



## Policy and Procedure Handbook Index

<b>Series 100 – General Administrative Policies</b>	<b>Policy</b>	<b>Date</b>	<b>Procedures</b>	<b>Procedure</b>	<b>Date</b>
<a href="#">Policies Scope and Disclaimer</a>	101	5/2017			
<a href="#">Ethical Conduct, Nepotism &amp; Training</a>	102	5/2017			
<a href="#">Equal Employment Opportunity/Anti-Discrimination and Anti-Harassment</a>	103	11/2020	<a href="#">Filing Discrimination or Harassment Complaint</a>	103-1	5/2017
<a href="#">Workplace Violence Prevention</a>	104	11/2020			
<a href="#">Reasonable Accommodations for Disabilities</a>	105	5/2017	<a href="#">Accommodation Request</a>	105-1	5/2017
<a href="#">Weapon and Alcohol-, Drug-, and Tobacco-Free Workplace</a>	106	11/2020			
<a href="#">Facility Safety and Security</a>	107	5/2017	<a href="#">Facility Safety and Security</a>	107-1	2/2022
<a href="#">Active Aggressor Response Policy</a>	108	5/2017	<a href="#">Active Aggressor Response Procedure</a>	108-1	5/2017
<b>Series 200 – Operations, Employee Leave and Conduct</b>			<b>Procedures</b>		
<a href="#">Hours of Operation and Employee Work Schedules</a>	201	11/2017	<a href="#">Employee Timesheet</a>	201-1	2/2019
			<a href="#">Travel to Off-Site Work Locations</a>	201-2	10/2018
<a href="#">Political Activity</a>	202	5/2017			
<a href="#">Employee Leave</a>	203	11/2017	<a href="#">Leave Request</a>	203-1	2/2019
<a href="#">Family and Medical Leave Act (FMLA)</a>	204	5/2017			
<a href="#">Holidays</a>	205	5/2017			
<a href="#">Personal Appearance</a>	206	5/2017			
<a href="#">Hiring</a>	207	5/2017	<a href="#">New Hire On-Boarding</a>	207-1	5/2017
<a href="#">Performance Evaluations</a>	208	5/2017	<a href="#">Evaluations</a>	208-1	5/2017
<a href="#">Discipline</a>	209	5/2017	<a href="#">Discipline</a>	209-1	5/2017
<a href="#">Workers’ Compensation and Transitional Work Program</a>	210	5/2017			
<a href="#">Fiscal Operations Policy</a>	211	11/2017	<a href="#">Billing Deposits Procedure</a>	211-1	04/2023
			<a href="#">Invoice Processing Procedure</a>	211-2	04/2023
			<a href="#">Contracts Procedure</a>	211-3	04/2023
			<a href="#">Financial Statement Procedure</a>	211-4	04/2023
			<a href="#">Procurement Procedure</a>	211-5	04/2023
			<a href="#">Payment Card Procedure</a>	211-6	04/2023
			<a href="#">Reconciliation Procedure</a>	211-7	04/2023
			<a href="#">Subsidy Procedure</a>	211-8	04/2023
			<a href="#">Capital Fund Requests Procedure</a>	211-9	11/2020

			<a href="#">Travel Reimbursement Procedure</a>	211-10	04/2023
			<a href="#">Interest Payments Procedure</a>	211-11	04/2023
			<a href="#">Inventory Procedure</a>	211-12	04/2023
			<a href="#">Kronos Timekeeping Audit Procedure</a>	211-13	11/2020
<b>Series 300 - Agency Owned Equipment</b>			<b>Procedures</b>		
<a href="#">Use of Agency Owned Property and Technology</a>	301	5/2017			
<a href="#">IT Security Education</a>	302	5/2017			
<a href="#">Vehicle Usage</a>	303	11/2020	<a href="#">Van Use Procedure</a>	303-1	04/2023
<b>Series 400 - Records Management</b>			<b>Procedures</b>		
<a href="#">Records Management</a>	401	5/2017	<a href="#">Retention Schedule</a>	401-1	5/2017
			<a href="#">Records Management</a>	401-2	5/2017
			<a href="#">Public Records Requests</a>	401-3	04/2023
<b>Series 500 - Programs</b>			<b>Procedures</b>		
<a href="#">Video NOC</a>	501	11/2018	<a href="#">VNOC Procedures</a>	501-1	3/2019
<a href="#">Engineering &amp; Broadcast Operations</a>	502	5/2017	<a href="#">Broadcast Procedures</a>	502-1	5/2017

## **BROADCAST EDUCATIONAL MEDIA COMMISSION**

### **I. Series 100 – Educational Broadcasting**

Policy # 101 – Policies Scope and Disclaimer

Effective Date: 5/2017

#### **1. POLICY**

- A. In accordance with section 3353.02 of the Revised Code, the Broadcast Educational Media Commission (“BEMC”) was created as an independent agency to advance education and accelerate the learning of the citizens of this state through public educational broadcasting services. The commission shall provide leadership and support in extending the knowledge of the citizens of this state by promoting access to and use of educational broadcasting services, including educational television and radio and radio reading services and classroom instruction delivery via video conferencing. The commission also shall administer programs to provide financial and other assistance to educational television and radio and radio reading services. The commission is a body corporate and politic, an agency of the state performing essential governmental functions of the state.

#### **2. APPLICABILITY**

- A. The policies included in this Policy and Procedure manual apply to all members and employees of the Broadcast Educational Media Commission, except however, when otherwise specified or where any terms or policies herein conflict with those in the governing collective bargaining agreement for those employees in a position that is collectively bargained. To the extent provisions of an applicable collective bargaining agreement conflict with the provisions of this policy, the collective bargaining agreement controls.
- B. The policies and procedures contained herein are meant to replace any and all previous existing BEMC Policies and Procedures as of the date thereon.

#### **3. DISCLAIMER**

- A. NOTHING IN THESE POLICIES, IN ANY WAY, CREATES AN EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT BETWEEN ANY EMPLOYEE AND BEMC; EXCEPT AS OTHERWISE REQUIRED BY ANY APPLICABLE COLLECTIVE BARGAINING AGREEMENT.**

**AT ANY TIME AND WITHOUT PRIOR NOTICE, BEMC CAN MODIFY OR ELIMINATE ANY OR ALL OF THESE POLICIES AND RELATED FORMS AND PROCEDURES.**

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### II. Series 100 – Educational Broadcasting

#### Policy # 102 – Ethical Conduct, Nepotism & Training

Effective Date: 5/2017

#### 1. POLICY

- A. It is the policy of the Broadcast Educational Media Commission (“BEMC”) to carry out its mission in accordance with the strictest ethical guidelines and to ensure that BEMC members (Commissioners) and employees conduct themselves in a manner that fosters public confidence in the integrity of the BEMC, its processes, and its accomplishments.

#### 2. General Standards of Ethical Conduct

- A. Members and employees must conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety. Moreover, BEMC members and employees must at all times, abide by the protections to the public embodied in Ohio’s ethics laws, as found in Chapters 102 and 2921 of the Ohio Revised Code (R.C.), and as interpreted by the Ohio Ethics Commission and Ohio courts. BEMC provides a copy of these laws to all new Commission members and employees], and receipt acknowledged, as required in R.C. 102.09(D).) All are encouraged to periodically review the ethics laws as provided and also available online at <http://www.ethics.ohio.gov>.
- B. The following list is an example of the ethical restraints upon the conduct of all members and employees but is not meant to be an exhaustive list. No member or employee shall:
- i. Solicit or accept anything of value from anyone doing or seeking to do business with the BEMC or from any other “improper source” as defined by the Ohio Ethics Commission;
  - ii. Solicit or accept employment from anyone doing business with the Broadcast Educational Media Commission, unless the member or employee completely withdraws from Broadcast Educational Media Commission activity regarding the party offering employment, and BEMC approves the withdrawal;
  - iii. Use his or her public position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
  - iv. Be paid or accept any form of compensation for personal services rendered on a matter before, or sell goods or services to, BEMC;
  - v. Be paid or accept any form of compensation for personal services rendered on a matter before, or sell (except by competitive bid) goods or services to, *any* state agency other than the Broadcast Educational Media Commission, unless the member or employee first discloses the services or sales *and* withdraws from matters before BEMC that directly affect officials and employees of the other state agency, as directed in R.C. 102.04;
  - vi. Hold or benefit from a contract with, authorized by, or approved by, the Broadcast Educational Media Commission (the Ethics Law does except limited stockholdings, and some contracts objectively shown as the lowest cost services, where *all* criteria under R.C. 2921.42 are met);
  - vii. Vote, authorize, recommend, or in any other way use his or her position to secure approval of a BEMC contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;

- viii. Solicit or accept honoraria (see R.C. 102.01(H)) and 102.03(H));
- ix. During public service, and for one year after leaving public service, represent any person, in any fashion, before *any* public agency, with respect to a matter in which the official or employee personally participated while serving with BEMC;
- x. Use or disclose confidential information protected by law, unless appropriately authorized; or
- xi. Use, or authorize the use of, his or her title, the name “Broadcast Educational Media Commission,” or BEMC’s acronym (“BEMC”), or BEMC’s logo in a manner that suggests impropriety, favoritism, or bias by the BEMC, official or employee.

### 3. *Financial Disclosure*

- A. Every BEMC Commissioner or employee required to file a financial disclosure statement must file a complete and accurate statement with the Ethics Commission by the annual deadline as set by the Ethics Commission. Any member or employee appointed or employed after February 15 and required to file a financial disclosure statement must file a statement within ninety (90) days of appointment or employment.

### 4. *Assistance*

- A. The Ohio Ethics Commission (“OEC”) is available to provide individuals with advice and assistance regarding the application of the Ethics Laws and related statutes to them personally. The OEC can be contacted at (614) 466-7090. The Commission’s web site address is: <http://www.ethics.ohio.gov>.

### 5. **Penalties**

- A. Failure of any BEMC Commissioner or employee to abide by this Ethics policy, or to comply with the Ethics Law and related statutes, will result in discipline, which may include dismissal, in addition to potential civil or criminal sanctions under the law.

### 6. **Nepotism**

- A. BEMC Commissioners or employees are required by law to completely remove themselves from participating in any way in the hiring process if a family member is competing for a public job. A Commissioner or employee may not, in any way, use his or her position to influence anyone to hire a family member.

In other words, not only can the Commissioner or employee not directly hire a family member into a public job; he or she also cannot recommend or otherwise use his or her connection to or position with the hiring authority to assist in obtaining a job for a family member. A Commissioner or employee would also be prohibited from contacting other public officials or employees to request them to hire a relative.

If a Commissioner or employee’s family member is lawfully hired by a public entity, without the Commissioner or employee’s participation in the hire, the Ethics Law continues to limit the actions of the Commissioner or employee. The Commissioner or employee cannot be the family member’s direct supervisor or participate in any decisions on matters that affect a family member’s employment, such as raises, promotions, and performance evaluations.

### 7. **Training**

- A. State employees are currently required per Executive Order 2011-03K to participate in some form of annual Ethics training. Each year BEMC members and staff will be required to complete online Ethics training provided by the Ohio Ethics Commission. Completion of the ethics training will be recorded in the employee personnel file.

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### III. Series 100 – Educational Broadcasting

#### Policy # 103 – Equal Employment Opportunity/Anti-Discrimination, and Anti-Harassment

Effective Date: 11/2020

### 1. POLICY

- A. The Broadcast Educational Media Commission fully complies with all applicable city, state, and federal laws, rules regulations, and guidelines as they relate to non-discrimination in employment. BEMC strictly prohibits and will not tolerate discrimination and harassment against an applicant or employee on the basis of race, color, sex (including pregnancy and sexual harassment), national origin, ancestry, disability, religion, age, military status, veteran's status, sexual orientation, status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, status as a foster parent, and/or genetic information, as those terms are defined in applicable Ohio law, federal law, and any effective Executive Order. BEMC provides equal employment opportunity and nondiscrimination in the areas of hiring, promotion, demotion, transfer, recruitment, discipline, layoff, termination, rate of compensation, and training opportunities. In addition, retaliation against an individual because he or she has raised a complaint of employment discrimination or participated in an investigation of such a complaint is also prohibited.

### 2. Definitions

- A. **"Disparate Treatment"** — Treating employees differently regarding the terms and conditions of employment, including hiring, firing, transfer, and/or receipt of benefits based upon membership in a protected class.
- B. **"Harassment"** — May consist of unwelcome conduct, either verbal or physical, which is based upon a person's protected status.
- C. **"Hostile Work Environment"** — Any unwelcome verbal or non-verbal conduct relating to an individual or group's protected class, meaning on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability, that creates an intimidating, hostile, or offensive working environment.
- D. **"Sexual Harassment"** — May include unwelcome sexual advances, requests for sexual favors or other physical, verbal or visual conduct based upon sex when:
- i. Submission to such conduct is made, either explicitly or implicitly, term or condition of an individual's employment (commonly referred to as "quid pro quo" or "something for something" harassment);
  - ii. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision and/or retaliation; or
  - iii. The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Harassment does not include behavior or occasional compliments of a socially acceptable nature, or that which the reasonable person would not find offensive.

### 3. Reporting/Filing a Complaint

- A. Any employee who feels he or she has been a victim of discrimination or harassment in violation of this policy, is encouraged, but is not required, to advise the alleged offender that the action is not welcome and must stop. If this is not feasible, or not effective, the employee should follow the complaint procedures set forth in

Procedure #103-1. Notwithstanding, and only in the event that the perceived discriminatory or harassing conduct is that of the Executive Director, then the conduct shall be reported directly to the Commission Chairman who shall handle further investigation in accordance with BEMC policy.

**1. Violation Penalties**

- A. Violation of this policy by an employee may lead to disciplinary action up to and including immediate termination, even for the first offense.



## BROADCAST EDUCATIONAL MEDIA COMMISSION

### IV. Series 100 – Educational Broadcasting

#### Policy # 104 – Workplace Violence Prevention

Effective Date: 11/2020

#### 1. POLICY

- A. Broadcast Educational Media Commission is committed to providing its employees a work environment that is safe, secure and free of harassment, threats, intimidation and violence, including domestic violence. BEMC is committed to working with employees to prevent abuse, harassment, and discrimination that may result from domestic violence. BEMC recognizes workplace violence is a growing problem that should be addressed by all employers and adopts a “zero tolerance” policy for workplace violence. Consistent with this policy, threats or acts of physical violence, including intimidation, harassment, and/or coercion which involve or affect BEMC employees, contract and temporary workers, or which occur by anyone else on BEMC property and premises will not be tolerated.

