

EMPLOYEE STANDARDS OF CONDUCT

AND

DISCIPLINE POLICY

CITY OF ASHLAND

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ENTITIES COVERED

All City of Ashland employees shall be required to submit to the guidelines of the City of Ashland's Standards of Conduct and Discipline.

Elected Officials, appointed Division Heads, Police, and Fire employees are held accountable for conduct and discipline under various other conditions and agreements as well.

PURPOSE

The purpose of the City of Ashland's Standards of Conduct is to establish a uniform standard of conduct for all City employees in covered entities. The further purpose is to communicate the City's standards for conduct and performance related to service rendered to the Ashland community.

The standards may change in the future to reflect changes in laws, work environment, or other circumstances affecting the City's operational and administrative needs. The commitment to providing high quality service in a safe and efficient manner to the citizens of Ashland will not change.

STANDARDS OF CONDUCT PREAMBLE

Section 1.1

GOALS

The City of Ashland is committed to providing high quality service to the Ashland community and to maintaining an efficient, safe, and healthy work place for all employees. To meet these goals, it is the policy of the City of Ashland to require regular, punctual attendance, ethical and moral conduct, compliance with safety and work rules specific to each division, and general conduct befitting a public employee.

COMMON SENSE

These standards do not form an exhaustive list of the City's standards or situations that could lead to corrective action or termination. **Other standards exist.** In addition, **not all City of Ashland standards are in written form.** Employees are required, at all times, to exercise common sense in situations not governed by specific directives, and to exhibit socially acceptable conduct thus promoting a positive public image for the City of Ashland. Any employee whose conduct is unbecoming the standards set forth herein, including other commonly accepted standards, will be subject to progressive discipline up to and including termination

NO DISCRIMINATION IS INTENDED

In the development, communication, and enforcement of its standards, the City of Ashland will promote a standard that would be considered acceptable to a reasonable person. In implementing and enforcing the standards, there is no intent to:

- ⊕ illegally discriminate as defined by law.
- ⊕ violate employment laws or public policy.
- ⊕ violate any terms or conditions of any employment agreement that may exist between the City and its employees.

RIGHTS TO ESTABLISH STANDARDS

The City of Ashland maintains its right to establish standards for the employees of the City, to evaluate performance against those standards and to enforce compliance with written and unwritten standards. This authority extends to the periodic auditing and clarification of its existing standards as well as to the addition of new standards that relate to the effective, efficient and safe performance of its work force.

SUMMARY OF POLICY PURPOSE

In summary, the fundamental purpose of the Employee Standards of Conduct is to:

- Provide direction to City of Ashland employees.
- Establish expectations for performance.
- Provide consistency and order to discipline.
- Create a sense of purpose for, and fairness in management procedures.
- Assure the public that the City's mission, goals, and objectives will be achieved.

STANDARD EXPECTATIONS

All standards are based on the expectation that City employees accomplish the following:

- ◆ Respect the City of Ashland's mission of service to the community.
- ◆ Respect and comply with the City's directives (written and unwritten) including accepted customs and practices.
- ◆ Be at work on time and be available for work.
- ◆ Give a full day's work and be productive during work hours.
- ◆ Adjust to changes; learn present job as well as new jobs.
- ◆ Strive to work cooperatively with other employees.
- ◆ Be physically and mentally fit for work.

Any City employees who perform in a manner contrary to standards may expect the City to:

- ◆ Provide a fair investigation to determine facts.
- ◆ Allow the employee a reasonable opportunity to represent himself or herself; question facts and present defense.
- ◆ Provide progressive discipline; unless infractions are of such serious nature they call for summary discharge.
- ◆ Consider the employee's work history in decisions that determine the appropriate level of discipline.
- ◆ Provide for an appeal of disciplinary action through appropriate channels.

PROGRESSIVE DISCIPLINE

When discipline is appropriate, the concept of progressive discipline will normally be followed provided the following conditions exist:

- The violation did not result in serious damage to the City's public trust.
- Retaining the employee would not create a liability risk for a charge of negligent retention.
- A review of the employee's work history including productivity, attendance, general attitude, time between other offenses, and previous warnings, provides evidence that the employee can learn and is willing to learn from the experience.

Employee fault is an important part in determining to use progressive discipline, or to terminate the employee. Fault means the employee knowingly, purposefully, recklessly or negligently violated a standard. Employee fault shows lack of respect for the mission and priorities of the City and is a more serious problem than failure due to ignorance or lack of competency--- even though the performance results may be the same or similar.

When employee fault is established, progressive discipline is appropriate if the employee's work history and general employment record shows that the employee deserves a second chance. In different situations, termination is appropriate.

When **employee failure** due to ignorance or lack of competency is established, solutions such as retraining, reassignment, demotion, suspension, or termination can result.

Every employee who violates City standards will be reviewed on a case-by-case basis. The following information will be considered to help determine the nature and degree of action that will be taken:

- The seriousness of the deficiency or offense
- The City's expectation that a disciplinary plan of action will produce acceptable results
- The employee's overall conduct, work productivity, time between other violations, if any, and behavior record.

STANDARDS ARE MANDATES

The City of Ashland Standards of Conduct are mandates. Any employee who violates a standard should expect corrective action, discipline, or termination.

