



Medina County Policy Manual



Policy: Definitions	Section: Introduction	Number: 1.050
Issued: 09/17/07	Reviewed/Revised:	Page #: 1 of 4

Unless otherwise specifically indicated in these policies, the following definitions shall apply:

1. **ACTIVE PAY STATUS**—Conditions under which an employee is eligible to receive pay including, but not necessarily limited to, approved vacation leave, approved sick leave, and paid holidays.
2. **APPOINTING AUTHORITY**—The Medina County elected or appointed officials, boards, or commissions authorized by law to make appointments to the several positions of their departments/agencies.
3. **CLASSIFICATION**—A group of positions that involve similar duties and responsibilities, require similar qualifications and which are properly designated by a common descriptive title indicating the general nature of the work. A classification may include only one (1) position.
4. **COUNTY**—The County of Medina, State of Ohio.
5. **DEPARTMENT** — Shall mean a County organizational unit directed and controlled by an Appointing Authority and charged with a specific public service function.
6. **DEPARTMENT HEAD** — Is any individual who has authority, in the interest of the public employer, to oversee and direct the work of supervisors and other employees on a daily basis.
7. **DISCIPLINARY ACTION** —There are four major types of disciplinary actions: removal, suspension, reduction in pay, and reduction in position.
8. **DISHONESTY** — An act of or disposition to lie, cheat, or defraud; untrustworthiness; lack of integrity.
9. **EMPLOYEE** — Generally this means any person holding a position subject to appointment, removal, promotion, or reduction by an Appointing Authority. However, the meaning of "employee" may be different for certain policies.

Policy: Definitions	Section: Introduction	Number: 1.050
Issued: 09/17/07	Reviewed/Revised:	Page #: 2 of 4

10. **EMPLOYER**—The Appointing Authority, or the designee of the Appointing Authority, authorized by law to make appointments to positions.
11. **EXEMPT EMPLOYEE**—An employee excluded from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). Generally, to be exempt, an employee must receive a salary (a pre-determined amount) each pay period.
12. **IMMORAL**—Contrary to good morals; inconsistent with the rules and principles of morality; harmful or adverse to the public welfare according to the standards of the community, as expressed in law or otherwise.
13. **INCOMPETENCY**—Lack of ability, legal qualifications, or fitness to perform duties and responsibilities required of an employee.
14. **INEFFICIENCY** - Quality of being incapable or indisposed to perform duties and responsibilities required of an employee.
15. **INSUBORDINATION**—State of being unwilling to perform duties and responsibilities required of an employee. Refusal to obey an order issued by the employee's administrative superior (supervisor). Act of verbally abusing an employee's supervisor.
16. **JUST CAUSE**—Any one or more of the following: incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, conviction of a felony, any other failure of good behavior, or other acts of misfeasance, malfeasance, or nonfeasance (ORC 123.34)
17. **MALFEASANCE**—The commission of some act which is positively unlawful. The doing of an act which is wholly wrongful and unlawful. The doing of an act which a person ought not to perform.
18. **MISFEASANCE**—The improper performance of some act which a person may lawfully do.
19. **NEGLECT** — To omit or fail to do something that can be or that is required to be done. An absence of care or attention in the doing. An omission of a given act. A failure, refusal, or unwillingness to perform one's duty.
20. **NON-EXEMPT EMPLOYEE**—This is an employee who is covered by the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). Generally, non-exempt employees are compensated on an hourly basis.

Policy: Definitions	Section: Introduction	Number: 1.050
Issued: 09/17/07	Reviewed/Revised:	Page #: 3 of 4

21. **NONFEASANCE**—Nonperformance of some act which ought to be performed, omission to perform a required duty at all, or total neglect of duty.
22. **OVERTIME**—The hours actually worked by an employee in excess of forty (40) hours in any workweek (Sunday through Saturday).
23. **POSITION**—Means a group of duties and responsibilities assigned or delegated by competent authority to be performed by one (1) person.
24. **PREDISCIPLINARY CONFERENCE**— Employees are entitled to a pre-disciplinary hearing before any suspension, discharge, reduction in pay or position becomes effective. The Hearing Officer will review the independent pre-disciplinary decision before deciding upon appropriate disciplinary action.
25. **PROBATIONARY PERIOD**—the process used for evaluating performance of an employee in the position to which appointed/promoted/transferred during a period of regularly scheduled hours worked.
26. **PROGRESSIVE DISCIPLINE**—Incremental disciplinary actions that increase in significance based on the nature and/or recurrence of an infraction: 1st Step — Verbal Warning; 2nd Step — Written Reprimand 3rd Step — Suspension 4th Step — Termination. Serious infractions can result in immediate termination without following the progressive disciplinary steps.
27. **PROTECTIVE MEASURES**—reduce risk of exposure to the employee. The type of protective barrier will be appropriate to the type of exposure anticipated. Examples of protective measures include handwashing, gloves, gowns, masks, and protective eyewear and general housekeeping practices, e.g. surfaces cleaned and disinfected with a suitable chemical germicide that is approved for use as a disinfectant with proper disposable toweling.
28. **REMOVAL**—The termination of an employee's employment.
29. **SUBSTANCE ABUSE**—Possession or use of any controlled or uncontrolled substance to the extent that it interferes with the employees' ability to perform the duties and responsibilities of his position, or may cause harm to himself or others.
30. **SUPERVISOR**—Any individual who has authority, in the interest of the public employer, to oversee and direct the work of other employees on a daily basis.

Policy: Definitions	Section: Introduction	Number: 1.050
Issued: 09/17/07	Reviewed/Revised:	Page #: 4 of 4

31. **SUSPENSION**—Relieving an employee from duty with or without pay, usually for a limited period of time, as a disciplinary measure aimed at improving the employee's conduct, or for medical or psychological evaluation.

32. **UNIVERSAL PRECAUTIONS**—Per Federal Regulations 1910.1030—Blood borne pathogens; all human body fluids are treated as if known to be infectious.

33. **VERBAL WARNING**— A misnomer in the sense that this is a written document that follows a discussion between supervisor and employee where the supervisor advises the employee of the need for improvement in their conduct. The verbal warning documents events causing the discussion between supervisor and employee and is generally considered the “first step” in progressive discipline, depending on the degree of infraction. It further underscores that lack of improvement or continuation of similar behavior will lead to a progression of further disciplinary measures, possibly ending in termination. This becomes the written record where notation of the date, time, and reason for the verbal warning is documented and placed in the employee's personnel file in the event the conduct of the employee does not improve and subsequent disciplinary action is required.

34. **WORKING SUSPENSION**—A suspension during which an employee is not relieved from duty, but that has the same effect as suspensions from work without pay for purposes of recording disciplinary actions and demonstrating progressive discipline. The department “...may require an employee who is suspended to report to work to serve the suspension. An employee serving a suspension in this manner shall continue to be compensated at the employee's regular rate of pay for hours worked. The disciplinary action shall be recorded in the employee's personnel file in the same manner as other disciplinary actions and has the same effect as a suspension without pay for the purpose of recording disciplinary actions.” ORC 124.34(A)

35. **WRITTEN WARNING**—A step of the County's progressive discipline policy, depending on the degree and type of offense. Written warnings are more severe and document the infraction and shall be placed in the employee's personnel file.