#### 2. Definitions

- A. **“Domestic Violence”** includes a pattern of violent and coercive behaviors used by one intimate partner against another to control and maintain power over that person. Intimate partners include family or household members, romantic partners that are not legal family or household members, spouses, former spouses, persons living together as spouses, persons who have a child in common (regardless of whether they have been married or have lived together at any time), and adult persons related by blood or marriage. Domestic violence may include physical violence, sexual, emotional and psychological intimidation, verbal abuse, stalking, and economic control, and may occur among people of all backgrounds in these relationships. For purposes of this policy, where reference is made to domestic violence, dating violence should be given the same consideration. Dating violence is defined as the physical, sexual, psychological, or emotional aggression within a dating relationship, including stalking. It can occur in person or electronically and might occur between a current or former dating partner.
- B. **“Threats or Acts of Violence”** includes conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the conditions of BEMC employment, or to create a hostile, abusive, or intimidating work environment for one or more BEMC employees.
- C. **“Workplace Violence”** includes:
- i. All threats or acts of violence occurring on state property, regardless of the relationship between the state and the individual involved in the incident.
  - ii. All threats or acts of violence not occurring on state property, but involving someone who is acting in the capacity of a representative of BEMC.
  - iii. All threats or acts of violence not occurring on state property, but involving an employee of BEMC if the threats or acts of violence affect the legitimate interests of the state.
  - iv. Any threats or acts of violence resulting in the conviction of an employee or agent of BEMC, or of an individual performing services on the agency's behalf, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests of the state.
- D. **“Zero Tolerance”** means that violations of this policy will not be tolerated and shall result in severe disciplinary action, up to and including termination, even for the first offense.

#### 3. Application of Prohibition

- A. This prohibition against threats and acts of violence applies to all persons involved in agency operations, including, but not limited to, BEMC personnel, contract and temporary workers, and anyone else on state property. Violations of this policy by any individual will be subject to disciplinary action, up to and including

termination, and legal action.

- B. **Prohibited Conduct** – The following constitute specific examples of prohibited conduct and/or may be considered threats or acts of violence. *This list is not intended to be all inclusive:*
- i. Hitting or shoving an individual;
  - ii. Threatening to harm an individual or his/her family, friends, associates, or their property;
  - iii. The intentional destruction or threat of destruction of personal property of others or property owned, operated, or controlled by the state or BEMC;
  - iv. Making harassing or threatening telephone calls, or sending harassing or threatening letters or other forms of written or electronic communications;
  - v. The willful, malicious and repeated following of another person, also known as "stalking," and making of a credible threat with intent to place the other person in reasonable fear for his or her safety;
  - vi. Intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or work rule that would affect the business interests of the BEMC;
  - vii. Making a suggestion or otherwise intimating that an act to injure persons or property is "appropriate," without regard to the location where such suggestion or intimation occurs;
  - viii. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on state property as defined in sections 2923.11 to 2923.24 of the Ohio Revised Code.
  - ix. Conduct that includes repeated verbal abuse and intimidation, profanity, or unwanted comments or overtures (including but not limited to sexual comments or overtures) directed at subordinates, supervisors, co-workers, or customers, while not overtly physical or violent, may be prohibited under this policy. For more direction on this topic, please consult BEMC's Policy # 103 – "Equal Employment Opportunity/Anti-Discrimination, and Anti-Harassment".

#### 4. Reporting and Confidentiality

- A. Each employee of BEMC is required to report incidents of threats or acts of physical violence of which he or she is aware. Any employee who feels that he/she has been a victim of workplace harassment may contact the Chief of Operations, or in the alternative, may contact the Executive Director. BEMC employees must report these incidents as follows:
- i. First, to the reporting individual's immediate supervisors, or to the Chief of Operations if the immediate supervisor is unavailable or is a party to the incident;
  - ii. The supervisor employee shall contact the Chief of Operations immediately;
  - iii. The Chief of Operations shall promptly, and in consultation with the Executive Director, take corrective action in accordance with applicable law, rule or collective bargaining agreement.
- B. Domestic violence incidents that occur while on BEMC property, while conducting State business, or during BEMC-sponsored social events shall also be reported as soon as safely possible to appropriate law enforcement personnel. Every effort shall be made to consult with, or at least notify those that are directly impacted as victims of domestic violence before law enforcement is contacted.
- C. Subject to any applicable public records laws, employees or other persons will be informed only on a need-to-know basis to the extent reasonably necessary for BEMC to fulfill its operational needs; to protect the safety of the employee or others; to properly investigate the complaint; and/or to comply with any applicable law. Whenever practical, advance notice will be given to the reporting employee and the

victim or survivor if BEMC needs to inform others about a domestic violence situation.

**5. Violation Penalties**

- A. Violation of this policy by any BEMC employee may lead to disciplinary action up to and including termination, even for the first offense, in accordance with applicable law, rule or collective bargaining agreement provision. Additionally, violations of the policy by anyone may result in civil or criminal penalties, as deemed appropriate by BEMC.

**6. Training**

- A. BEMC recognizes that it is important for managers and supervisors to receive training on this policy as well as the risk factors associated with domestic violence and the impact of domestic violence on the workplace.
- B. Managers and supervisors of BEMC shall be required to complete the Department of Administrative Services web-based training course within one hundred and eighty (180) days of the effective date of this policy. Any manager or supervisor hired or promoted after the effective date of this policy is required to complete the web-based training course within ninety (90) days of hire or promotion.

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### V. Series 100 – Educational Broadcasting

#### Policy # 105 – Reasonable Accommodations for Disabilities

Effective Date: 5/2017

#### 1. POLICY

- A. It is the policy of BEMC to provide equal access in the employment process, programs, activities or services provided by the Commission and to fully comply with the Americans with Disabilities Act of 1990 and any applicable Ohio laws.

A qualified individual with a disability is one who, with or without a reasonable accommodation, can perform the essential functions of the position that the individual desires or holds. An employee may request a modification or adjustment to his or her job, the workflow, or the work environment that enables the individual to perform the essential functions of his or her job. Such request will be given due consideration as required by law.

- B. Employees requesting accommodations should refer to [Procedure 105-1](#); and an employee who wishes to file a complaint that this policy has not been properly executed should refer to [Procedure 103-1](#).

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### VI. Series 100 – Educational Broadcasting

#### Policy # 106 – Weapon and Alcohol-, Drug-, Tobacco-Free Workplace

Effective Date: 11/2020

### 1. POLICY

- A. Pursuant to Federal and State requirements BEMC has adopted an alcohol-, drug-, tobacco-free work place policy. BEMC is committed to providing a safe and healthy working environment for its employees, and promoting and protecting the general health and well-being of all employees. Any employee violating this policy will be subject to discipline, up to and including termination.

### 2. Definitions

- A. For purposes of this policy, **“drugs”** are generically defined as alcohol, illegal drugs, intoxicants, and controlled substances (for which the employee does not have a valid prescription).
- B. **“Tobacco products”** are generically defined to include all-tobacco derivatives or products containing tobacco, including but not limited to: cigarettes, electronic cigarettes, cigars, pipes, oral tobacco, nasal tobacco, vapes, vaporizers, vape pens, hookah pens, e-pipes, or any smoking-related product not specifically defined above. This policy also prohibits the use of any product or device intended to imitate tobacco products, contain tobacco flavoring, or deliver nicotine other than for the purpose of tobacco cessation.
- C. The term **“controlled substance”** means any drug listed in 21 U.S.C. Section 812 of the Code of Federal Regulations. Generally, these drugs are ones which have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, and “Crack.” Controlled substance also includes “legal drugs” or prescription drugs not properly prescribed for the user by a licensed physician.

### 3. Prohibited Activity

- A. This policy strictly prohibits the following unacceptable behaviors:
- i. Smoking, the use of tobacco products, or the use of any smoking or e-smoking device in or on BEMC premises, including in all enclosed structures, which are owned, leased and/or operated by this agency, parking lots and vehicles.
    - a. **Exception:** Use of a smoking cessation product, approved by the U.S. Food and Drug Administration, for purposes of cessation and not otherwise inconsistent with this policy, is permitted in or on BEMC premises, including vehicles.
  - ii. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, intoxicants, or controlled substances at any time, whether on BEMC premises or not;
  - iii. Inappropriate use of prescription drugs or medication at work;
  - iv. Unauthorized use of alcohol by BEMC employees on BEMC premises or in BEMC vehicles on or off duty; and
  - v. Working under the influence of alcohol or while unlawfully using controlled substances. Employees who

are under the influence of alcohol or drugs are in violation of the Drug-Free Workplace Act and this policy. Anyone who is under the influence of drugs or alcohol while on-the-clock —no matter the location of where the work is being performed—will be immediately disciplined, which may include termination.

- vi. Possession of a weapon on BEMC premises or in BEMC vehicles on or off duty, as defined by 2923.11 to 2923.24.
  - a. Notwithstanding, pursuant to and consistent with Ohio law, firearms transported in lawfully parked employee-owned vehicles by holders of concealed carry permits may not be removed from the vehicle. Firearms kept in lawfully parked vehicles while the licensee is not present must be locked within the trunk, glove box or other enclosed compartment or container within the vehicle.

#### **4. Enforcement**

- A. Any employee who, in any way, uses, gives, or transfers to another person a controlled substance, tobacco product, or alcohol, or who sells or manufactures a controlled substance, tobacco product, or alcohol, while at his or her place of employment or at any place where BEMC conducts business, will be subject to discipline, up to and including termination, even for the first offense.

## **BROADCAST EDUCATIONAL MEDIA COMMISSION**

### **VII. Series 100 – Educational Broadcasting**

#### **Policy # 107 – Facility Safety and Security**

Effective Date: 5/2017

#### **1. POLICY:**

- A. The purpose of this policy is to provide for the security and safety of the people and facilities of the Broadcast Educational Media Commission (BEMC).
- B. All employees are required to be aware of, understand, and follow the procedures detailed in [Procedure 107-1](#) for the purposes of maintaining the safety and security of the facility. Any employee who fails to follow the procedures outlined therein may be subject to discipline, up to, and including termination, even for the first offense.

#### **2. Provisions**

- A. For all provisions and procedures see [Procedure 107-1](#).

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### VIII. Series 100 – Educational Broadcasting

#### Policy # 108 – Active Aggressor Response Policy

Effective Date: 5/2017

#### 1. POLICY:

- A. The purpose of this policy is to provide BEMC employees with clear, concise instructions on how to respond to an active aggressor or active threat within the agency or within any of BEMC's facility

#### 2. Provisions

- A. BEMC recognizes that the safety of its employees, contractors, and visitors in the agency is paramount. BEMC will provide this policy to all current employees when it is published and when subsequent changes are made to it. New employees will receive this policy in accordance with normal new hire training. BEMC employees will receive training as per State of Ohio Administrative Policy HR-42 "Response to Active Aggressor."
- B. This policy applies to all BEMC employees and contractors working in any BEMC facilities.
- C. Employees with questions about this policy should direct them **to BEMC's Chief of Operations.**
- D. For response procedures see [Procedure 108-1](#).



## PROCEDURE # 107-1 Facility Safety and Security

### I. Purpose:

The purpose of this procedure is to supplement [Policy 107 – Facility Safety and Security](#). Regarding an Active Aggressor event, please refer to [Policy 108](#) and [Procedure 108-1](#).

### II. General Facility Security Procedures

- A. **Visitors:** No visitors shall be allowed into the facility without signing in. “Visitors” are anyone that does not have a permanent access device for the facility. Instruct visitors to proceed to the west door, sign in and wait in the vestibule until an employee can greet them. The employee should verify that the visitor has signed in and that the visitor is escorted during their visit. Visitors may be granted a temporary access device by approval of Executive Director or Chief of Engineering & Broadcast Operations.
- B. **Security Alarm:** The security alarm is to be set by the direction of the Executive Director or Chief of Engineering & Broadcast Operations.
- C. **Entrance Gate:** Under normal circumstances, the gate shall remain closed. In the event of possible freezing conditions, the gate may be kept open to prevent freezing closed. Any exceptions to keeping the gate closed shall be logged in the agency ticketing system.
- D. **After-Hours Entrance:** If not reporting for a work assignment, BEMC employees must notify Master Control of arrival and sign in at the west door.
- E. **Suspicious Activity:** Any suspicious activity shall be reported to the Executive Director or Chief of Engineering & Broadcast Operations. Any threatening or illegal activity shall be reported to Ohio State University Police at 614-292-2121 for non-emergencies and 911 for emergencies.
- F. **Security Doors:** Security doors shall not be propped open at any time, except by approval of the supervisor or Executive Director. “Security doors” are defined as doors with fob panels or keypads.

### III. Specific Procedures Regarding Sub-Tenants and Sub-Users

- A. **MARCS:** Multi-Agency Radio Communication System (MARCS) is a sub-tenant within the BEMC facility. They are to notify Master Control prior to coming on site. Note that, like BEMC, MARCS operates 24x7 year-round. Master Control is to log this notice, arrival and exit in the agency ticketing system. MARCS has access devices allowing access to all of their tenancy areas, including the front gate, the MARCS room and other assigned areas. Individuals reporting for access to the MARCS tenant spaces without access devices are not to be allowed into the facility and shall be directed to return to the State of Ohio Supercomputer Center (SOCC) to obtain access. Questions can be sent to the Chief of Engineering & Broadcast Operations.
- B. **ECOESC:** East Central Ohio Educational Service Center (ECOESC) has an agreement to rent offices within the BEMC facility. ECOESC employees have access devices that grant them access to the front gate and west door between 6 AM – 7 PM on weekdays (Monday – Friday). Access outside of these times shall be arranged with BEMC management on an exception basis.

### IV. Emergency Procedures

- A. **Security Alarm:** *In the case of an emergency, call 911.* If an alarm is tripped, Network Security first calls Master Control to determine if all is well. They will require our password or they will dispatch police. If police are

summoned and Master Control staff needs to cancel the alarm, they must phone **Network Security's Dispatch Office at (614) 487-7441**, provide the password, and the alarm company will cancel the call. If the alarm company is not successful in speaking with someone when they call Master Control, they will dispatch the police and then will telephone folks on the contact list until they speak with someone (who will need to know the password.) If police are summoned, an individual on the contact list must meet with the police at the site. It is important to note that because there is no keypad outside the gate, it will be necessary for Master Control staff to open the gate and open the door for the police or fire to enter. Ohio State University Police cover the BEMC facility.