Any employee who willfully conducts himself/herself in a manner unbecoming an employee of the City of Ashland will be subject to the City's progressive discipline program. The appointing authority maintains the right to administer discipline up to and including termination depending on the employer's determination of the severity of the offense.

Any employee who does not understand a standard's meaning or the City's intent is responsible to contact his/her supervisor, director, or appointing authority for clarification. It is not acceptable defense to claim ignorance about a standard once it has been made known to the work force. Ignorance is no excuse. The employee will

bear the burden of establishing that he/she made a reasonable effort to know all standards if a claim of lack of knowledge is submitted.

City of Ashland standards, as all organization directives, are subject to change as conditions warrant.

IMPLEMENTATION

The following Standards of Conduct policy is implemented 10/1/1996 and will continue in full force and effect until amended by the Mayor of the City of Ashland.

ATTENDANCE STANDARD

Section 1.2

- A. Regular and punctual attendance for all scheduled work and when on-call is an essential function of each City employee's job duty.
- B. Absence is a failure to report to work and remain at work as scheduled. Absence includes late arrival and early departure as well as being away from work for an entire day.
- C. Each employee who is required to use the time clock will be paid according to his/her regularly scheduled time to begin and end work unless changes from the norm have been approved by the department head.
- D. If an employee knows in advance that he/she is going to be absent or unavoidably late, the employee must request advanced approval in writing.
- E. If an employee is unexpectedly delayed or absent, he/she must report the tardiness or absence by telephone to the supervisor or division director as soon as possible.
- F. City employees are entitled to a lunch period. The length of lunch period shall be determined by each department head. Employees are required to clock in and out at their lunch period unless otherwise advised by their department head. All policies regarding absence and punctuality apply to the lunch break.
- G. Financial consequences of unexcused absence shall be as follows:
 - ♦ Any clock-ins which are in excess of five minutes or .10 past the regularly scheduled starting time will result in loss of pay equal to the exact amount of time tardy up to 4 hours at which time the Absences Standard will apply.
- **Any employee who willfully violates the City of Ashland's Attendance Policies will be subject to the City's progressive discipline program up to and including termination.**

ATTENDANCE STANDARD DEFINITIONS

Section 1.2

The Attendance Standard remains unaltered except as proposed at point G., which is based upon the following clarification of definitions:

Tardiness: An unexpected inability to arrive and clock-in at the job site at the prescribed time. An AFSCME employee will be considered tardy if the employee clocks in between the time of .01 and 4.00 hours past the prescribed time of clock-in time.

Excused Tardiness: Tardiness will be excused by the Division Director or his/her designee if the employee notifies the Director in a timely manner and the reason for tardiness is considered to be of an unexpected and understandable nature.

Unexcused Tardiness: Tardiness will be unexcused by the Division Director if the employee fails to notify the Director in a timely manner, or the Director considers the cause of the tardiness to be preventable. Whether or not the tardy will be excused or unexcused is the sole determination of the Director.

Absence: An employee will be considered "absent" when the employee is unable to clock-in at the job site for a period of greater than 4 hours beyond the prescribed time.

Excused Absence: An employee will be considered excused for absence when the employee notifies the Director in a timely manner per AFSCME contract and the cause of absence is appropriate for the use of sick leave or understandable for the use of another accrued benefit.

Unexcused Absence: An employee will be considered to be unexcused for absence of 4 hours or greater if the employee fails to notify the Director in a timely manner, or the Director considers the cause of the absence to be inappropriate. Whether or not the absence will be excused or unexcused is the sole determination of the Director.

- A. Each employee's work safety and health are the City's primary concern. The City is committed to providing the safest working conditions possible.
- B. Training in safe job practices will be provided on the job and in classroom settings.
- C. Each employee must bear primary responsibility for working safely. In order to maintain the public's trust, public work must be conducted in a safe manner. Unsafe conduct and unsafe use and handling of equipment significantly increases the risk of injuries to citizens and employees. Unsafe conduct also increases the risk of potential liability for the City.
- D. No employee is required to undertake a job in a manner that is known to be unsafe.
- E. Each employee has the responsibility to detect hazards and report unsafe conditions to his/her supervisor or director.
- F. Each employee is required to comply with all safety rules contained in the City's Safety and Health manual, along with other rules which may be issued from time to time, as the safety rules of the City.
- **Any employee who willingly violates the City of Ashland's Safety and Health policies will be subject to the City's progressive discipline program up to and including termination. Special emphasis is placed by the City on the following infractions:**
 - 1. Any employee found to be carelessly negligent in equipment operation, resulting either in damage to the equipment or an accident, will be subject to discipline.
 - 2. Supervisors found to be negligent in requiring the use of prescribed safety equipment will be subject to discipline.
 - 3. Employees failing to utilize, or failing to properly utilize prescribed safety equipment will be subject to discipline.
 - 4. Any employee who fails to report an accident immediately and complete an accident form within 24 hours after the accident, if physically able, will be subject to discipline.

