffic laws.
- 3. Drivers and passengers shall wear seat belts.
- 4. Vehicles shall be used in a safe and responsible way. Vehicle abuse is prohibited and includes the following:
  - a) Travel or tasks which are outside the vehicles intended use or beyond the rated capacities.
  - b) Ignoring vehicle warnings, indicators and obvious mechanical deficiencies.
  - c) Transporting cargo improperly; cargo not secured properly, cargo protruding from vehicle so as to obstruct safe driving, cargo that creates a hazard to pedestrians or other vehicles, etc.
- 5. All violations and fines related to the use of the vehicle, including parking citations, are the responsibility of the assigned driver. Any employee that receives a citation while driving a vehicle on Commission business shall immediately notify their supervisor. The supervisor shall immediately notify their Department Head.
- 6. Smoking is prohibited in vehicles provided by the Commission.
- 7. Commission vehicles should carry safety equipment and supplies that are appropriate to the vehicle, as determined by the Safety Services Department.

8. Employees are responsible to perform a safety check (lights, turn signals, mirrors, safety equipment and supplies, etc.) before utilizing a vehicle provided by the Commission. Any deficiencies found during this check or during the use of the vehicle are to be reported as soon as possible to the appropriate authority by submitting the Assigned Vehicle Operation Report (for Long-Term or Short-Term Assigned Vehicles) or the Vehicle And Equipment Operation Record (for all other vehicles) with the deficient items noted.
9. Employees operating a Commission vehicle shall be required to carry motor vehicle liability insurance minimums as prescribed by the Ohio Revised Code and be insurable under the Commission's insurance policy. **Employees who own and drive their own vehicle for Commission business are required to maintain automobile liability insurance requirements as set forth in state law.**
10. The Ohio Turnpike Commission maintains a comprehensive general casualty and property insurance program. The insurance carriers who underwrite the Commission insurance policies issue Driver Qualification Standards that the Commission must follow in order to maintain sufficient insurance coverage at a reasonable cost. All employees who drive vehicles to perform Commission business are subject to driving record checks on a bi-annual basis and the Driver Qualification Standards. Employees with a record of at-fault accidents or motor vehicle infractions/violations within the last three (3) years may be disqualified from driving a vehicle for the Commission due to uninsurability. Employees with an unsatisfactory driving record or who are determined to be uninsurable, and who are required to drive a vehicle in the course of their job duties, may be disciplined, up to and including termination.

**Employees who use a Commission vehicle based upon their job duties are subject to a driving record check and must satisfy driver insurability standards. The Human Resources Department shall maintain the Approved Driver List and shall provide the list to all Department Heads and the Fleet Manager on an annual basis.**

11. Prior to the use of any vehicle (Commission-owned or private) on Commission business, it is the employee's responsibility and obligation to inform their immediate supervisor and the Human Resources Department in the following situations:
  - a) If the employee does not possess a valid driver's license.
  - b) If the employee does not carry personal automobile liability insurance.
  - c) If the employee has convictions for Driving Under the Influence (DUI), reckless operation, or any other driving offense for which the Bureau of Motor Vehicles awards six (6) points.
12. Any employee that is involved in a motor vehicle accident (even if another vehicle is not involved or there are no apparent injuries) while driving a vehicle on Commission business shall :
  - a) Call 911 if there is a medical emergency.

- b) Notify their supervisor as soon as possible. The supervisor shall immediately notify their Department Head.
  - c) Contact local law enforcement and have a report filed. If local law enforcement officers are not available, obtain basic information (identification, company, vehicle, insurance and witness statement) from any other parties involved.
  - d) As soon as possible, complete and submit appropriate forms (OTC Vehicle And Equipment Accident Report, OTC Employee Incident Report, BMV Crash Report). Verify with supervisor what forms must be completed for the particular accident.
13. Employees involved in a motor vehicle accident while performing Commission business, may be required to submit to a post-accident alcohol and/or drug test. Testing is required in the following situations:
- a) If there is loss of a human life associated with the accident.
  - b) If there is anyone who receives medical treatment in connection with the accident.
  - c) If the employee receives a citation in connection with the accident.

When the situation requires a post-accident alcohol and/or drug test, the employee's Department Head is responsible to arrange for the required testing in accordance with the Commission's Drug & Alcohol Testing Policy (see Section 5.2)

14. **The transmission or viewing of any text or picture messages while driving is prohibited. The Commission further prohibits any activities that might otherwise compromise the safe operation of the vehicles.**
15. The Commission's Fleet Manager shall oversee issues regarding the daily operation and maintenance of vehicles.
16. Violations of the Commission's Vehicle Use And Rules Of Operation Policy may result in forfeiture of assigned vehicle to the employee or group of employees as well as disciplinary action.

## 1.5 DRESS CODE

The Commission expects all employees to present an appropriate appearance and demeanor during working hours.

### A. ADMINISTRATIVE EMPLOYEES

1. Administrative employees are required to wear **professional** business attire Monday through Thursday. The Commission has a “business casual” dress code on Fridays allowing employees to take advantage of more casual attire, while continuing to present a clean, neat and professional image.
2. Unacceptable attire includes, but is not limited to:
  - Jeans
  - Shorts
  - Sweat outfits or nylon sweat wear
  - Spandex
  - Tank, halter-tops **or low-cut tops**
  - Tennis Shoes/Sneakers/Athletic Shoes/Flip Flops**

### B. TOLL OPERATIONS SUPERVISORY, MAINTENANCE FIELD and SERVICE PLAZA PERSONNEL

The Commission will provide uniforms to all supervisory toll operations personnel and certain maintenance personnel to be worn at all times while on duty. A winter and summer uniform will be provided to the toll operations supervisory personnel. All uniforms are to remain the property of the Commission. The Commission will assume the cost of the uniforms and dry cleaning.