- B. Fire Alarm:** *In the case of an emergency, call 911.* BEMC Ohio's fire alarm company is Simplex-Grinnell. When a fire alarm goes off, Simplex-Grinnell phones the Fire Department and subsequently phones Master Control. If Master Control staff determines that the alarm is to be canceled, Master Control staff will need to phone the **Columbus Fire Department dispatch at (614) 221-2345** to cancel the dispatch. If Simplex-Grinnell does not reach a Master Control staff member, they will continue to call individuals on the emergency contact list until they speak with someone. It is important to note that because there is no keypad outside the gate, it will be necessary for Master Control staff to open the gate and open the door for the police or fire to enter. Always be aware of the location of exits and fire extinguishers. **When in doubt, GET OUT!**
- C. Panic Button:** In the case of an emergency in which a Master Control staff member working alone is unable to dial 911 or to speak, they can press the panic button. Network Security's Dispatch Office will immediately summon the police and subsequently phone individuals on the emergency contact list until someone is reached. In the case of such a grave emergency in which a Master Control employee is unable to press the button to open the outside gate and meet police at the door, responding police will meet an emergency contact person on-site to secure entrance into the building. **Training will be provided to staff.**

**D. Security/Emergency Contact Information:**

- OSU Police Non-Emergency                      614-292-2121
- Columbus Fire Dispatcher                      614-221-2345
- Network Security (Bldg. Monitoring)        614-487-7441
- Simplex-Grinnell (Fire Monitoring)        1-888-746-7539

Effective Date: 02/2022

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

## PROCEDURE 108-1 – Response to Active Aggressor Procedures

### I. Purpose:

- A. The purpose of this procedure is to provide employees with the response procedures to follow in the event of an Active Aggressor.

### II. Procedures:

- A. In the event of an active aggressor or active threat incident within any BEMC facility, the primary mission of the agency is to take all necessary steps to immediately contain and stop any ongoing threat to human life. This mission will be accomplished through a specific response by the first law enforcement officer(s) to arrive on the scene but there are additional things that may need to occur before, during and/or after the law enforcement response.
- B. Upon discovery of an active aggressor or active threat situation, when safe to do so, anyone may notify law enforcement (9-1-1) and agency police or security personnel, if possible.
- C. In the BEMC facility if an employee announcement system is available, an "Active Aggressor" broadcast will be made immediately following the discovery of the threat, describing the threat and last known location of the aggressor. The same information will be disseminated through the BEMC's employee notification system (eNotify) via calls, emails, and text messages.
- D. Employees should evacuate or shelter-in-place. Employees should consider finding and taking with them an object that may be used to defend themselves (i.e., an improvised weapon). Employees should ensure that any member of the public (non-employee) is permitted to accompany the employee(s) to the safe zone.
- E. When possible and appropriate, a BEMC administrator or other persons in-charge, will meet and guide responding law enforcement officers to the location of the aggressor.
- F. When practical, occupants of surrounding buildings or facilities will also be notified as soon as possible.
- G. During an active aggressor or active threat situation, (BEMC) employees must also consider the following actions:
  1. **Run - If there is an acceptable path, attempt to evacuate the premises.** Personnel should be instructed to:
    - Call 9-1-1 when safe to do so.
    - Have an escape route and plan in mind that takes them as far away from the attacker(s) as possible.
    - Evacuate regardless of whether others agree to follow or remain.
    - Leave belongings behind.
    - Help others escape if possible.
    - Alert individuals who are entering an area where the active aggressor may be.
    - Keep hands visible for responding officers.
    - Follow instructions of any law enforcement officer.
    - Do not attempt to move wounded people.

If evacuation is **not possible**, proceed immediately to the area designated as a "shelter" and contact 911. Provide the following information to the 911 operator:

- Location and description of the offender. Provide as detailed information as possible (e.g., race, gender, hair color, build, tattoos, clothing, etc.) and the last known location of the aggressor.

- Number of attackers and weapons (e.g., rifles, handguns, knives, explosives, etc.).
- Location and condition of victim(s).

**2. Hide - Remain in place until contacted by law enforcement or circumstances dictate otherwise.**

- If practical, allow any non-employees access to the safe zone.
- Your hiding place should be out of the active aggressor's view. Provide protection if gun shots are fired in your direction (e.g., locating into a restroom or office and locking the door, staying as low as possible and remaining quiet and still) and not trapping or restricting yourself from movement.
- Lock the door, if possible, and have a person, designated to ensure the door is locked once everyone is in the safe zone.
- Block the doorway with heavy furniture if available.
- Silence your cell phone.
- Turn off any source of noise (e.g., radio, music player, etc.).
- Hide behind large items (e.g., cabinets, desks, doors, etc.).
- Remain quiet.
- Remain in place and stay hidden until you have determined that it is safe. If someone approaches the door and identifies themselves as a law enforcement officer, do not be tricked into talking back. Remain silent until you are able to confirm the authenticity of the claim.

**3. Fight - Take action against the aggressor.** As a last resort, and only when your life is in imminent danger, attempt to do the following:

- Disrupt and/or incapacitate the active aggressor by acting as aggressively as possible against him/her.
- Use improvised weapons.
- Scream/yell.
- Commit to your actions and follow through.

**H. Reaction to Law Enforcement:** When law enforcement is present, it is important to:

1. Remain calm and follow instructions from officers.
2. Put down any items in your hands and raise your arms high.
3. Keep hands visible at all times and avoid sudden movements toward officers.
4. Avoid screaming, yelling or shouting.
5. If asked questions by the officer, provide the information.
6. Do not stop officers to ask questions; just follow their directions.
7. Do not leave the scene until instructed to do so except as provided in Sec. G above.

**I. "All-Clear":** The "all clear" announcement will be made when the situation has been contained and the scene is declared safe by law enforcement officials.

**J. Employer Response:** The health and well-being of BEMC employees, contractors and customers is the priority. As soon as possible after law enforcement has relinquished command and control of the scene, BEMC Administration will develop information strategies to address questions related to the event from employees and their families.

1. Effective coordination with the media and timely dissemination of information can help reduce media

pressure on those who are the most vulnerable. Only those BEMC agency staff authorized to speak on behalf of the agency or facility shall interact with the media. BEMC Administration will coordinate media responses.

2. When an incident occurs, it will be important to bring in trained crisis response professionals to provide any necessary physical, emotional and psychological support as soon as possible. BEMC Administrators will coordinate the identification of and communication with Ohio Employee Assistance Program (OEAP) and other trained crisis response professionals and coordinate follow-up.

K. **Questions:** Employees with questions about this policy should direct them to BEMC's Chief of Operations.

Effective Date: 5/2017

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_

Executive Director

## PROCEDURE 105-1 – Requesting Job Accommodations

### I. Purpose:

- A. The purpose of this procedure is to provide employees a process by which to request accommodations.

### II. Procedures:

- A. An employee who wishes to request an accommodation on the basis of a physical or mental impairment must contact the Chief of Operations. The employee may be required to produce sufficient medical documentation to support the request for an accommodation.
- B. Upon receiving a request for an accommodation, the Chief of Operations will examine the details of the request and review it within a reasonable time-frame. Where warranted, the Chief of Operations will work with the employee and, as may be necessary, his or her health care provider(s) to develop a reasonable accommodation for the requesting employee to perform the essential functions of that employee's job. If applicable, the Chief of Operations will also consult with Union representation.
- C. If a request for an accommodation is denied, the requesting employee will be informed of the denial and the specific reasons for such. If the requesting employee wishes to appeal the decision, he/she may file a complaint with the Executive Director as stated below:
  - i. A complaint should be submitted in writing, contain the name of the person filing it, and a brief description of the alleged violation.
  - ii. A complaint should be filed within 30 days after the complainant is aware of the alleged violation.
  - iii. An investigation, as may be appropriate, shall promptly follow the filing of the complaint. This procedure will provide informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. The investigative team will include two management-level designees and the Executive Director.
  - iv. A written disposition as to the finding of the complaint and a description of the resolution, if any, shall be drafted and a copy forwarded to the complainant upon completion of the investigation.
  - v. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
  - vi. This procedure shall be considered to protect the substantive rights of interests of persons to meet appropriate due process standards, and to ensure that the BEMC complies with any applicable disability laws.

Effective Date: 5/2017

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_

Executive Director

## PROCEDURE 103-1 – Discrimination or Harassment Complaint Procedure

### I. Application:

- A. This is the procedure for reporting a complaint when an employee feels that he or she has been a victim of discrimination or harassment in violation of [Policy 103](#).

### II. Complaint Filing Procedure:

- A. Any employee who feels that he or she has been subjected to discrimination or harassment should report the matter immediately to any one of these individuals:
  - i. The employee's immediate supervisor;
  - ii. The Chief of Operations; or
  - iii. The Executive Director; or
  - iv. The Commission Chairman – only in the event the perceived offender/aggressor is the Executive Director
- B. All complaints must be formally reported, preferably within thirty (30) days after the offending conduct occurs, so that every attempt can be made to resolve the matter promptly.
  - i. Complaints must be thorough and provide sufficient information in order to have the complaint thoroughly reviewed.
  - ii. Employees are not required but are strongly encouraged to use the [Internal Complaint Form 103-1A](#), for reporting purposes and to provide sufficient and complete details.
- C. Any supervisor, whether or not the employee's direct supervisor, who receives a complaint must notify the Chief of Operations immediately and not later than five (5) business days after receiving the complaint.
- D. The Chief of Operations shall promptly review all complaints received.
- E. Complaints may be rejected, in whole or in part, for the following reasons:
  - i. The complaint was not filed in a timely manner,
  - ii. The complaint has supplied insufficient information to conduct a thorough investigation or the Complainant (reporting employee) does not respond to requests for additional detailed information within ten (10) business days,
  - iii. The Complaint alleges duplicative information that has been decided or is pending in another forum,
  - iv. The Complainant fails to issue prosecution of the complaint or fails to fully cooperate with the investigation, or
  - v. The Complainant requests to withdraw the complaint at any point in the investigatory process.
- F. Complaints may be informally and/or confidentially resolved or mediated by the Chief of Operations, or an individual appointed by the Chief of Operations, at any point in the complaint process, including prior to the formal investigation of a complaint.

### III. Investigation and Findings of Complaints

- A. Should the complaint not be withdrawn or resolved, the complaint will be investigated in a prompt manner. The Chief of Operations or designee (either internal or external) will review the facts under which the alleged discrimination occurred;
- B. The investigator may request interviews, sworn statements (“affidavits”) and documents as necessary in furtherance of investigating the complaint;
- C. The investigator will report findings of facts to the Chief of Operations.
- D. The Chief of Operations will assess the facts and evidence provided, will determine a disposition, and will notify the Complainant and any respondent(s) of the disposition of the complaint.
- E. Information obtained will be shared only to the extent necessary with others, such as with supervisors, relevant employees, the Chief of Operations, the Executive Director, the alleged offender, or as requested pursuant to a valid public records request.

**IV. Appealing Findings of Complaints**

- A. Within thirty (30) calendar days from receipt of the notice of the disposition of the complaint, the Complainant and any Respondent(s) may notify the Chief of Operations of a request to appeal the findings. If no request to appeal is made within thirty (30) days, the matter will be closed.
- B. If an appeal request is properly made, then the Chief of Operations will review the request for an appeal and will cause the matter to be reviewed by Executive Director. Upon review of the appeal, the Executive Director may determine whether any portion of the original investigation should be accepted or overturned. The appealing party will be notified in writing of the final disposition of the charges in a timely manner.

**V. Formal External Charges**

- A. A complaining party may pursue any legal redress available including but not limited to, filing a charge with the Ohio Civil Rights Commission and/or the Federal Equal Employment Opportunity Commission.

Effective Date: 5/2017

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_

Executive Director





<b>Name of Complainant (Please Print):</b> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>	<b>DATE FILED:</b> _____
<b>Job Title:</b> <b>Date of Hire:</b>	<input type="checkbox"/> <b>Send documents to external repr</b>
<b>Preferred Methods of Contact:</b>  <b>Phone:</b> <b>Email:</b> <b>(Other):</b>	<b>Immediate Supervisor:</b>  <b>Relevant BEMC Policy:</b>
Date, time and place of event leading to Complaint:	Date you became aware of the event, <i>(if different):</i>
Detailed description of grievance including names of other persons involved, if any:	
Proposed solution to grievance:	
<b>Complainant:</b> File a copy of this form with the Chief of Operations and retain a copy for your records. If you receive no response within 10 working days or disagree with the action taken, you may file a copy of this complaint for purposes of appeal in accordance with Policy 103.	
IX. omplainant's Signature	<b>Date</b>

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### X. Series 200 – Employees

#### Policy # 201 – Hours of Operations and Employee Work Schedules

Effective Date: 11/2017

#### 1. POLICY

- A. To set forth minimum requirements for Broadcast Educational Media Commission (BEMC) time and attendance policies, including, but not limited to, establishment of typical work day time-frames, timekeeping, and meal breaks.

#### 2. Business Hours

- A. Regular BEMC business hours are Monday through Friday 8:00am to 5:00pm. The broadcast operations of BEMC are 24-hours a day, seven days a week (referenced herein as “24x7”).
- B. Supervisors must ensure that, during regular business hours, and for broadcast operations, their department is adequately staffed to perform all the business and administrative functions for both the internal and external customers of BEMC.

#### 3. Standard Work Week

- A. The standard work week for all full-time employees is eight (8) hours per day Monday through Friday during business hours.
- B. During a pay period (two-week interval) a full-time employee is required to work eighty (80) hours with the scheduling of those hours as determined by these policies, the employee’s supervisor, and (if applicable) the Executive Director.
- C. The schedules of all employees shall be established and approved by their supervisor, subject to the terms of the applicable collective bargaining agreement.
- D. The assigned supervisor will determine the standard work week for part-time and intermittent employees.
- E. Supervisors are responsible for ensuring that their department maintains sufficient coverage during regular BEMC business hours.

#### 4. Compressed Work Week, Flexible Scheduling, and Teleworking

- A. To provide flexibility and promote recognition of work-life balance, at times BEMC employees may work Compressed Work Week schedule, a Flexible Schedule or work by telecommuting.
- B. **Definitions** - As used herein, the following definitions apply:
  - i. “Compressed Work Week” means employees work full-time, forty-hours in less than the traditional five-day workweek by increasing daily hours worked in a single day. Examples:

- An employee works a 4-day week for 10-hours per day (e.g., Monday-Thursday, 8am-6pm)
  - Over a two-week span, an employee takes every other Friday off, by working 9-hours a day Monday-Thursday, 8-hours on Friday of the first week and is off on the Friday of the second week
- ii. “Flexible schedule” means a work schedule other than a traditional five-day workweek with consistent start and end times. Flexible schedules may include a compressed workweek or use of flextime within a two-week pay period.
  - iii. “Teleworking” means a flexible work arrangement where an employee is permitted to work remotely from a designated alternative work location; e.g., from the employee’s home or other location not at the BEMC facility.
- C. **Compressed Work Week or Flexible Schedule** - Full-time employees assigned to five-day (5) operations may work a Compressed Work Week or Flexible schedule provided the scheduling does not have a negative impact on the business operations of BEMC, which determination is solely at the discretion of BEMC, and when such schedule is pre-approved by the employee’s supervisor and Executive Director or his designee.
- i. When multiple scheduling requests conflict, supervisors will resolve the conflict by assigning the schedule on a “first come, first serve” basis, and will attempt to allow multiple flexible schedule or compressed work weeks when operations allow.
  - ii. If denied a request for a flexible schedule or compressed work week by his/her supervisor, the employee may submit a request for reconsideration to the supervisor.
  - iii. If the reconsideration request is denied, then the employee may submit the request to the next level supervisor who, in consultation with the Executive Director, or designee, will render a final decision.
- D. **Teleworking** - Employees have the ability to telework when applicable, when it does not negatively impact the operations of BEMC, and is pre-approved in writing by the employee’s supervisor. Employees will be required to adequately detail and report their time spent in a teleworking environment through their timesheet.
- i. Only full-time employees who work a regular five-day schedule during a standard work day are eligible to telework.
  - ii. Teleworking is only an option for BEMC employees whose position allows for work to be done remotely.
  - iii. All teleworking options are to be discussed and agreed to by the employee’s supervisor.
  - iv. If any special equipment is required to complete work in a telework environment (computer, phone, etc.), those arrangements need to be made with his/her supervisor prior to teleworking and must have the approval of the supervisor and Executive Director, or designee.
  - v. Employees remain subject to all applicable BEMC policies and procedures when teleworking—including all policies regarding behavior and conduct.
  - vi. Any violations of BEMC’s policies during teleworking will result in loss of future telework privileges and may warrant further disciplinary action, up to and including termination.