**TOOLS, SUPPLIES, EQUIPMENT, TELEPHONES, CELL PHONES, RADIO AND
COMPUTER USAGE GENERAL STANDARD** **Section 1.4a**

- A. When tools, supplies, equipment, telephones, cell phones, radios and *computers needed to perform job duties are provided by the City, it is the responsibility of Division Director/Designee to see that they are properly used and maintained.
- B. When tools, supplies, equipment, telephones, cell phones, radios and computers needed to perform job duties are provided by the City, it is the employee's responsibility to use and maintain them properly.
- C. City property supplied for the work of the City may only be used as authorized.
- D. Telephones (land-lines) are provided primarily for City business. They should be answered promptly and in a courteous manner. Personal use of City landlines should be brief, limited to break-times and with the approval of the Division Director/Designee.
- E. Cell phones provided by the City are for City business. Follow Division Policy for auditing documentation and reimbursement to the City related to personal use of City cell phones.
- F. Personal use of personal cell phones that are the property of the employee should be brief, limited to break-times and with the approval of the Division Director/Designee.
- G. Cell phones, whether provided by the City or the personal property of the employee, are to be used at a time and place that does not put the user or others at risk.
- H. Computers provided by the City are primarily for City business. Personal use should be brief, limited to break-times and with the approval of the Division Director/Designee.
- I. Two-way radios are provided for City business. They should be used only as needed for work related communication in a business-like manner following standard radio policy.
- J. Cell phones, whether provided by the City related to specific job responsibilities, or the personal property of the employee, should not be used while driving a City vehicle. If a phone call is received, pull safely to the side of the road or into an appropriate parking area before answering the call. If necessary, return a missed call. Do not drive and talk on the cell phone or use other electronic communication devices during work time in City vehicles unless specifically instructed to do so related to the nature of the work assignment (i.e. police and fire).

- **Any employee who willingly violates the City of Ashland's Tools, Supplies, Equipment, Telephones, Cell Phones, Radio and Computer Usage Policy will be subject to the City's progressive discipline program up to and including termination. Special emphasis is placed by the City on the following infractions:**
 1. Misuse, neglect, theft, and abuse of tools, supplies, equipment, cell phones, radios or *computers, is prohibited and will be subject to discipline.
 2. Any accident that emanates from the misuse of cell phones, whether provided by the City or the personal property of the employee, will be cause for discipline.
 3. Loss of tools, supplies, equipment, radios, computers or cell phones, may require payment by the employee for the replacement of lost items.

Privacy Expectations

For the mutual convenience of you and the City of Ashland, you may be assigned city-provided equipment, such as vehicles, lockers, desks, cabinets, briefcases, computers, pagers, voice and paper mailboxes, and cellular phones. You are hereby advised that the retention of any personal items in such equipment is at your own risk, and the City of Ashland and your supervisors will not be responsible for any losses.

Moreover, any city-provided equipment is subject to entry, search and inspection by your Division Director/Designee without further notice. Any privately owned property contained in such equipment (including contents of closed or sealed items/containers) may also be opened and examined without further notice or without your permission.

This includes any city-provided equipment that is protected by a personally owned lock that you might place on the outside.

You have NO expectation of privacy when using city-provided equipment.

*See Section 1.4b ([Communication and Information Systems Usage Policy](#)) and 1.4c ([Email Guidelines](#)) for detailed guidelines.

Communications and Information Systems Usage Policy

Various communications systems may be provided for the use of our employees. They are for the mutual benefit of you and your employer. Examples of these are as follows:

1. Computers
2. Internet information systems
3. Electronic mail (e-mail) systems

Laws pertaining to the release of public records must be followed.

Privacy Advisory

You are warned that you do NOT have a reasonable expectation of privacy when you use a communication system that is employer-authorized or is provided for the mutual benefit of you and your employer. Management has the right

- To monitor your electronic conversation;
- To read your messages; and
- To inspect mail or documents sent to you or by you through the City's servers, including the deciphering of encrypted text.

Management also may access, without further notice, date or test caches, page memory banks, e-mail and voice-mail boxes or accounts, and other employer-provided storage systems.

Management does not need to obtain prior judicial approval and your continued employment waives any claims you might have for an infringement of your privacy.

Computer Usage

As a user of these resources, you are responsible for reading and understanding this document.

Rights and Responsibilities

Since electronic information is volatile and easily reproduced, users must exercise care to adhere to software licensing agreements and copyright laws.

Existing Legal Context

All existing laws (federal and state) and City regulations and policies apply, including those that may apply generally to City of Ashland Standards of Conduct.

Users do not own accounts on the City of Ashland computers, but are granted the privilege of exclusive use. Under the electronic Communications Privacy Act of 1986 (Title 18 U.S.C. section 2510 et. Seq.). Users are entitled to privacy regarding information contained on these accounts.

The Act allows System Administrators to access user files in the normal course of their employment when necessary to protect the integrity of computer systems or the rights or property of the City of Ashland. User files may be subject to search by law enforcement agencies under court order if such files contain information that may be used as evidence in a court of law.

Enforcement

Minor infractions of this policy, when accidental, are generally resolved informally by the Systems Administrator.

Repeated minor infractions or misconduct that is more serious will be reported to the appropriate authority and may result in loss of computer access privileges or the modification of those privileges.

More serious violations including, but not limited to, unauthorized use of computer resources, attempt to steal passwords or data, unauthorized use or copying of licensed software, repeated harassment, or threatening behavior will be reported to the appropriate authority and may result in progressive discipline up to and including termination.