## **1.6 WORKERS' COMPENSATION AND UNEMPLOYMENT INSURANCE**

The Ohio Turnpike Commission has elected to provide coverage for its employees under the Ohio Unemployment Compensation Act as a reimbursing employer and the Workers' Compensation Act as a self-insured employer. The Workers' Compensation Act provides for compensation and payment of medical expenses for employees who receive injuries which are compensable under the law.

### **A. SICK LEAVE AND FAMILY MEDICAL LEAVE PRACTICES**

1. If an industrial injury causes total disability and is compensable under the Workers' Compensation Act, sick leave benefits will not be paid for any such period of absence; however, within ten (10) days of the injury, an employee may elect to use accumulated sick leave rather than receive temporary total benefits under the Workers' Compensation Act. An employee making this election may apply for temporary total benefits under the Workers' Compensation Act upon exhaustion of accumulated sick leave benefits.
2. If temporary total disability is awarded as a result of an industrial injury, amounts previously paid in sick leave benefits will be deducted from any award for temporary total disability.
3. Any and all time missed from work as a result of an industrial injury will also be applied toward an employee's qualifying twelve (12) weeks under the "Family and Medical Leave Policy".
4. An employee who claims Workers' Compensation benefits and Sickness and Accident benefits shall not be entitled to receive both benefits at the same time, but shall be permitted to apply for Sickness and Accident benefits during the pendency of any claim petition or other litigation filed by an employee because of the denial of Workers' Compensation benefit to him or her. If the employee is subsequently found to be entitled to receive Workers' Compensation benefits, the Commission shall be entitled to receive a credit from the benefits awarded for all Sickness and Accident benefits or sick leave it has paid to the employee. In these circumstances, sick leave hours shall be reinstated to the employee in an amount equal to the temporary total disability credit.
5. An employee who submits false information to the Commission or related documentation, including submission of inaccurate or incomplete information to a health care provider, is subject to disciplinary action up to and including termination. An employee may also be subject to criminal prosecution for submitting false or inaccurate information in support of a claim of Workers' Compensation benefits.

## B. TRANSPORTATION

The Commission shall provide transportation for an employee who is injured on the job to and from the physician's office or the hospital on the day of the injury. If the physician is of the opinion that the injured employee is unable to return to work on the day of the injury, the employee shall receive pay for the full day, regardless of the hours worked prior to the injury, and the day shall not be charged to sick leave.

## C. REPORTING

It is the employee's responsibility to file a written report to their supervisor no matter how insignificant the injury or illness may appear at the time. The First Report of Injury Form is to be utilized for this purpose. These forms are available from supervisors or the **Workers Compensation Office in the Legal Department**. Supervisors are required to **complete** an incident investigation report form upon receiving a First Report of Injury Report. These reports must be submitted to the Workers' Compensation Office. The failure to submit a report for an injury or illness may result in the denial or disallowance of a claim or disciplinary action, up to and including termination. Supervisors are also subject to disciplinary action for failing to **complete** an incident investigation report.

If an industrial injury prevents an employee from reporting to work, employees are required to contact both the Workers' Compensation Office and the Human Resources Department on the first day that they fail to report to work. The failure to contact both the Workers' Compensation office and the Human Resources Office may result in the absence being treated as an unexcused absence.

## D. TRANSITIONAL WORK PLANS

The Commission may offer employees returning to work from an industrial injury or other serious health condition to work at less than the employee's regularly scheduled number of hours or under an approved temporary, transitional work plan under the following conditions:

1. The employee is able to perform the essential functions of his/her position in a safe and efficient manner;
2. The employee is eligible to receive temporary total benefits for time missed from work due to a work-related injury or disease;
3. The employee has been given a release to work from a health care professional;
4. The employee is released to work a minimum of four (4) hours per day;
5. The modified job plan is not permanent in nature; and
6. The transitional work plan does not interfere with the safe and efficient operation of the Commission or does not interfere with the provisions of the collective bargaining agreement.

Employees are expected to maintain communication with the Workers Compensation Office and the Human Resources Office regarding the status of their recovery and ability to return to work on a full-time or part-time basis. Employees are also expected to request a transitional work plan when they are able to resume the essential functions of their position.

## 1.7 **TRANSPONDER POLICY**

- A. **Employees who are issued Non-Revenue Transponders may only use such transponders for official Commission business and commuting between the employee's residence and principal work location.**
- B. **Transponders may not be used for personal travel under any circumstances and that usage will be audited for compliance. Employees using their non-revenue transponders for personal travel may be subject to disciplinary action, up to and including termination.**
- C. **Any unused toll tickets must be signed and submitted to the Internal Toll Audit Department on a timely basis.**
- D. **The Non-Revenue Transponder is the property of the Ohio Turnpike Commission and must be returned upon separation from employment with the Commission, or upon request of Commission management.**
- E. **Employees may be charged \$25 for damaged or non-returned transponders.**

## **1.8 VISITORS POLICY**

- A. “Visitor” is defined as any non-employee of the Ohio Turnpike Commission requesting entrance to the Ohio Turnpike Commission Administration and/or Telecommunications Building.**
- B. Entrance beyond the lobby by anyone other than Commission employees is prohibited.**
- C. Authorized visitors are generally required to have an appointment with a specific individual. The visitor must sign in at the Receptionist Desk and receive a Visitor’s Pass. The visitor must be met in the lobby and escorted to a meeting room or to the employee’s office.**
- D. Persons attending the monthly Commission meetings must first register at the Receptionist Desk, receive a Visitor’s Pass, and then may be directed to the upstairs Commission Meeting Room.**
- E. Upon completion of OTC business, the visitor must return his/her Visitor’s Pass and sign out on the Visitor Log.**