## 5. 24x7 Broadcast Operations

- A. The work week for employees assigned to the 24x7 Broadcast Operations department shall be based on

operational needs as determined by BEMC.

- B. At the discretion of BEMC's Executive Director, employees in the 24X7 Broadcast Operations department may be assigned to a straight eight-hour (8) per day schedule with no designated lunch break.

## 6. Stand-By Duty

- A. Certain BEMC operations require employees be staffed on Stand-By duty during non-regular business hours in the event of an operations issues.
- B. Stand-By duty means the employee is required for the extent of the scheduled duty time to be available for possible call to work or to perform work remotely if such is possible, during the non-regular business hours.
- C. Stand-By duty is separate and distinct from, and in addition to, an employee's regular duties and standard work week.
- D. Assignment of Stand-By duty is at the **sole discretion** of the Executive Director, or management designee. Any employee may be removed from Stand-By duty rotation at the discretion of the Executive Director, or management designee without prior notice to the employee.

### E. Compensation for Stand-By Duty Assignment

- i. An employee assigned to be on Stand-By status pay shall receive twenty-five percent (25%) of his/her base rate of pay for each hour he/she is in Stand-By status.
- ii. Stand-By time will not be included in the calculation of hours worked for the purposes of overtime.

### F. Compensation for Performance while on Stand-By Duty

- i. Office-Based Performance: If an employee on Stand-By duty assignment, or any other employee who is called-in to BEMC's office/facility during non-regularly scheduled work hours to perform duties, then that employee is entitled to claim one (1) hour, or actual time worked, whichever is greater for the services performed.
  - ii. Telework Performance: If an employee on Stand-By duty assignment is called upon to perform duties that can be accomplished via teleworking then that employee is entitled to claim actual time of services performed.
- G. When an employee is on scheduled Stand-By duty the employee must comport with all policies of BEMC and should be able to report to work as on any other regularly scheduled work day.

## 7. Meal Breaks

- A. All employees shall be afforded time during the day for up to a one-hour lunch break. Meal breaks may be taken at a minimum of 15-minute intervals. Supervisors are responsible for ensuring schedule lunch breaks do not conflict so as to negatively impact operations of BEMC during regular business hours.
- B. Employees may elect to work through their lunch provided that doing so does not impact their assigned job duties and their supervisor has previously approved.
- C. Employees assigned to the 24x7 broadcast operations department scheduled to work an eight (8) hour day schedule shall have no designated lunch break, but are permitted to eat or rest when the opportunity presents itself through the scheduled work day.

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### XI. Series 200 – Employees

#### Policy # 202 – Political Activity

Effective Date: 5/2017

#### 1. POLICY

- A. The Broadcast Educational Media Commission's (BEMC) employees are encouraged to fully and freely exercise their constitutional right to vote and express their opinions about political candidates and issues to the extent permitted by law. This policy sets forth general guidelines for employees of BEMC to follow with respect to participation in political activities.
- B. "Political activity" and "politics" encompass activities relating to campaigns and elections (including primary, general, and special elections) and involving either candidate (partisan or nonpartisan, including judicial) or ballot issues.
- C. This policy applies to all BEMC employees. Whether and to what extent a BEMC employee may participate in political activity varies widely and depends upon the employee's classification. Generally, unclassified employees may participate in political activity with few restrictions on their participation. An employee may verify his/her classification status by contacting the Chief of Operations/HR Designee.
- D. All BEMC employees are strictly prohibited from using State time, BEMC facilities or resources for political purposes. Employees who wish to participate in political activity during normal business hours must utilize leave without pay, vacation leave, or personal leave. No compensatory leave or any other types of leave, except those listed above, may be used to participate in political activity.
- E. All BEMC employees are prohibited from soliciting other state employees for any political contributions.
- F. All unclassified exempt employees of BEMC are prohibited from running for an elected statewide office or an elected office with any political subdivision of the State during his/her employment with the BEMC. If an unclassified exempt employee makes a decision to run for an elected office, whether statewide or within a political subdivision of the State, he/she must resign from BEMC employment or take leave without pay at the time of filing in a partisan election or upon acceptance of funds in furtherance of his/her campaign, whichever occurs first. The determination of whether an unclassified exempt employee may take a leave of absence is within the sole discretion of the Executive Director.

#### 2. Provisions:

- A. **Prohibitions** – BEMC employees are prohibited from the following, although this list is not intended to be all inclusive:
  - i. Participating in any political activity on state time or using BEMC resources, facilities, or equipment.
  - ii. Knowingly soliciting political financial contributions from any state employee.

- B. **Permissible Activities** – BEMC employees are permitted to attend or participate in unpaid political activity on non-state time or during regular business hours, but unclassified employees must use some type of approved leave.

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### XII. Series 200 – Employees

#### Policy # 203 – Employee Leave

Effective Date: 11/2017

#### 1. POLICY

- A. This policy details Broadcast Educational Media Commission’s (BEMC) guidelines regarding the accrual and proper use of employee leave benefits. None of these provisions are intended to contradict provisions contained in any applicable collective bargaining agreement. Unless specified within specific provisions, this policy is applicable to all BEMC employees.
- B. For proper procedures to make a leave request, employees should consult [Procedure 203-1](#).

#### 2. VACATION LEAVE

##### A. Eligibility and Accrual

- i. Vacation leave is not available for use until it appears on the employee’s earning statement and the compensation described in the earning statement is available to the employee.
- ii. Vacation leave is earned regularly each biweekly pay period in which an employee is in an active pay status.
- iii. For purposes of determining vacation accrual, “years of service” will be determined in accordance with the standard specified in section 9.44 of the Ohio Revised Code regarding receiving credit for prior service with the state or a political subdivision of the state.
- iv. Vacation may be accumulated from one year to another, but in no event may vacation leave credit be accumulated in excess of what can be earned in a three (3) year period. An employee will not accrue vacation leave when his/her balance exceeds that which is accrued in a three (3) year time period. When crediting of leave is resumed, it will be for leave earned in the current pay period but not to exceed the maximum entitlement.

##### B. Use of Leave

- i. An employee may begin using accrued vacation leave upon completion of the his/her initial probationary period.
- ii. Vacation leave will be applied and paid at the employee’s current regular hour-for-hour rate of pay.
- iii. Use of vacation leave must be taken at a time mutually convenient to both the employee and the supervisor and requires pre-approval by a supervisor.
- iv. Vacation leave may be used in one-tenth intervals.

- v. Newly accrued vacation leave is not available for use until it appears on the employee's earnings statement and on the date the funds are made available.
- vi. If an employee leaves state service, he/she will be compensated for any earned but unused vacation leave. No payment will be made to employees who have not completed their applicable probationary period.

### C. Leave Conversion

- i. A BEMC employee may be paid for up to eighty (80) hours of vacation leave each fiscal year if the employee requested and was denied the use of vacation leave during that fiscal year. An employee cannot receive payment for more than eighty (80) hours of denied vacation leave in a single fiscal year. An employee is only eligible to receive payment for vacation leave when the employee's vacation leave credit is at, or will reach in the immediately following pay period, the maximum of the accrual for three years and the employee has been denied the use of vacation leave. An employee is not entitled to receive payment for vacation leave denied in any pay period in which the employee's vacation leave credit is not at, or will not reach in the immediately following pay period, the maximum of accrual for three years. Any vacation leave for which an employee receives payment shall be deducted from the employee's vacation leave balance.

## 3. PERSONAL LEAVE

### A. Eligibility and Accrual

- i. **Bargaining Unit Employees** - Full-time, permanent employees are automatically credited with eight (8) hours in each of the pay periods that include the first day of January, April, July and October for a total possible accrual of 32 hours per year. Full-time, permanent employees who are hired after the start of a calendar quarter will be credited with personal leave on a prorated basis for that quarter. Part-time and established term permanent employees will be credited with personal leave on a prorated basis. Prorated hours will be based upon a formula of .015 hours per hour of non-overtime work.
- ii. **Non-Bargaining Unit Employees** - Full-time employees are credited with 32 hours each year in the pay period that included December 1. Employees hired after the pay period that includes December 1 will receive his/her yearly allotment on a prorated basis.

Employees not credited with his/her annual personal leave balance due to being in an inactive pay status (e.g., disability leave) during the pay period which includes December 1 shall be credited with personal leave in a prorated amount based upon his/her return to work

### B. Use of Personal Leave

- i. All requests for personal leave shall be made in writing and shall comply with all of the following:
  - a. Personal leave must be approved by supervisor in advance;
  - b. Personal leave may be charged in minimum of two (2) hour increments;
  - c. Personal leave will be paid at the current regular rate of pay; and
  - d. Newly accrued personal leave is not available for use until it appears on the employee's earnings statement and on the date the funds are made available.

### C. Approval of Personal leave requests



- i. **Bargaining unit employees** - Personal leave shall be granted if an employee makes the request 48 hours prior to the leave date. In an emergency the request shall be made as soon as possible and the supervisor will respond promptly. Leave shall not be unreasonably denied.
- ii. **Non-Bargaining unit employees** - Personal leave request shall be made in advance of the leave date to the requesting employees' supervisor and shall not be unreasonably denied.

#### D. Conversion of Personal Leave at Year-End

- i. Conversion of personal leave occurs in November each year with the payout in the first payment of December. Non-bargaining unit employees have the following options which they may select with regard to unused personal leave balances:
  - a. Carry forward the balance, but not to exceed a total of 40 hours. Personal leave in excess of 40 hours will automatically be paid out.
  - b. Receive a cash benefit for all or any part of the personal leave balance. The cash benefit conversion shall equal one hour at the employee's base rate of pay for every hour of unused credit that is converted, up to a maximum of 40 hours.
  - c. Convert personal leave to new sick leave.

#### E. Conversion of Personal Leave at Separation

- i. **Bargaining Unit Employees** - A bargaining unit employee who is separated from state service shall be entitled to convert the unused earned amount of personal leave. This payoff shall be at the employee's regular rate of pay. Upon the death of a permanent employee, unused earned personal leave shall be converted to cash and credited to his/her estate.
- ii. **Non-Bargaining Unit Employees** - An employee, upon separation from service for any reason is entitled to a cash benefit conversion for all accumulated personal leave. The cash benefit conversion shall equal one hour at the employee's base rate of pay for every one hour of unused personal leave converted. At the time of separation from service, the personal leave balance will be adjusted to reflect a reduction of 1.2 hours for each pay period remaining until the next base period (period which includes December 1). If such reductions at the time of separation results in a negative personal leave balance, such negative amount shall be deducted from other pay due the employee.

### 4. SICK LEAVE

- A. The purpose of this provision is to establish a consistent method of authorizing employee sick leave, eliminate inappropriate use of sick leave, and outline the discipline and corrective action for inappropriate use.
- B. Sick leave for short-term absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, and to illness or injury in the employee's immediate family. In addition, sick leave may be used for pre-arranged medical appointments.
- C. Accrual: Full-time Employees shall accrue eighty (80) hours of sick leave per calendar year. Sick leave is credited each bi-weekly pay period at the rate of three and one-tenth (3.1) hours for each completed eighty (80) hours of service, excluding overtime hours worked. If an employee takes leave without pay during a pay period, the amount of sick leave that the employee accrues is prorated, based on the number of paid hours during the pay period.

- D. Newly accrued sick leave is not available for use until it appears on the employee's earnings statement and on the date the funds are made available.
- E. After an employee has used all of his/her accrued sick leave, the use of vacation leave, personal leave or compensatory time in lieu of sick leave will be subject to the Executive Director or his Designee's approval and whether or not to approve such leave will be within the sole discretion of the Executive Director or his Designee.
- F. **Sick Leave Proper Use** - With the approval of the employee's supervisor, sick leave may be used by the employee for the following reasons:
  - i. Illness, injury, or pregnancy-related condition of the employee;
  - ii. Illness, injury, or death in the employee's immediate family;
  - iii. Exposure of an employee to a contagious disease that could be communicated to the health of other employees;
  - iv. Examination of the employee, including medical, psychological, dental, or optical examination by an appropriate practitioner;
  - v. Illness, injury, or pregnancy-related condition of a member of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member; or
  - vi. Examination of a member of the employee's immediate family, including medical, psychological, dental, or optical examination by an appropriate practitioner, where the employee's presence is reasonably necessary.

**G. Notification of Use**

- i. **Absences of two (2) days or less:** An employee who is unable to report for work and who is not on a previously approved day of leave shall be responsible for personally notifying his/her immediate supervisor that he/she will be unable to report for work. The notification must be made within thirty (30) minutes after the time the employee is scheduled to report for work, unless emergency conditions prevent such notification.
- ii. Should an employee become ill **during the working day**, he/she should attempt to notify his/her immediate supervisor of the illness before using sick leave and leaving the work site.
- iii. **Absences of three (3) or more days:** If an employee is unable to work for three or more days, a physician's statement specifying employee's ability to work and the probable date of recovery may be required.
- iv. When **hospitalization or institutionalization** is required, the employee shall be responsible for personally notifying his/her immediate supervisor or Chief of Operations/HR Designee upon admission to and discharge from such hospital or institution unless emergency conditions prevent such notification. Unless extreme circumstances warrant differently, this notification should be made within twenty-four (24) hours of admission and discharge. BEMC may require that the employee submit additional documentation showing that the employee is fit to return to work.