Any offense that violates local, state, or federal laws may result in the immediate loss of all access to city communications systems. The City of Ashland will refer the matter to appropriate Administrative or Legal authorities. This includes, but is not limited to:

- Unauthorized use of a computer account;
- Using City of Ashland computer(s) or Network to gain unauthorized access to any computer systems;
- Connecting unauthorized equipment to any City network;
- Attempts to circumvent data protection schemes or uncover security loopholes;
- Knowingly or carelessly performing an act that will interfere with the normal operation of computers, terminals, peripherals, or networks;
- Knowingly or carelessly running or installing a program on any computer system or network;
- Giving to another user a program intended to damage or to place excessive load on a computer system or network;
- Deliberately wasting/overloading computing resources;
- Violating terms of applicable software licensing agreements;
- Violating copyright laws through inappropriate reproduction or dissemination of copyrighted text, images, etc.
- Using the City of Ashland resources for commercial activity such as creating products or services for sale.
- Using electronic mail to harass or threaten others.
- Inappropriate mass mailing: chain letters, "spamming," "flooding," or "bombing."
- Forging the identity of a user or machine in an electronic communication.
- Transmitting or reproducing materials that are slanderous in nature.
- Displaying obscene, lewd, or sexually harassing images or text on a City of Ashland computer or facility that can be in view of others.
- Visiting, down loading, or viewing obscene, lewd, or sexually illicit images, or text on a City of Ashland computer.
- Attempting to monitor or tamper with another's electronic communications, or reading, copying, changing, or deleting another user's files or software without the explicit agreement of the owner.

Any employee who willingly violates the City of Ashland's Communication and Information Systems Policy will be subject to the City's progressive discipline program up to and including termination.

City of Ashland
E-Mail Guidelines

1. **What is e-mail?** For the purpose of the public records law, e-mail means the messages sent and received by e-mail systems.
2. **Is e-mail a public record?** E-mail itself is not considered a record series or category. It is a means of transmission of messages or information. Like paper or microfilm, e-mail is the medium by which this type of record is transmitted. Retention or disposition of e-mail messages must be related to the information they contain or the purpose they serve. The content, transactional information and any attachments associated with the message are considered a record, if they meet the ORC criteria. The content of e-mail messages may vary considerably, and must be evaluated according to the applicable Records Retention Schedule to determine the length of time the message must be retained.
3. **What are my obligations as a public employee who uses e-mail?** As a public employee, you have an obligation to apply the appropriate retention to the e-mail you send and receive, and you have an obligation to provide access to your e-mail in compliance with the public records law. The retention requirements apply to records that are either created or received "in connection with the transaction of public business."
4. **Do I need to keep my e-mail permanently just because it is a public record?** No. E-mail that is a public record should be disposed of according to the appropriate retention schedule.
5. **What is a Records Retention Schedule?** A Records Retention Schedule specifies how long the e-mail or any public records need to be kept to satisfy administrative, legal, fiscal and historic requirements. Records Retention Schedules are determined by the function and content of records, regardless of their physical form, and are issued and authorized by the State Archivist.
6. **What is the best way to retain e-mail records?** *E-mail messages may be kept in electronic format or they can be printed and filed on paper.* Your e-mail system has the capability of storing e-mail messages in a number of ways. In addition to the IN and OUT boxes that come with your mail system, you have the ability of creating other "mailboxes" or "folders." After brief periods in your IN-OUT boxes, messages should be transferred to other boxes, based on business and retention requirements.

Employees are responsible for classifying messages they send and receive. All messages must be classified according to content, the folder/directory structure and established records series.

7. **What e-mail messages are not considered public record?** E-mail messages that do not meet the criteria of the Ohio Revised Code definition of a record may be deleted at any time, unless they become part of some official record as a result of special circumstances. These types of messages may include:

Personal correspondence – Any e-mail not received or created in the course of business may be deleted immediately, since it is not an official record: the “Let’s do lunch” (not a business lunch) or “Can I catch a ride home” type of note.

Non-State Publications – Publications, promotional material from vendors and similar materials that are “publicly available” to anyone, are not official records unless specifically incorporated into other official records.

8. **Are my e-mail messages being “watched”?** All e-mail messages that are sent or received on the City of Ashland e-mail system are stored on an e-mail server and backed up on a regular basis. This does not mean that you can rely on the backup for the retention of the e-mail messages as public records. It is the right of an employer to monitor the e-mail accounts of employees. **YOU HAVE NO EXPECTATION OF PRIVACY.**

*Section 1.4c
Revised 3/2008*

SOCIAL MEDIA POLICY

PURPOSE

The City of Ashland endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes the City's position on the utility and management of social media and provides guidance on its management administration, and oversight. This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

POLICY

Social media provides a new and potentially valuable means of assisting the division and its personnel in meeting community outreach, problem-solving, investigative, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The City also recognizes the role that these tools play in the personal lives of some of the employees. The personal use of social media can have bearing on City employees in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by City employees.

DEFINITIONS

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

Page: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post: Content an individual shares on a social media site or the act of publishing content on a site.

Profile: Information that a user provides about himself or herself on a social networking site.

Social Media: A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace, Google+), microblogging sites (Twitter, Nixle), photo and video sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.

Wiki: Web page(s) that can be edited collaboratively.