**H. Evidence of Use:**

- i. If professional medical attention is required for the employee or for a member of the employee's immediate family, a certificate from a physician stating the nature of the condition may be required by BEMC to justify the use of sick leave. **Falsification of either the leave form or a physician's certificate may**

**be grounds for disciplinary action which may include termination.**

- ii. Examples of when a physician's statement might be required include the following circumstances:
  - a. In cases of serious illness or injury, when the absence may be for an extended period (80 work hours or more), a physician's statement shall state the duration (or probable duration if definite duration cannot be determined) and nature of the illness and should be submitted as soon as practicable. If the employee's condition requires that the absence extend beyond the period shown on the certification, additional certification will be required. If the employee's condition improves so that he or she is able to return to work in advance of the date originally certified by the physician, an additional certification that the employee is able to return to work may be required.
  - b. In cases where the request for sick leave is questionable, the employer may request a statement from a physician who has examined the employee or the member of the employee's family, which must be submitted within a reasonable period of time. Such physician's statement must be signed by the health care provider or his or her designee and must include the date(s) the employee or his/her family member was under the health care provider's care and if applicable, the date on which such care was terminated.

**I. Return to Work:**

- i. **Exempt employees** are not credited with any sick leave upon his/her return to work from approved leave of absence, workers' compensation or disability leave.
- ii. **Bargaining unit employees** are credited with those sick hours, which they normally would have accrued upon his/her approved return to work in accordance with the terms of the applicable collective bargaining agreement.

**J. Prohibitions for Sick Leave:** If an employee engages in any of the following prohibited actions regarding use of Sick Leave, the employee may be disciplined even for the first offense, up to and including termination.

- i. **Unauthorized** use of Sick Leave which occurs when:
  - 1. Failure to notify supervisor of medical leave;
  - 2. Failure to submit a leave request;
  - 3. Failure to provide physician's verification when required; or
  - 4. Fraudulent physician verification.
- ii. **Misuse** of Sick Leave is prohibited and occurs when an employee uses sick leave other than as provided for by statute, contract, or this policy.
- iii. **Pattern abuse of Sick Leave**, which is defined as consistent periods of sick leave usage. If a supervisor reasonably suspects a pattern of abuse of sick leave, he/she shall report the suspicions to the Chief of Operations/HR Designee for further investigation. Examples of pattern abuse include, but are not limited to, the following:
  - 1. Before and/or after holidays;
  - 2. Before and/or after weekends;

3. After pay days;
4. Any one specific day;
5. Absence following overtime worked;
6. Half days;
7. Continued pattern of maintaining zero or near zero leave balances; or
8. Excessive absenteeism - use of more sick leave than granted.

**K. Year-End Conversion of Sick Leave**

- i. In November, with payout in the first payment in December of each year, full-time permanent and part-time permanent employees who are in active pay status have the following options which they may select with regard to the unused balance of his/her new sick leave:
  - a. Carry forward the balance of new sick leave; or
  - b. Receive a cash benefit for all or any part of unused new sick leave up to a maximum of 80 hours on the following schedule:

47.9 hours or less accrued	55%
48 to 55.9 hours accrued	60%
56 to 63.9 hours accrued	65%
64 to 71.9 hours accrued	70%
72 to 79.9 hours accrued	75%
80 hours accrued and unused	80%

**5. OVERTIME**

**A. Overtime Exempt Employees - Compensatory Time**

- i. This provision only applies to BEMC employees who are overtime exempt.
- ii. Overtime exempt employees may earn compensatory time for work hours in excess of eighty (80) hours in a pay period for work that is necessary to the operation of BEMC. No compensatory time will be granted for office work which could have been completed during a standard workweek or pay period. The employee's supervisor must approve the compensatory time accrual.
- iii. No compensatory time may accrue during an employee's lunch period, except under those limited circumstances where the employee's job responsibilities have prevented him/her from taking a lunch break and the employee's supervisor has approved.
- iv. Overtime exempt employees may be permitted to earn compensatory time for work completed outside of the BEMC's facilities, but only where there is a verifiable work product and only after the employee has been authorized to accrue compensatory time in this manner by the employee's supervisor based upon operational need.
- v. Compensatory time accrues on an hour-for-hour basis and may be accrued in no less than one-tenth hour and used in no less than fifteen (15) minute increments.

- vi. The maximum amount of compensatory time, which an overtime exempt employee may accrue is 120 hours. Any compensatory time accrued must generally be used within 365 days after accrual.
- vii. Use of compensatory time requires prior approval by a supervisor and must be taken at a mutually convenient time based upon operational need.
- viii. Cash payment for accrued compensatory time is not permitted.
- ix. Employees may not convert compensatory time to any other form of leave.
- x. Compensatory time may not be donated to another employee.
- xi. All compensatory time accrued balances will be forfeited upon separation of employment with BEMC and is not transferable to another state department or agency. Similarly, time accrued in another state department or agency is not transferable to BEMC.

## **B. Overtime Eligible Employees**

- i. This provision applies only to employees who are non-bargaining unit, overtime eligible.
- ii. Overtime eligible employees are prohibited from working more than eighty (80) hours in a pay period without prior written approval from their supervisor due to operational needs.
- iii. Overtime eligible employees are entitled to receive overtime compensation, in the form of Overtime Payment or compensatory time, for any time worked in excess of eighty (80) hours in a pay period.
- iv. Employees with the option must make the designation in the payroll system of whether to receive either Overtime Pay or Compensatory Time. All requests and approvals will be completed in the payroll system.
- v. Overtime Pay and Compensatory Time will be at a rate of one-and-one half times (1.5x) the employee's regular rate of pay.
- vi. Overtime eligible employees may accrue up to a maximum of 240 compensatory hours. All compensatory hours must be taken within 365 days (approximately 26 pay periods or 12 months) after accrual and at a mutually agreeable time with supervisor pre-approval.
- vii. Overtime eligible employees will be paid consistent with this policy for all overtime worked. Failure to obtain prior supervisor approval for overtime worked will result in disciplinary action.

## **C. Bargaining Unit Employees**

- i. This provision applies only to bargaining unit BEMC employees who are overtime eligible. These provisions are meant to be consistent with the terms of the applicable collective bargaining agreement. For any conflicts, the terms of the collective bargaining agreement control.
- ii. Bargaining unit employees are prohibited from working more than forty (40) hours in a calendar week without prior written approval from their supervisor. Bargaining unit employees who are required by a supervisor to work beyond the standard hours in a pay period shall be compensated for all overtime worked. Bargaining unit employees will be paid consistent with this policy and the collective bargaining agreement for all overtime worked. Failure to obtain prior supervisor approval for overtime worked will result in disciplinary action.

- iii. Bargaining unit employees may elect to accrue compensatory time off in lieu of cash overtime payment for hours in an active pay status more than forty (40) hours worked in any calendar week.
- iv. Overtime and Compensatory Time requests shall be made and approved in the payroll system. Employees have the option of selecting overtime compensation in the form of overtime pay or compensatory time.
- v. Overtime pay for bargaining unit employees will be at a rate of one-and-one half times (1.5x) the employee's total rate of pay.
- vi. Bargaining unit employees may accrue up to a maximum of 240 compensatory hours. All compensatory hours must be taken within 365 days (approximately 26 pay periods or 12 months) after accrual and at a time mutually agreeable and pre-approved by their supervisor.

## **6. LEAVE WITHOUT PAY**

- A. This policy provision applies to all BEMC employees. To the extent that any provisions of this policy conflict with provisions in an employee's applicable collective bargaining agreement the provisions of the collective bargaining agreement shall apply.
- B. BEMC may, in its discretion, grant an employee's request for a leave of absence without pay. Such leave is subject to the operational needs of BEMC and at the discretion of the Executive Director, or designee, in consultation with the employee's supervisor.
- C. Requests for leave without pay must be made in writing and submitted to the employee's supervisor and the Executive Director, or designee, and shall state the reasons for taking a leave of absence without pay and the dates for which such leave is being requested.
- D. An employee who is granted a leave of absence without pay must first exhaust his/her accrued vacation leave, personal leave, and compensatory time. An employee may use his/her accumulated sick leave only for the period of time certified by a licensed practitioner that the employee is unable to work as a result of a disabling illness, injury, or condition for which the employee is not currently on disability leave.
- E. If it is found that a leave is not actually being used for the purpose for which it was granted, BEMC may cancel the leave and direct the employee to report to work. An employee who fails to return to work within three (3) working days of the completion or a cancellation of a leave of absence without pay without explanation to the BEMC may be removed from his/her position. An employee who fails to return to service from a leave of absence without pay and is subsequently removed or voluntarily resigns from the service is deemed to have a termination date corresponding to the starting date of the leave of absence without pay.

## **7. DONATED LEAVE**

- A. Generally, BEMC employees may donate sick, personal, or vacation leave to a fellow BEMC employee who is otherwise eligible to accrue and use sick leave.
- B. An employee may donate leave if the donating employee:
  - i. Voluntarily elects to donate leave and does so with the understanding that donated leave will not be returned;
  - ii. Donates a minimum of eight hours; and
  - iii. Retains a combined leave balance of at least eighty (80) hours

- C. An employee may receive donated leave up to the number of hours the employee is scheduled to work each pay period, if the employee meets all of the following:
  - i. The employee or member of the employee's immediate family has a serious health condition;
  - ii. The employee has a zero balance of sick leave (new sick and old sick), vacation leave, personal leave and compensatory leave;
  - iii. The employee has not been approved to receive other state paid benefits; and
  - iv. The employee applied for any paid leave, Workers' Compensation, or benefits program (e.g. Disability Benefits) for which the employee is eligible.
  
- D. Process for administering the leave donation program is as follows:
  - i. The leave donation program shall be administered on a pay period by pay period basis and shall occur on a strictly voluntary basis.
  - ii. Employees who wish to donate leave shall certify to the Chief of Operations/HR Representative:
    - 1. The name of the employee for whom the donated leave is intended,
    - 2. The type of leave and number of hours to be donated,
    - 3. That he/she will maintain a minimum combined leave balance of at least eighty (80) hours, and
    - 4. That the leave is donated voluntarily, and he/she understands it will not be returned.
  - iii. If multiple offers to donate leave to a qualifying employee for any pay period are received, the Chief of Operations/HR Representative will process the requests in the order in which they are received.
  - iv. Employees using donated leave shall be considered in active pay status and shall accrue leave and any other benefits to which they would otherwise be entitled. Leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received.
  - v. Banking of donated leave is not permissible. An eligible employee shall receive no more than 800 hours of donated leave from all sources combined in any calendar year period.
  - vi. Donated leave shall not count toward the probationary period of an employee who receives donated leave during his or her probationary period.
  - vii. Donated leave shall be considered sick leave, but shall never be converted into a cash benefit.
  - viii. Supervisors shall ensure that no employees are forced or coerced to donate leave. Supervisors shall respect an employee's right of privacy. However, supervisors may, with permission of the employee who is in need of leave or a member of the employee's immediate family, inform other employees of their co-worker's critical need for leave. Supervisors shall not directly solicit leave donations from employees.

## **8. PARENTAL LEAVE**

- A. This policy applies to BEMC employees who meet the following criteria:
  - i. Work an average of thirty or more hours per week;

- ii. Biological parent of the child;
- iii. In the case of adoption, the employee must be the legal guardian of and reside in the same household with the newly adopted child.
- iv. The average regular hours worked (including holidays and use of paid leave) over the preceding three month period shall be used to determine eligibility and benefits under this section for part-time employees, provided that such benefits shall not exceed forty hours per week. If the employee has not worked for a three month period, the average number of hours for which the employee has been scheduled per week will be used to determine eligibility and benefits.
- v. In order to receive these benefits an employee must contact the Chief of Operations or the HR Representative.

B. Triggering Event – Birth or Adoption of child

- i. Leave begins on the date of the birth of an employee's child or the placement of an adopted child into the employee's legal custody.
- ii. Employees who desire to use Parental leave are encouraged to make the request in-writing within two working days following the birth or adoption of a child.
- iii. Such application shall be made through the BEMC Chief of Operations/HR Representative. If completion of the requisite documentation is impractical, the employee shall contact the Chief of Operations or his/her immediate supervisor to facilitate the process.

C. Leave and Benefit Amount

- i. To qualify for Parental leave, an employee must complete a fourteen-day waiting period, which commences on the date eligibility is established by triggering event.
- ii. An employee may work at the discretion of the Executive Director and/or may take unpaid leave, or may use any form of accrued paid leave or (sick or vacation or accrued compensatory time) for which they are qualified, or any combination thereof, during the waiting period.
- iii. The waiting period under this section shall satisfy the waiting period for disability leave benefits for employees who qualify for additional leave due to disability, provided the employee does not work during the two-week waiting period.
- iv. The remaining four weeks shall be paid at 70% of the employee's regular rate of pay, and employees may supplement this rate to reach 100% as provided for in Sec. E below.
- v. For the duration of Parental leave, employees are eligible to receive all applicable employer-paid benefits and accrue all forms of leave as if they were in active pay status.
- vi. Eligible employees may elect to take two-thousand dollars (\$2,000.00) for adoption expenses in lieu of taking time off for Parental leave. Payment may be requested upon placement of the child in the home. In the event the child is already residing in the home, payment may be requested at the time the adoption is approved. Requests must be made in writing.

D. Holidays



- i. Employees shall not be eligible to receive holiday pay while on Parental leave.
- ii. Holidays shall be counted as one day (8 hrs) of Parental leave and be paid as Parental leave.
  - a. Exception – During the waiting period, if an employee works the day before a holiday, the employee will be eligible to receive holiday pay as normal.
- iii. Employees who work during a holiday shall be entitled to pay as provided pursuant to the appropriate collective bargaining agreement, or applicable law or Administrative rule or regulation.

#### E. Use of Other Types of Leave

- i. Employees may utilize sick, vacation, personal leaves and/or compensatory time to receive pay during the waiting period and to supplement the 70% wages for the remaining four weeks or any portion thereof.
- ii. An employee may supplement his/her wages up to a combined total of 100% of his/her regular bi-weekly rate of pay by applying accrued leave.
- iii. Employees using Parental leave who meet the eligibility requirements of the Family and Medical Leave Act (FMLA) (i.e. must have worked for the State of Ohio for at least twelve (12) months and worked a minimum of 1,250 hours during that time) shall have the entire non-working period of Parental leave counted toward the employee's twelve week FMLA entitlement.

#### F. Working During Adoption/Childbirth Leave Period

- i. The BEMC Executive Director may allow employees to work a reduced schedule during any portion of the six week period, subject to the needs of the agency.
- ii. Employees who are permitted to work a reduced schedule during such period shall establish a schedule that is acceptable to BEMC.
- iii. Only the time spent in non-work status during the period of Parental leave may be applied as FMLA leave.

#### G. Credit for Hours Worked or Supplemented

- i. An employee who works or supplements his/her pay during the latter four weeks of leave, as described above, shall have his/her pay for hours worked or supplemented so calculated that working or supplementing 30% of his/her normally scheduled work hours during the pay period shall result in a bi-weekly pay amount equal to his/her regular bi-weekly pay.
- ii. Employees are not eligible to accrue overtime during Parental leave. Employees who work more than 30% percent of his/her regularly scheduled hours shall forfeit paid Parental leave on an hour for hour basis for all excess hours.

#### H. Duration

- i. Under no circumstances shall Parental leave be taken after six weeks from the date of birth or placement of a child of adoption.

#### I. Payment

- i. Employees on Parental leave shall receive leave pay as described above over the four-week period through the regular payroll process until 160 hours of Parental leave time, or 160 hours of Parental leave combined with hours worked, has been exhausted, or the appropriate pro-rated number of hours for part-time employees has been exhausted.

J. Overtime

- i. No portion of Parental leave is to be included in calculating overtime.

K. Coordination with Disability Leave

- i. Employees who are receiving disability leave benefits prior to becoming eligible for Parental leave shall continue to receive disability leave benefits for the duration of the disabling condition or as otherwise provided under the disability leave benefits program.
- ii. In the event that an employee is receiving disability leave benefits for a pregnancy and such benefits terminate prior to the expiration of any benefits the employee would have been entitled to under Parental leave, the employee will receive Parental leave for such additional time without being required to serve an additional waiting period.

**9. CIVIC DUTY LEAVE**

- A. The purpose of this policy is to provide direction and circumstances in which employees of BEMC may be granted civic duty leave, including court leave, jury duty, and responses to subpoena.
- B. Leave with pay at regular rate shall be granted to any employee who is summoned for jury duty by a court of competent jurisdiction, or is subpoenaed to appear before any court, commission, board or other legally constituted body authorized by law to compel the attendance of witnesses, where the employee is not a party to the action.
- C. Employee Who is a Party to the Matter Before a Court
  - i. Any employee who is appearing before a court or other legally constituted body in a matter in which he or she is a party may be granted use of vacation time, personal time, accrued compensatory time or leave without pay. Civic Duty Leave with pay does not apply when the employee is a party, or in the following instances, which includes but is not limited to:
    - a. A criminal or civil case;
    - b. Traffic court;
    - c. Divorce proceedings;
    - d. Custody proceedings; or
    - e. Appearing as directed as the parent or guardian of juveniles.

**10. POLL WORKER LEAVE**

- A. BEMC recognizes that there is a need for a pool of available individuals to serve as judges of elections in order

for our democratic process to operate in a fair and efficient manner. Accordingly, BEMC will allow its full-time and part-time employees, certified by the local board of elections, to be eligible for paid leave (poll worker leave) on Election Day to serve as judges of elections if the employee provides advance notice and such leave is approved by the employee's supervisor.

#### **11. BEREAVEMENT LEAVE**

- A. Three consecutive work days (maximum of 24 hours) of bereavement leave with pay at regular rate will be granted to a full-time permanent or part-time permanent employee upon the death of a member of his/her immediate family.
- B. "Immediate family" is defined as an employee's spouse or significant other ("significant other" as used in this definition means one who stands in place of a spouse and who resides with the employee), parents, children, grandparents, siblings, grandchildren, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, step-parents, step-children, step-siblings, or a legal guardian or other person who stands in the place of a parent (in loco parentis).
- C. If the employee needs additional time, use of other accrued leaves may be granted, subject to approval by the employee's supervisor.

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### XIII. Series 200 – Employees

#### Policy # 204 – Family and Medical Leave Act (“FMLA”)

Effective Date: 5/2017

#### 1. POLICY:

- A. The purpose of this policy is to provide for the Broadcast Education Media Commission’s (BEMC’s) administration and compliance with the Family and Medical Leave Act (“FMLA”) of 1993, as amended, as it pertains to BEMC employees. The FMLA entitles eligible employees to take up to twelve (12) weeks of **unpaid leave**, per twelve (12) month period, for certain qualifying events.

#### 2. Eligibility and Entitlement

- A. This policy is applicable to all BEMC employees who have been employed by BEMC for at least twelve (12) months and have been in “active work status” at least 1,250 hours within the last year.
- B. Active Work Status: The conditions under which an employee is actually in a work status and is eligible to receive pay, which includes overtime hours worked but does not include vacation leave, sick leave, bereavement leave, compensatory time, holidays, personal leave, and disability leave.
- C. For purposes of this this policy all other terms not specifically defined herein, shall have the meanings set forth in and be construed in accordance with, the Family and Medical Leave Act of 1993, Public Law 103-3 (February 5, 1993), 107 Stat. 6-29 (29 U.S.C. §§2601 et seq.), and the regulations promulgated there under, 29 CFR Part 825, in effect on the date FMLA leave is being taken unless otherwise provided by law.
- D. An eligible employee is entitled to twelve (12) workweeks of **unpaid leave** within a twelve (12) month period. The twelve (12) month period begins on the first date FMLA leave is taken. Full time employees are entitled to 480 hours of FMLA leave within the twelve (12) month period. Part time employees will be prorated based on the last year's average workweek.
- E. BEMC tracks FMLA on a "rolling" twelve (12) month period. This means that each time an employee takes FMLA leave; the remaining entitlement would be any balance of the twelve (12) weeks which was not used during the preceding twelve (12) months.

#### 3. Qualifying Events

- A. FMLA leave will be granted, to eligible employees, for the following “qualifying events”:
- i. Birth of the employee’s child, and/or incapacity due to pregnancy or prenatal medical care;
  - ii. Placement of a child with an employee for adoption or foster care (including individuals on approved adoption/childbirth leave);
  - iii. Caring for the employee’s spouse, child, or parent who has a serious health condition as certified by a health care provider; and

- iv. Serious health condition that renders the employee incapable of performing the functions of his or her job as certified by a health care provider (including individuals on approved disability leave);
- v. A qualifying exigency arising out of the fact that the employee's family member is on covered active duty in a foreign county or has been notified of an impending call to active duty in a foreign county.

#### 4. Coordination and Certification

- B. FMLA Coordinator: BEMC's Executive Director shall designate/employ an FMLA Coordinator. Employees should contact the Executive Director or Chief of Operations if he/she does not know who the designated FMLA Coordinator is. The Coordinator will be responsible for approving the request for FMLA certification and maintaining confidential information pertaining to the leave. The Coordinator will be responsible for requesting certification and designating leave as FMLA leave. The records for hours used and/or hours available will be kept by the Coordinator.
- C. A request for FMLA leave must be submitted at least thirty (30) days prior to taking the leave or, if this is not possible, notice must be given as soon as practicable.
- C. If leave is to be taken due to a foreseeable serious health condition of the employee (e.g., tonsillectomy or physical therapy), the employee must make a reasonable effort to schedule the leave so as not to unduly disrupt the operations of BEMC. If the leave is foreseeable, a Physician or Health Care Provider Certification for The Family & Medical Leave Act (*Physician Certification Form*) must be provided to the BEMC FMLA Coordinator for final approval. The *Physician Certification Form* can be obtained through the FMLA Coordinator and it must be certified by the appropriate physician/medical professional, along with any applicable certification or documentation. (e.g., birth certificate; or, in the case of an adoption/foster care, equivalent legal documentation (foster care requires state action)).
- D. A request for FMLA leave must be submitted to the Chief of Operations and the HR Representative and must specifically state that leave is requested pursuant to FMLA. The employee must indicate the type of leave requested and mark the appropriate block to indicate whether the absence is FMLA related.
- E. To maintain confidentiality, the employee will forward the appropriate documentation or physician's certification to the FMLA coordinator. The FMLA coordinator will notify the supervisor of the employee's FMLA status once the appropriate physician's certification is received.

#### 5. Certification of Serious Health Condition

- A. When requesting FMLA leave for a serious health condition, the employee should submit a completed *Physician Certification Form* to the FMLA coordinator. The FMLA coordinator may also forward a *Physician Certification Form* to the employee when the agency makes a determination to designate requested leave, whether paid or unpaid, as FMLA leave.
- B. Upon receipt of the *Physician Certification Form*, the employee has fifteen (15) days to return the completed form to the FMLA Coordinator. If the form cannot be returned within fifteen (15) days, the employee is responsible for providing the Coordinator with a reasonable period of time in which the form will be returned. Certification is needed as soon as possible for approval of FMLA leave. To maintain confidentiality, the employee should send the completed *Physician Certification Form* to the attention of the FMLA Coordinator in a sealed envelope marked "confidential." The *Physician Certification Forms* shall be kept in a confidential file.
- C. BEMC may require, at BEMC's expense, an opinion from a second health care provider designated or approved by BEMC. If the employee's doctor and the second opinions conflict, BEMC may require, at its expense, that the

employee obtain an opinion from a third health care provider chosen or approved jointly by the employee and BEMC. The opinion of the third health care provider shall be final and binding on both the employee and BEMC.

- D. BEMC may require FMLA re-certification at any reasonable interval, but not more often than every thirty (30) days unless the employer is given reason to doubt the validity of the existing certification.

## **6. Employee on Disability Leave**

- A. An employee requesting disability leave benefits who is also eligible for FMLA leave shall have up to the first twelve (12) weeks of an approved disability leave period, including the required waiting period, count concurrently as FMLA leave. BEMC may also grant FMLA leave to an employee while the employee's disability leave request is being reviewed. The granting of FMLA leave shall have no bearing on the approval or disapproval of an employee's disability leave request.

## **7. Employee Applying for Worker's Compensation Benefits**

- A. An employee who makes application for Workers' Compensation benefits who is eligible for FMLA leave will have any time (sick leave or other applicable leave) used as a result of the pending Workers' Compensation claim counted concurrently as FMLA leave.

## **8. Employee on Approved Adoption/Childbirth Leave**

- A. An employee requesting Parental Leave benefits who is also eligible for FMLA leave shall have all applicable Parental Leave, including the required waiting period, count concurrently as FMLA leave. BEMC is not required to allow employees a reduced work schedule or intermittent leave for the birth of a child or placement of a child for adoption or foster care.

## **9. Exhaustion of Paid Leave to Supplement FMLA Leave**

- A. Once the employee has given notice of his/her intention to take leave pursuant to this policy, the amount of paid and unpaid leave available to the employee will be determined.
- B. An employee shall exhaust all accrued leave balances as part of the 12 workweeks of FMLA leave prior to going on unpaid leave. Employees must first exhaust sick leave before taking other forms of leave. An employee must exhaust all accrued personal leave, vacation leave, and compensatory time, before taking unpaid leave under FMLA. All paid leave will count concurrently as FMLA leave.

## **10. Employee Health Benefits**

- A. BEMC will continue to pay the employer portion of health insurance premiums during any unpaid FMLA leave. An employee taking FMLA leave, who wishes to retain group insurance coverage, must arrange to pay his or her share of the premium contributions during the period of unpaid leave.
- B. If an employee fails to return to work following FMLA leave, BEMC may seek reimbursement of any health insurance premiums paid on behalf of the employee during the period of leave.
- C. If an employee chooses not to continue health care coverage during FMLA leave, the employee will be entitled to reinstatement in the benefit plan upon return to work.

## **11. Intermittent Leave and Reduced Schedule Leave**

- A. Leave taken due to an employee's serious health condition may be taken intermittently or on a reduced leave schedule when it is medically necessary. The request must be specified in the employee's *Physician Certification Form* certified by the employee's health care provider.
- B. An employee requiring intermittent leave or a reduced leave schedule for planned medical treatment for a serious health condition may be reassigned temporarily to an available alternate position with the BEMC. The position would be one for which the employee is qualified, with equivalent pay and benefits and which can accommodate recurring periods of leave better than the employee's regular position.
- C. Leave taken because of the birth, adoption or foster care placement of a child can be taken consecutively, or on a reduced leave schedule if an acceptable schedule can be agreed upon by the employee and his/her supervisor(s). Leave taken for the birth, adoption, or foster care placement of a child must be taken within the first twelve (12) months of the child's birth or placement with the employee.
- D. An employee can take FMLA leave to care for his/her spouse, child, or parent with a serious health condition, intermittently or on a reduced leave schedule if it is necessary for the care of the family member or will assist in the family member's recovery. The request must be specified in the employee's *Physician Certification Form* certified by the family member's health care provider.
- E. Intermittent leave and leave taken by reducing work hours shall be taken in increments equal to the smallest increment allowable for the type of paid leave or, if unpaid leave is used, in fifteen (15) minute increments.

## **12. Maintenance/Accrual of Benefits During Leave**

- A. An employee taking FMLA leave will retain any employment benefits, other than the leave required to be used, that the employee had earned prior to commencement of the leave.
- B. During any period of unpaid FMLA leave, the employee will not accrue personal leave, sick leave or vacation leave.
- C. Employees who return to work following FMLA leave will not lose any service or seniority credit.
- D. FMLA leave will be treated as continuous service for purposes of calculating any benefits which are based upon length of service.

## **13. Return to Work**

- A. An employee taking FMLA leave is entitled to be restored to the same position he or she held when the leave began, or be placed in an equivalent position with equivalent employee benefits, pay, and conditions of employment.
- B. An employee who takes leave based upon his or her own serious health condition shall be required to provide certification from a health care provider that he or she is able to resume work.
- C. Acceptable "return to work" certification may be requested by BEMC prior to the employee's return. Employee will be responsible for promptly obtaining such certification if requested.

## **14. Prohibitions**

- A. While on FMLA leave, employees are expressly prohibited from working (for any other employer, business interest, etc.) during their regularly scheduled BEMC work hours. Additionally, employees on FMLA leave for their own serious health condition are cautioned that any work activities inconsistent with their certified inability to work may be grounds for termination of FMLA leave benefits, and/or discipline, up to and including termination.

- B. Violation(s) of this policy by an employee, including but not limited to failing to comply with this policy, providing false information or filing a false certification, may result in the denial of the use of FMLA leave under this policy and/or may lead to disciplinary action, up to and including termination.



## **BROADCAST EDUCATIONAL MEDIA COMMISSION**

### **XIV. Series 200 – Employees**

Policy # 205 – Holidays

Effective Date: 5/2017

#### **1. POLICY**

The following policy outlines the holidays observed by the Broadcast Educational Media Commission (BEMC) in accordance with all applicable federal and state laws and to outline for which holidays employees are granted paid leave.

#### **2. Observed Holidays**

A. All employees receive the following ten (10) paid holidays each year:

- i. New Year's Day (January 1)
- ii. Martin Luther King Day (third Monday in January)
- iii. President's Day (third Monday in February)
- iv. Memorial Day (last Monday in May)
- v. Independence Day (July 4)
- vi. Labor Day (first Monday in September)
- vii. Columbus Day (second Monday in October)
- viii. Veteran's Day (November 11)
- ix. Thanksgiving Day (fourth Thursday in November)
- x. Christmas Day (December 25)

B. When a holiday falls on a Sunday, the holiday is observed on the following Monday. When a holiday falls on a Saturday, it is observed on the preceding Friday. Upon request, an employee may observe a religious holiday and either charge the time to the appropriate leave (i.e. vacation, compensatory time, personal leave, etc.), or ask to be given leave without pay. However, BEMC reserves the right to approve a leave without pay only after other paid leaves are exhausted.