ON-THE-JOB USE

A. City-Sanctioned Presence

1. Determine strategy
 - a. Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the City's presence on the website.
 - b. Where possible, the page(s) should link to the City's official website.
 - c. Social media page(s) shall be designed for the target audience(s).
2. Procedures
 - a. All City social media sites or pages shall be approved by the Division Director or Appointing Authority or his/her designee and shall be administered by the assigned employee or as otherwise determined.
 - b. Where possible, social media pages shall clearly indicate they are maintained by the specific division and shall have division contact information prominently displayed.
 - c. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
 - (1) Content is subject to public records laws. Relevant records retention schedules apply to social media content.
 - (2) Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
 - d. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the division.
 - (1) Pages shall clearly indicate that posted comments will be monitored and that the City reserves the right to remove obscenities, off-topic comments, and personal attacks.
 - (2) Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
3. Division-Sanctioned Use
 - a. Employees representing the division via social media outlets shall do the following:
 - (1) Conduct themselves at all times as representatives of the division and accordingly, shall adhere to all division standards of conduct and observe conventionally accepted protocols and proper decorum.
 - (2) Identify themselves as a member of the specific division.
 - (3) Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions or investigations, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without express permission.
 - (4) Not conduct political activities or private business.
 - b. The use of City owned computers by employees to access social media is prohibited without authorization.
 - c. Use of personally owned devices to administer the City's social media activities or in the course of official duties is prohibited without express written permission.
 - d. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

B. Potential Uses

1. Social media is a valuable investigative tool when seeking evidence or information about:
 - a. missing persons;
 - b. wanted persons;
 - c. gang participation;
 - d. crimes perpetrated online (i.e., cyber bullying, cyber stalking); and
 - e. photos or videos of a crime posted by a participant or observer.
2. Social media can be used for community outreach and engagement by:
 - a. providing crime prevention, fire prevention and safety tips;
 - b. offering online-reporting opportunities;
 - c. sharing maps and data; and
 - d. soliciting tips about unsolved crimes (i.e., Crimestoppers, text-a-tip).
3. Social media can be used to make time-sensitive notifications related to:
 - a. road closures,
 - b. special events,
 - c. weather emergencies, and
 - d. missing or endangered persons.
4. Persons seeking employment and volunteer positions use the Internet to search for opportunities, and social media can be a valuable recruitment mechanism.
5. This City has an obligation to include Internet-based content when conducting background investigations of job candidates.
6. Searches should be conducted by a non-decision maker. Information pertaining to protected classes shall be filtered out prior to sharing any information found online with decision makers.
7. Persons authorized to search Internet-based content should be deemed as holding a sensitive position.
8. Search methods shall not involve techniques that are a violation of existing law.
9. Vetting techniques shall be applied uniformly to all candidates.
10. Every effort must be made to validate Internet based information considered during the hiring process.

PERSONAL USE

A. Precautions and Prohibitions

Barring state law or binding employment contracts to the contrary, City employees shall abide by the following when using social media.

1. Employees are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of the City for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among co-workers, or negatively affect the public perception of the City.
2. As public employees, division personnel are cautioned that speech on- or off-duty, made pursuant to their official duties—that is, that owes its existence to the employee’s professional duties and responsibilities—is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the division. Employees should assume that their speech and related activity on social media sites would reflect upon their office and the division.
3. Employees shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Appointing Authority or his/her designee.
4. For safety and security reasons, employees are cautioned not to disclose their employment with the City or division nor shall they post information pertaining to

- any other member of the City or division without their permission. As such, employees are cautioned not to do the following:
- a. Display division logos, uniforms, or similar identifying items on personal web pages.
 - b. Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a City employee. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
5. When using social media, City employees should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the City's code of conduct is required in the personal use of social media. In particular, City employees are prohibited from the following:
- a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
 - b. Speech involving themselves or other City employees reflecting behavior that would reasonably be considered reckless or irresponsible.
6. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Police Division personnel thus sanctioned are subject to discipline up to and including termination of office.
7. City employees may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of the City without express authorization.
8. City employees should be aware that they might be subject to civil litigation for:
- a. publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
 - b. publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
 - c. using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or
 - d. publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
9. City employees should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.
10. City employees should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the City at any time without prior notice.
11. Personal use of Social Media sites while on-duty will be limited to time spent on breaks only, and only on personally owned devices. Use of City owned equipment to update personal Social Media sites is prohibited.
12. Reporting violations: Any employee becoming aware of (or having knowledge of) a posting or any website or web page in violation of the provisions of this policy shall notify his or her supervisor immediately for follow-up action.