#### **3. Eligibility for Holiday Pay**

A. Bargaining unit employees

- i. An employee on vacation or sick leave during a holiday shall not be charged vacation or sick leave for the holiday. An employee who is scheduled to work and calls off sick the day before, after, or the day of a holiday shall forfeit his/her right to holiday pay for that day, unless there is documented, extenuating

circumstances which prohibit the employee for reporting to duty.

B. Non-Bargaining unit employees

- i. A full-time employee must be in an active pay status the day before the holiday to receive pay for the holiday. For the purposes of this policy, sick leave is considered active pay status.

**4. Work on the Holiday**

- A. When an employee who is eligible for overtime pay is required to work on the day observed as a holiday, he or she shall be entitled to pay for such time worked at one-and-one-half times (1.5x) his/her regular rate of pay in addition to his/her regular pay, or to be granted compensatory time off at time-and-one-half time thereafter, at the employee's option. Payment at such rate shall be excluded in the calculation of hours in active pay status.

## **BROADCAST EDUCATIONAL MEDIA COMMISSION**

### **XV. Series 200 – Employees**

#### **Policy # 206 – Personal Appearance**

Effective Date: 5/2017

#### **1. POLICY**

- A. All Broadcast Educational Media Commission (BEMC) employees are required to maintain a “professional image” in attire and appearance at all times.

#### **2. BEMC Professional Image Standard**

- A. BEMC’s professional image standard requires employees to dress and present themselves in a manner that is appropriate for the position and duties which they hold. Each employee should take in to account their job duties and interaction with the public when determining their workplace attire.
- B. Examples of inappropriate dress include, but are not limited to, the following: shorts, skorts, t-shirts, workout attire, sweatshirts, beach-type wear, crocs and other rubber shoes, flip flops or beach-type sandals, and hats. Exceptions to this policy will be made upon request for religious purposes (e.g. headwear), documented medical necessity (e.g., particular shoes for walking), or on special designated days communicated by BEMC management.
- C. Employees should take appropriate measures to ensure their personal hygiene is not offensive to others and take care not to wear excessive scents.
- D. Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Any work time missed because of failure to comply with this policy will not be compensated and any repeat violations of this policy will be cause for disciplinary action.
- E. Supervisors are responsible for enforcement of these provisions. Employees with have questions regarding what constitutes inappropriate or appropriate attire, should consult with their immediate supervisor. Supervisors may make exceptions when deemed necessary. It is also the supervisor’s responsibility to counsel employees who are not dressed appropriately on what constitutes professional business attire.

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### XVI. Series 200 – Employees

Policy # 207 – Hiring

Effective Date: 5/2017

#### 1. POLICY

- A. The Executive Director shall employ and fix the compensation for such employees as necessary to facilitate the activities and purposes of the commission. The employees shall serve at the pleasure of the Executive Director.
- B. Hiring of Broadcast Educational Media Commission (BEMC) personnel shall be carried out in accordance with the laws of the United States, the State of Ohio, including any applicable Executive Orders, and BEMC shall not discriminate on the basis of race, sex, creed, color, religion, age, national origin, political affiliation, handicap or disability, sexual orientation, or on any other impermissible basis.
- C. Pursuant to Revised Code 3353.03(C) and (D), all employees hired by BEMC after July 1, 2005, either to fill vacancies or to fill new positions, shall be placed in the unclassified service and shall be exempt from Chapter 4117 of the Revised Code and shall not be public employees as defined in section 4117.01 of the Revised Code.

#### 2. Hiring Process

- A. The designated BEMC senior team staff member(s) will comply with all applicable state of Ohio hiring practices and procedures as directed by the Executive Director. See [Procedure 207-1](#).
- B. The steps for acclimating a new employee to BEMC are outlined in [Procedure 207-1](#).

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### XVII. Series 200 – Employees

#### Policy # 208 – Performance Evaluations

Effective Date: 5/2017

#### 1. Policy

- A. Performance evaluations provide each employee with a better understanding of his/her work performance in relation to Broadcast Educational Media Commission's (BEMC) expectations regarding that position.
- B. BEMC Bargaining Unit Employees will be evaluated pursuant to the terms of the applicable collective bargaining agreement and such agreement will control. To the extent that this policy does not conflict with the terms of any applicable collective bargaining agreement, this policy will apply to Bargaining Unit Employees as well.
- C. The purpose of performance evaluations is to allow employees to be placed in the best position to succeed for their own benefit, and that of the agency. Among others, some of the purposes for performance reviews include:
  - i. Working collaboratively with each employee toward the attainment of BEMC's mission, goals and objectives;
  - ii. Informing the employee of his/her strengths, weaknesses and progress;
  - iii. Guiding an employee so as to improve performance and productivity;
  - iv. Strengthening work relationships and improving communication among employees;
  - v. Helping in developing employee skills;
  - vi. Recognizing accomplishments and quality performance; and
  - vii. Determining compensation.

#### 2. Evaluation Guidelines

- C. Each BEMC employee, except for the Executive Director, shall be evaluated on his or her job performance at least one time per evaluation cycle.
- D. Performance evaluations will be done in accordance with the State of Ohio guidelines and completed through the ePerformance online evaluation system.
- E. BEMC will function under an **October 1st through September 30th** evaluation cycle. All evaluations will be completed by September 30 of each year.
- F. Supervisors are expected to follow the ePerformance Evaluation procedures detailed in [Procedure 208-1](#).

## **BROADCAST EDUCATIONAL MEDIA COMMISSION**

### **XVIII. Series 200 – Employees**

#### **Policy # 209 - Discipline**

Effective Date: 5/2017

#### **1. POLICY**

- A. There are times when disciplinary action is necessary in order to ensure an employee's behavior and performance are consistent with the functions and expectations for the employee's position and the goals of the Broadcast Educational Media Commission (BEMC). In response to this, it is the policy of BEMC to administer discipline when it is necessary. In all cases, the Executive Director reserves the right to determine the appropriate discipline.

#### **2. Applicability**

- A. All employees of BEMC are required to maintain high standards of behavior, conduct, and work performance befitting the trust and responsibility entrusted to them as State employees of BEMC.
- B. This policy is applicable to all BEMC employees. To the extent provisions of this policy conflict with provisions in an employee's applicable collective bargaining agreement, the provisions of the collective bargaining agreement will control.

#### **3. Discipline**

- A. Generally, discipline will be imposed in order to provide employees the opportunity to correct inappropriate behavior. As a result, the BEMC will ordinarily observe the principle of progressive discipline. However, depending upon the seriousness of the offense, discipline up to and including termination even for the first offense may result and is solely within the discretion of BEMC's management.
- B. Types of Discipline:
  - i. Verbal Reprimand: This action informs the employee verbally of a specific violation for which the reprimand is being given. Written documentation of this action shall be placed in the employee's disciplinary file.
  - ii. Written Reprimand: This action informs the employee in writing of a specific violation for which the reprimand is being given.
  - iii. Working Suspension: This action results in an employee remaining in the workplace and receiving compensation for all hours worked. Even though there is no involuntary loss in compensation, the documented suspension has the same effect as a non-working suspension.
  - iv. Non-Working Suspension: This action results in an involuntary temporary separation from active pay status.
  - v. Re-assignment/Demotion: This action is used as an alternative to termination, this action results in an employee being demoted and/or re-assigned to a different position within the agency.
  - vi. Termination: This action is an involuntary, permanent separation from employment.

#### 4. Bargaining Unit Employees

- A. When just cause exists, the Executive Director of BEMC may impose disciplinary action, in accordance with the terms of any applicable collective bargaining agreement.
- B. Violation of the following rules may result in disciplinary action up to and including removal, or termination. These rules should be considered general guidelines and are not intended to be all inclusive. BEMC also considers as misconduct any action not specifically stated in the following list, which could harm an employee or impair the ability of the employer to carry out its mission.

#	Rule	Description (Includes but is not limited to)
1	Dishonesty	A. Inappropriate use of company time or resources for personal reasons B. Falsification of documents C. Theft D. Misuse or unauthorized use of state property
2	Failure of good behavior	A. Carelessness, destruction or damage of state property B. Violation of workplace violence policy C. Violation of Drug Free workplace policy D. Discourteous treatment of employees or public E. Violation of Anti-Discrimination policy F. Violation of Unauthorized Weapons policy
3	Neglect of Duty	A. Failure or refusal to follow policies and procedures B. Absent without leave (AWOL) C. Violation of BEMC leave related policies D. Sleeping while on duty E. Refusal to carry out assigned job duties F. Refusal to follow directions of supervisor
4	Other	Incompetence, inefficiency, immoral conduct, insubordination, acts of misfeasance, malfeasance, or nonfeasance and conviction of a felony, smoking in prohibited areas, illegal gambling, unauthorized soliciting

#### 5. Notification of Discipline

- A. Supervisors shall use the BEMC prescribed [Discipline Form 209-1A](#) as referenced in [Procedure 209-1](#) to notify employees of disciplinary action.

#### 6. Appeals

- A. Overtime-Exempt employees do not have the right to appeal disciplinary actions.
- B. Bargaining unit employees shall follow applicable OCSEA Collective Bargaining Agreement provisions regarding the appeal of a disciplinary action.
- C. Non-Bargaining Unit, Overtime-Eligible employees shall within ten (10) days of notification of a disciplinary action that is less than a termination, appeal any disciplinary action by submitting a written statement to the Chief of Operations that states:
- Employee's name
  - Preferred method of contact (email/phone)

- Request for an in-person meeting (if requested)
  - Disciplinary action being appealed
  - Basis for the appeal
  - Preferred result
- i. After receiving such appeal request the Chief of Operations will promptly review the request, review the disciplinary action, meet with the supervisor/manager who initially imposed action, and render a decision to the requesting employee.
  - ii. This will be a final decision, and there are no subsequent appeals.
  - iii. There is no appeal for a termination decision.



## BROADCAST EDUCATIONAL MEDIA COMMISSION

### XIX. Series 200 – Employees

#### Policy # 210 – Workers’ Compensation Policy and Transitional Work Program

Effective Date: 5/2017

#### 1. PURPOSE

- A. It is the policy of the Broadcast Educational Media Commission (BEMC) to provide a safe working environment, to make reasonable efforts to provide for the security of its employees and visitors, and to immediately facilitate the necessary attention needed when accidents and injuries occur. For this reason, the following procedures related to reporting work-related accidents and injuries are implemented.
- B. This policy is applicable to all BEMC employees.

#### 2. Provisions

##### A. Eligibility

- i. BEMC employees are covered by the Ohio workers’ compensation system for medical costs as a result of a work-related injury or occupational disease allowed by the Bureau of Workers’ Compensation (BWC). Employees may also be eligible for lost-time wage compensation if they are off work for eight (8) days or longer due to their allowed injury or occupational disease.
- ii. For purposes of this policy, “work-related injury” means any accident or injury that occurs in the course of and arising out of an individual’s employment. This means that the injury must be a direct result of doing the job. Any “work-related injury” may be considered for workers’ compensation benefits.

##### B. Procedure

- i. At the time the work-related incident or accident occurs, a BEMC employee must immediately report the incident to his/her supervisor(s) and the Chief of Operations, or if absent, the HR Designee. Unless extreme circumstances warrant differently, this notification must occur within 24 hours of an incident. This notification applies to all accidents and injuries that occur during regular working hours and/or during the course and scope of employment, either on or off BEMC work premises. If there is any question as to whether an accident or injury is work-related, please contact Chief of Operations, or if absent, the HR Designee to discuss whether an incident report needs to be filed. See Chief of Operations/HR Designee for current incident report form if needed.
- ii. Seek immediate medical treatment if needed. In an emergency or life-threatening situation, BEMC employees should seek medical attention at the nearest medical facility and then complete the appropriate form as required by BEMC as soon as possible. For all non-emergencies, BEMC employees must follow the procedures outlined above.
- iii. If a BEMC employee does not initially seek medical treatment but later decides to visit a doctor for examination of the injury, he/she must contact Chief of Operations/HR Designee to receive a list of network providers. BEMC’s Managed Care Organization (MCO) will pay for treatment from a BWC-certified provider. The employee must also report the visit to his/her supervisor and the Chief of Operations/HR Designee within 24 hours of treatment.

- iv. Chief of Operations/HR Designee will forward all paperwork necessary for the proper reporting of the accident or injury to the employee. Even if no medical attention is needed, or time off required, a report must still be completed and signed by the employee.
  - v. A complete investigation will be conducted as warranted by the situation, including but not limited to, statements from supervisors and coworkers.
- C. **Prohibition** – Failure to follow the procedures outlined above may result in discipline, up to and including termination.

### 3. Transitional Work Programs

- A. The purpose of a Transitional Work Program is to allow eligible full-time employees who suffer from a temporary work limitation due to an accident, injury or illness to return to work while completing his/her recovery. The transitional work program will assist eligible employees in returning to work as quickly as possible, thus reducing the financial burden and emotional impact on the employee and the overall costs associated with workers' compensation and other forms of leave.
- B. Throughout the transitional work program, the employee will be expected to follow all of BEMC's policies and procedures regarding attendance and tardiness. If an employee needs to be absent for appointments with any health care provider, the employee should attempt to schedule those appointments during non-working hours or, otherwise, use available leave balances. If an employee is working less than a full time schedule during the transitional work program, any non-worked hours will be counted towards the employee's Family and Medical Leave entitlement, if applicable. (See FMLA [Policy 204](#))
- C. **Eligibility: All employees who have a temporary period of job performance limitation not expected to exceed 90 days, will be eligible for the program provided they:**
- i. Have an injury, illness, accident or reoccurrence of a pre-existing condition, *on or after* the date of the policy introduction,
  - ii. Be released for participation by his/her doctor, and
  - iii. Have the potential to return to his/her original position through recovery.
- D. **Program Terms and Conditions:** If an employee is eligible to participate in a transitional work program, the employee (and his/her Union representative if applicable), the BEMC appointee and the employee's HR Representative (collectively "Transitional Work Committee") will enter into a transitional work program agreement. All agreements must meet the following requirements:
- i. Continuation of ongoing programs will require ongoing documentation of medical necessity. All participants will have his/her case reviewed by the Chief of Operations on a bi-weekly basis or as-needed basis.
  - ii. Transitional work programs may be terminated due to a lack of medical necessity, a lack of progress or a change in the employee's medical/psychological condition. If it appears that the employee will not be able to return to his/her regular full time duties, the transitional work program agreement will terminate.
  - iii. BEMC will not protest the reinstatement of benefits for terminated programs except as provided for in Article 34.05 of the OCSEA collective bargaining agreement.
- E. **Transitional Work Program Agreement:** Prior to the implementation of a transitional work program, the employee and the Transitional Work Committee will enter into an agreement that acknowledges the work

restrictions provided by the physician of record and is consistent with the operational needs of the department. By signing the agreement all parties are stating that they will abide by the provisions set forth in the transitional work program agreement.