*Section 1.4d
Added 2/9/2012*

- A. Employees are required to use privately owned vehicles for the purpose of getting to and from work, unless specifically authorized by the Mayor, or other appointing authority.
 - B. Employees operating City vehicles or other motorized equipment are required to have a valid motor vehicle operator's license, or if applicable, commercial driver's license.
 - C. The City shall permit City-owned vehicles to be used only when performing the City's business unless authorized by the Mayor, or other appointing authority.
 - D. Any employee who operates a City-owned vehicle must exercise caution and responsibility and adhere to sound safety regulations.
 - E. Any employee who operates a City-owned vehicle must adhere to sound safety regulations that include performing appropriate vehicle inspections. Vehicles requiring a CDL license require pre-trip and post-trip inspections. All other City vehicles require regular inspection documented not less than weekly. Employees must use the City's standard form unless specific permission is given to vary that form. In all cases, it is the responsibility of the individual driving the vehicle to document the condition of the vehicle and ensure the vehicle is roadworthy.
- **Any employee who willingly violates the City of Ashland's Vehicle Standard will be subject to the City's progressive discipline program up to and including termination. Special emphasis is placed by the City on the following infractions:**
 1. Any City employee who uses a City vehicle and does not adhere to sound safety regulations by performing the required level of vehicle inspection for that particular vehicle, will be subject to progressive discipline up to and including loss of driving privilege or termination.
 2. Any City employee who uses a City vehicle to go back and forth from work without specific authorization by the Mayor, or other appointing authority, will be subject to discipline.
 3. Any City employee who permits family or friends to ride in City-owned vehicles unless specifically authorized, will be subject to discipline.
 4. Any City employee who uses a City vehicle to perform personal errands without specific authorization by the Mayor, or other appointing authority, will be subject to discipline.
 5. Traffic fines or arrests for illegal or improper use of City vehicles are the sole responsibility of the employee. Repeated offenses resulting in loss of driving privilege or loss of insurability by the City, will be subject to discipline.

Revised 4/10/2003

CONSUMPTION OF ALCOHOL STANDARD**Section 1.6**

Employees of the City of Ashland shall not use alcohol in a manner that may impair the safe performance of work duties. Refer to the Drug and Alcohol Abuse Prevention Program for a complete policy statement, testing guidelines, and discipline.

- **Any employee who willfully violates the City of Ashland's Alcohol Standard will be subject to the City's progressive discipline program up to and including termination.**

USE OF DRUGS STANDARD**Section 1.7**

Employees of the City of Ashland shall not use illegal drugs or legal drugs that impair the safe performance of work duties. Refer to the Drug and Alcohol Abuse Prevention Program for a complete policy statement, testing guidelines, and discipline.

- **Any employee who willfully violates the City of Ashland's Drug Standard will be subject to the City's progressive discipline program up to an including termination.**

GAMBLING STANDARD**Section 1.8**

Gambling by City employees shall not be permitted in any form during work days. For the purpose of this section only, a "work day" includes regular working hours, lunch periods, clean-up time, time immediately before and after clock-in or out while on the premises, and any other break times.

Legal gambling or lottery shall not be included in this policy; but must not be conducted on standard work time.

- **Any employee who willingly violates the City of Ashland's Gambling Standard will be subject to the City's progressive discipline program up to and including termination.**

DRESS AND APPEARANCE STANDARD**Section 1.9**

- A. The City of Ashland reserves the right to prescribe appropriate dress and grooming and to set standards for the best interest of the City's service.

- B. The present policy merely requires that clothing and overall appearance of employees be appropriate for the performance of his/her job responsibility.
- C. Employees who work around machinery and equipment must observe sound safety regulations, including the use of appropriate articles of clothing (shoes, goggles, hard-hats, and so forth).
- D. Employees who work around machinery and equipment must refrain from wearing personal jewelry.
- E. Certain City offices or divisions may require employees to adhere to more stringent dress and appearance requirements as may be necessary for the performance of the functions of the office or divisions or the maximum safety of the employees. (i.e. uniforms, badges, hair styles, facial hair, etc.)
- **Any employee who willingly violates the City of Ashland’s Dress and Appearance Standard will be subject to the City’s progressive discipline program up to and including termination. Special emphasis is placed by the City on the following infractions:**
 - 1. Any employee who is found to be willingly negligent with his/her personal grooming and appearance while working for the City and refuses to respond to verbal admonition to improve will be subject to discipline.
 - 2. Any employee who fails to utilize appropriate personal safety equipment for the job he/she is performing will be subject to discipline.
 - 3. Any employee found to be wearing jewelry while working around machinery for which safe operating procedures prohibits jewelry, will be subject to discipline.

**SOLICITATION AND DISTRIBUTION, AND
AFTER-HOUR ACCESS STANDARDS**

Section 1.10

In order to maintain a productive, appropriate and safe working environment, the City of Ashland reserves the right to govern solicitation and distribution by employees and non-employees.

A. Employee No-Solicitation Rule

Any solicitation by an employee of another employee on the premises of the City of Ashland, while either employee is on his/her working time, is prohibited. “Working Time” means all the time when an employee’s duties require that he/she be engaged in work tasks. However, such solicitation is permitted during non-working time in working areas and in non-working areas.

B. Employee No-Distribution Rule

Distribution of any type of literature, brochures, goods, etc., during working or non-working time in work areas, or in private lockers is

prohibited. Employees may distribute goods and written materials during non-working time in non-working areas (e.g., rest rooms, hallways).

C. Non-Employee Solicitation and Distribution

Non-employees are not permitted access to premises of the City of Ashland, including the interior of the facilities and other working areas, for the purpose of solicitation and/or distribution. This section does not apply to vendors as defined below.

“Vendor” means any individual or group engaged in or desiring to supply goods, materials, or services to the City and its employees, which goods, materials, or services are utilized in the conduction of public business.

D. Employee No-Access Rule

Employees are not permitted access to the interior of the City of Ashland’s facilities during their off-duty hours unless authorized by the Appointing Authority or his/her designee.

- **Any employee who willingly violates the City of Ashland’s Solicitation and Distribution, and After-Hour Access Standard will be subject to the City’s progressive discipline program up to and including termination.**

COURTEOUS BEHAVIOR STANDARD

Section 1.11

- A. Each City of Ashland employee represents the government of the City and must conduct himself or herself in a manner that is courteous and will enhance public confidence in the quality of City services and the caliber of City employees.
- B. Employees shall be subordinate and display courtesy, respect in word, deed, gesture and action toward personnel holding a higher level of organizational authority.
- C. Supervisors shall treat subordinates with the same courtesy and respect that is required of subordinates toward supervisors. Constructive criticism of a subordinate employee’s performance shall be made directly to the employee and when practicable, in a private setting.
- **Any employee who willfully violates the City of Ashland’s Courteous Behavior Standard will be subject to the City’s progressive discipline program up to and including termination. Special emphasis is placed by the City on the following infractions:**
 1. Discourteous behavior, rude language, shouting, use of profanity, gestures or threatening body language toward the public will be subject to discipline.
 2. Discourteous behavior, rude language, shouting, use of profanity, gestures or threatening body language toward a fellow employee,

subordinate, supervisor, division director or appointing authority will be subject to discipline.

HONESTY STANDARD

Section 1.12

Public work is based on public trust and confidence. Performance standards must be held high for public employees. Honesty in all communication whether spoken, written, or in deed is an essential function of employment for all City of Ashland employees.

- **Any employee who willingly violates the City of Ashland's Honesty Standard will be subject to the City's progressive discipline program up to and including termination. Special emphasis is placed by the City on the following infractions:**
 1. Any attempt to lie, give misleading information or half-truths in verbal communication or official reports, or in statements with another person or organization when it is reasonable to expect that such information may be relied upon will be subject to discipline.
 2. Any attempt to lie, give misleading information, half-truths or falsify written official reports or written communication to another person or organization when it is reasonable to expect that such information may be relied upon, will be subject to discipline.
 3. Any attempt to purposefully withhold the truth on the part of an employee or a party who conspires with the employee to prevent the truth from being known will be subject to discipline.
 4. Any dishonest action taken toward other City employees or officials will be subject to discipline.

COMPETENCE AND EFFICIENCY STANDARD

Section 1.13

- A. The City of Ashland is committed to providing high quality, efficient service to the citizens of the community. To achieve this goal, the City will be responsible for providing sufficient training to assure competent performance of the essential functions of each assigned position.
 - B. City of Ashland employees are expected to perform to standard on all assigned or assumed job responsibilities.
- **Any employee who willingly violates the City of Ashland's Competence and Efficiency Standard will be subject to the City's progressive discipline program up to and including termination. Special emphasis is placed by the City on the following infractions:**

1. Any employee who is found not to be diligent in the performance of his/her position and whose inefficiency leads to a waste of time, materials, or effort will be subject to discipline.
2. Any employee who is found not to be competent in the performance of his/her job functions and whose incompetence leads to waste of time, materials, or effort, will be subject to discipline.

TOBACCO BAN IN CITY BUILDINGS AND VEHICLES STANDARD	Section 1.14
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For the health and welfare of all City employees, the City of Ashland will enforce a tobacco ban in all City buildings and vehicles.

- **Any employee who willingly violates the City of Ashland's Tobacco Ban in City Buildings and Vehicles Standard will be subject to the City's progressive discipline program up to and including termination.**

Revised 4/23/2001

CONFLICTS OF INTEREST STANDARD	Section 1.15
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Public employees often have unquestioned access to people, information, resources, and positions of trust not easily available to general citizens. An appropriate balance must be maintained between the employee's private rights as a citizen and the privileged rights resulting from public employment. Promoting one's personal interest must always be secondary to protecting public interest. The employee's appointing authority will have ultimate responsibility to identify and take action to prevent conflicts of interest.

- **Any employee who willingly violates the City of Ashland's Conflict of Interest Standard will be subject to discipline up to and including termination.**

ILLEGAL OR FORBIDDEN HARASSMENT STANDARD	Section 1.16
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Illegal or forbidden harassment (e.g. gender, race, religion, national origin, disability, or age) is forbidden as a basis for conduct, behavior, or decisions affecting another employee's or prospective employee's terms or conditions of employment. Illegal or forbidden harassment is a form of misconduct that undermines the integrity of the employment relationship, including relationships with co-workers and the public. Such conduct is totally contrary to the objectives of the City of Ashland to provide fair employment opportunities and to provide efficient, quality service to the community. Refer to all guidelines in the City of Ashland Harassment Policy for a complete policy statement, reporting procedure, and discipline.

- **Any employee who willingly violates the City of Ashland's Illegal or Forbidden Harassment Standard will be subject to the City's progressive discipline program up to and including termination.**

MORAL CONDUCT STANDARD

Section 1.17

Public work is based on public trust and confidence. Performance standards must be held high for public employees. Each City of Ashland employee must conduct himself/herself in a moral manner while performing work for the City of Ashland and must obey all laws of the City, the State of Ohio and the Federal Government.

- **Any employee who willfully violates the City of Ashland's Moral Conduct Standard will be subject to the City's progressive discipline program up to and including termination. Special emphasis is placed on the following infractions:**
 1. Immoral conduct on the part of an employee while conducting work for the City or privately which leads to a felony conviction will be subject to discipline.
 2. Any employee who is found, during the work day or on the premises, to have in his possession for display pornographic materials will be subject to discipline.
 3. Any employee whose conduct is obscene, lewd, or licentious, or who exhibits himself/herself will be subject to discipline.
 4. Any employee who performs rude or obscene gestures to fellow employees or the public will be subject to discipline.
 5. Any employee who is found to be guilty of violating a law of the City, State, or Federal Government may be subject to discipline.

INSUBORDINATION STANDARD

Section 1.18

City of Ashland employees shall willfully observe and obey the lawful verbal and written rules, duties, policies, procedures and practices of the City. They shall also subordinate their personal preferences and work priorities to the lawful verbal and written rules, duties, policies, procedures and practices of the City as well as to the directives of supervisors, division directors, and appointing officials.

Insubordination and insubordinate behavior are recognized by the City of Ashland to be among the most serious offenses and will be addressed immediately.

- **Any employee who willfully violates the City of Ashland's Insubordination Standard will be subject to the City's progressive discipline program up to an including termination. Special emphasis is placed by the City on the following infractions:**
 1. Refusal to perform all lawful orders and directives given by those holding a higher level of organizational authority will be subject to discipline.
 2. Refusal to obey operational directives will be subject to discipline.
 3. When disagreements between management and employees occur, failure to follow the accepted labor principle of "obey now and grieve later," will be subject to discipline.
 4. An employee's failure to initiate acceptable ways to comply with standards and show consistent effort to observe the directives, rules, policies, procedures, practices and traditions of the City will be subject to discipline.

RECOMMENDATIONS TO CITIZENS POLICY

Section 1.19

City of Ashland employees have on-going contact with citizens. Contact often occurs at a time when the citizen is concerned or has comments over a variety of matters including repairs of water lines, sewer lines, streets, leaves, trees and tree lawns to name a few. It is the policy of the City of Ashland to listen to concerned citizens and provide helpful information when requested.

The following policy is hereby established for the purpose of best meeting the expectations of the individual citizen and the City of Ashland's responsibility to the Ashland community.

- When a citizen requests **a recommendation of a private contractor**, DO NOT provide the name of any private contractor. Give the citizen the following information:
 - Recommend that the citizen refer to the Yellow pages of the phone book.
 - Suggest that it would be wise to get three (3) estimates before entering into an agreement.
 - Suggest that it would be wise to ask each contractor for the name of three (3) other private citizens that have used their services.
- When a citizen complains to an employee about a situation related to their personal property, the City's property or the work practices and policies of the city, **DO NOT express an opinion related to the matter unless you are the responsible person, in which case you should follow your division policy to document and report the information provided to the citizen.** If you are NOT THE RESPONSIBLE PERSON give citizens the following information:

- State that you acknowledge their concern, but that you are not the responsible person.
- State that they are encouraged to call your Division Director then provide the phone number.
- State that they are welcome to call the Mayor's office then provide the phone number.

Any employee who violates the City of Ashland's Recommendations to Citizens Policy may be subject to progressive discipline up to and including termination.

*Section 1.19
Original 2/22/2008*

APPEALS	Section 2.0
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- A. Any classified non-bargaining unit employee of the City of Ashland who desires to appeal a discharge, suspension of more than three (3) days, a demotion, or layoff shall appeal such discharge, suspension of more than three (3) days, demotion, or layoff (personnel actions) to the Civil Service Commission of the City of Ashland.
- B. Any appeal filed by any classified employee of the City of Ashland for any of the reasons listed in Paragraph "A" above shall be brought within ten (10) working days of the discharge, suspension of more than three (3) days, demotion, or layoff by filing a Notice of Appeal with the Secretary of the Civil Service Commission.
- C. The Civil Service Commission of the City of Ashland shall have the authority to decide whether or not an appeal warrants a hearing. In the event the Civil Service Commission desires to set the appeal for a hearing, the hearing shall be held within ten (10) days of the filing of the Notice of Appeal. Said hearing may be continued for good cause by the Civil Service Commission at the request of the City or the Appellant.

At the hearing, the Appellant may offer testimony, exhibits, witnesses, or any other evidence as may substantiate his claims. Appellant shall have the right to cross-examine any opposing witnesses. All witnesses shall be sworn. No affidavit shall be admitted into evidence unless the affiant is subject to cross-examination at the hearing.
- D. The Civil Service Commission of the City of Ashland shall have the power to affirm, disaffirm, or modify any discharge, suspension of more than three (3) days, demotion, or layoff of any classified employee of the City of Ashland.
- E. Bargaining unit employees shall appeal such personnel actions through the contractual grievance procedure, as applicable.

- A. An appointing authority may, at his or her own discretion, place any employee of the City of Ashland on Immediate Suspension with pay when a serious violation has occurred which could ultimately lead to suspension without pay, or termination.
- B. Immediate Suspension may be administered during investigation into any alleged violation and/or resolution of any related court proceedings.
- C. The length of any Immediate Suspension with pay, shall be determined by the appointing authority who shall inform the employee of such suspension, in writing, prior to any such suspension taking effect.