- ii. The duration of each transitional work program assignment is based on the medical need of the individual up to a maximum duration of 90 days.
- iii. The agreement will provide that the duties assigned to the employee are within that employee's physical capabilities and will assist that employee in returning to his/her regular job within 90 days.
- iv. Transitional work assignments may be made in, or up to, 30-day increments, or as agreed upon.

**F. Hours of Work and Rate of Pay:**

- i. During the transitional work program employees will be required to work a minimum of 20 hours a week and a minimum of 4 hours a day.*
- ii. Employees participating in the transitional work program will be paid at his/her normal rate of pay and will be in active pay status.
- iii. Participating employees will not be eligible to earn overtime during his/her participation in the program.

**BROADCAST EDUCATIONAL MEDIA COMMISSION**

XX. Series 200 – Operations, Employee Leave and Conduct

Policy # 211 – Fiscal Operations Policy

Effective Date: 11/2017

**1. Policy**

- A. The purpose of this policy is to authorize the Executive Director to create, adopt, monitor, and revise as necessary, written procedures for the internal fiscal operations of BEMC.
- B. Fiscal procedures should include operations related to: Billing, Capital Funds, Deposits, Inventory, Invoice Processing, P-Card, Procurement, Payroll Reconciliation, Reconciliations, Subsidies and Grants.
- C. Fiscal procedures should identify the responsibilities of key personnel in performance of those procedures.

## PROCEDURE 201-1: Employee Timekeeping

### I. Purpose:

- A. To establish guidelines and procedures for the proper reporting of employee time and leave.

### II. Procedures

#### A. Daily Timekeeping

- a. An employee's hours worked each day must be accurately recorded, including any uncompensated meal periods.
- b. Employees shall enter all time worked into electronic Kronos time card, either by direct entry, time stamp or time clock.
- c. Time clock usage is reserved for employees assigned to the 24x7 Broadcast Operations department.
- d. Time should be logged daily to ensure accurate timekeeping.
- e. "Punching In" and "Punching Out" should only be done at beginning and end of a shift.
- f. Unless approved in advance by the Broadcast Operations Manager, employees assigned to the 24x7 Broadcast Operations team are not to "punch in" more than 5 minutes before their scheduled shift.
- g. Unless approved in advance by the Broadcast Operations Manager, employees assigned to the 24x7 Broadcast Operations department are not to "punch out" more than 5 minutes after their shift ends.
- h. Employees assigned to Standby duty should only log actual working hours each day. Managers will enter standby hours on behalf of the employee (as 24 hours minus actual working hours) for each day assigned to standby duty.
- i. Employees who take an uncompensated meal period shall have a pay rule entered that incorporates the uncompensated meal period. If the employee works through their scheduled uncompensated meal period, he/she should notify their manager, via Outlook or Kronos mail, of the date and time the uncompensated meal period was not taken. Managers should save these notices for time card approval as the missed lunch will generate a time card error.

#### B. Scheduling function in Kronos:

- a. If appropriate, managers shall enter employee schedules in Kronos.
- b. Scheduling communicates to the employees when they are expected to work.
- c. Scheduling assists the manager in resolving missed timekeeping punches.
- d. Schedules and Time Off Requests (TOR) can be viewed on the Kronos calendar to assist the manager with staffing coverage.

#### C. Time Off Requests (TOR)

- a. In Kronos, "Time Off Requests (TOR)" are used to request leave and overtime leave/accrual.

- b. For all planned absences, employees shall submit a properly completed Kronos TOR, in advance, and receive approval prior to taking the leave. For all unplanned absences, employees shall submit a properly completed Kronos TOR on the first day of their return to work or by the end of the pay period, whichever occurs first.
- c. If an employee is scheduling multiple weeks of leave time, all TOR should be submitted and approved by the manager prior to the end of the last working shift before the scheduled leave time.
- d. Kronos Workforce will prevent an employee from requesting more leave than is available. Employees can monitor their leave usage and leave balances via Kronos Workforce.
- e. Managers can process TOR on an ongoing basis to ensure adequate staffing.
- f. In the event a situation arises in which an employee assigned to the 24x7 Broadcast Operations team is required to work outside their scheduled time (before or after a shift), the Broadcast Operations Manager must approve the time. This can be verbal approval but must also be submitted via Kronos as a TOR and approved by the manager.
- g. TOR should be submitted via Kronos by overtime eligible employees to designate extra hours worked as overtime (pay) or compensatory time.
- h. TOR should not be submitted at the Time Clock at the beginning or end of a shift. Requests can be entered at the Time Clock at other times during or after a shift.

#### D. Time card Approvals

- a. At the end of each pay period, each employee is required to verify and “Approve” their time card. This can be done weekly for overtime eligible (“40 hour”) employees. All employees of the agency are responsible for reviewing their own Kronos time cards to ensure all paperwork has been received, approved and entered timely for pay processing.
- b. At the end of each pay period, managers will be required to “Approve” time cards for employees. By approving an employee time card, the supervisor is certifying the accuracy of the reported time. Factors to consider prior to approving an employee time card include, but are not limited to, review of punches, transfer codes, comments, leave usage and audit information. In approving time cards:
  - i. Missing punches need to be corrected. Time punches outside of scheduled hours (for scheduled employees) will appear in RED. Managers should resolve these as appropriate as they appear on the time card. Time cards with missing punches cannot be transferred to OAKS for payroll generation.
  - ii. Errors should be corrected, updated or resolved as appropriate.
  - iii. Outstanding TOR should be resolved as appropriate.
  - iv. By default, time worked over 40 hours for overtime eligible or 80 hours for overtime exempt employees will appear as Unapproved OT. Unapproved OT needs to be resolved prior to time card approval. Extra hours should be transferred to the appropriate payroll code. By default, Approved OT for overtime eligible employees is paid out as overtime pay. TOR from employees should communicate to the manager whether the employee desires overtime pay or compensatory time.
  - v. Managers should enter standby hours for their eligible employees on the time card prior to time

card approval.

- vi. Managers can approve time cards for all employees or individually.
- vii. Kronos will allow managers to approve time cards that have not been approved by employees. However, Managers should resolve to have employees approve their time cards prior to Manager approval on a regular basis.
- viii. All time cards need to be approved by 2pm of the Monday following the last day of the pay period so that payroll processing can send the time cards from Kronos to OAKS. OAKS is the final system of record and generates payments to employees for payroll.

E. Time card Corrections

- a. If a time card error has been identified (e.g., too many or too few regular hours were posted; disability hours were posted at the wrong rate, etc.), the time card shall be corrected wherever possible. Corresponding historical changes shall be made to the Kronos time card as well as in OAKS.

F. Payroll Verification

- a. Employees are responsible for monitoring their electronic earning statements available in OAKS on the Monday of pay week to ensure the accuracy of all payments, deductions, taxes, service credit and leave balances. Employees are responsible for bringing any discrepancies or errors to the attention of BEMC's Chief of Operations immediately for review and correction

Effective Date: 2/2019

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

## PROCEDURE 201-2: Travel to Off-Site Work Locations

### I. Purpose

The purpose of this procedure is to set the guidelines by which BEMC employees are to log time worked when traveling for work-related matters to off-site locations.

### II. Reporting of Travel Time to Off-Site Locations

- A. The general rule is that no time will be granted for typical commuting to and from the North Star facility for regularly scheduled daily work from an employee's place of residence ("home"). However, the following are two exceptions:
- a. Scheduled work-related travel: When an employee is required to travel to another location in the state for work-related business, the time traveled, including from their home (if not first reporting to BEMC office) to the destination work location (and vice versa) should be calculated in the entire amount of time traveled.
    - i. For example, if an employee must drive one-hour to an off-site location for a 9 a.m. meeting and leaves directly from his/her home at 7:45 a.m., then he/she will count the time from when employee left his/her home to travel to the work event and will include the time spent travelling back from the work event to the employee's home or to BEMC main office (whichever is applicable).
  - b. Stand-by travel: Employees on stand-by, who are called upon to travel to BEMC's facility or any other off-site broadcast affiliate location shall report all travel time required upon receipt of the call, including to and from their then-current location at receipt of the call and from the destination location following the completion of the stand-by action, and shall be compensated for one-hour and minute-to-minute after that hour.
- B. Regardless of the exceptions in (a) and (b), no travel time shall include personal, non-business related detours or errands, except for stops that are ancillary or within the scope of normal travel needs, including rest stops, gas re-fills, lunch or other reasonable meal breaks. Violators of this policy may be subject to discipline up to an including termination.

Effective Date: 10/2018

Administrative Approval:

*Geoffrey A. Phillips*

\_\_\_\_\_  
Executive Director



## PROCEDURE 203-1: Leave Request

### I. Purpose

- A. To establish the procedures by which a BEMC employee should properly request leave of any type. [See Policy 203](#) for types of leave.

### II. Procedures

- A. In order for a staff member to use any accrued leave time they must properly submit their requests to their supervisor.
- B. Request should be made to the supervisor in writing (email is preferred) **prior to** the date of the request and in accordance with any Collective Bargaining Agreement rules. Supervisors may work with staff to accommodate other arrangements regarding request of leave.
- C. Once the supervisor has responded that the request has been approved the employee is required to enter that leave time into KRONOS as "Time Off Request". The supervisor will then approve the leave.
- D. Notices for Request for Leave: All non-sick leave requests should be made in writing with at least 48-hour notice.
- E. Notice for Requests for Sick Leave:
  - i. Employees scheduled to work during normal business hours must notify their immediate supervisor of the request for sick leave no later than ninety (90) minutes before the time the employee is scheduled to report for work, unless special circumstances preclude this notification. Master Control employees should notify their supervisor within two (2) hours before the start of their assigned shift.
  - ii. Employees assigned to 24-hour operations must notify their immediate supervisor at least ninety (90) minutes prior to the time the employee is scheduled to report for work, unless special circumstances preclude this notification.
- F. Approval: No absence will be considered "approved" until and unless the supervisor indicates approval in the electronic timekeeping system, or via written approval by some other means. If approval is not given by the supervisor, or if proper notification is not made by the employee, the absence may be charged as an unexcused absence, and discipline may follow.

Effective Date: 2/2019

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_

Executive Director

## PROCEDURE 207-1: New Hire On-Boarding

### I. Purpose

- A. To detail the process and procedures for ensuring newly hired employees of BEMC have successfully completed all necessary paperwork and new employee training.

### II. Procedures

- A. All new BEMC employees will complete and engage in the following activities and trainings within the first two (2) days of employment. These procedures will be coordinated by the Chief of Operations and the employee's supervisor:
  - i. Computer/Internet Access/Cell Phone
    - a. Creation of BEMC email
    - b. Granting computer access
    - c. Set up of telephone (if applicable)
    - d. Issuing of Cell Phone (if applicable)
  - ii. Training
    - a. Kronos Employee
    - b. Kronos Manager, if applicable
    - c. Ethics
    - d. Workplace Harassment/Violence Protection
    - e. Online Security
    - f. Active Aggressor
    - g. Human Trafficking
  - iii. Building Tour/Exits/Fire Extinguishers
    - a. Issuing of Building FOB/Security Badge
    - b. Designation of Weather Essential Employee (if applicable)
  - iv. BEMC Expectations
    - a. Policy and Procedures – Acknowledgment completion
    - b. Job specific expectations

Effective Date: 3/2019

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_

Executive Director

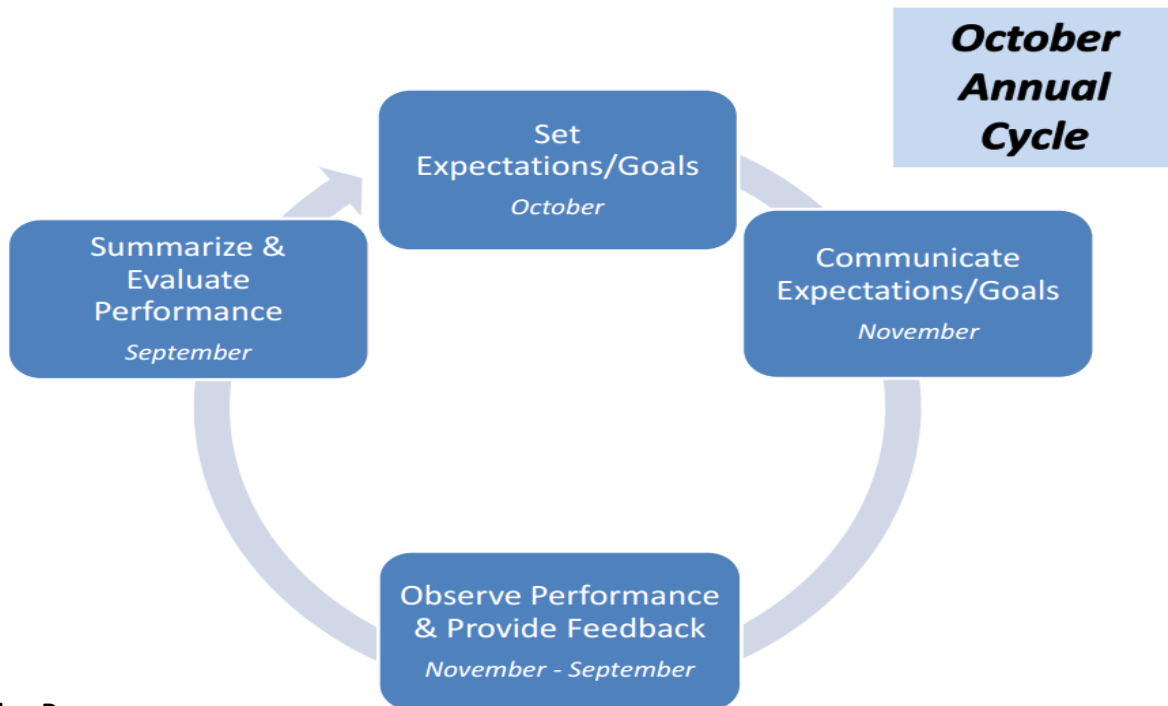
## PROCEDURE 208-1: Evaluations

### I. Purpose:

- A. To set forth the guidelines and procedures for the proper and effective evaluation of Broadcast Educational Media Commission (BEMC) employees.
- B. BEMC is committed to assisting staff in reaching a high-level of job performance and putting staff in a position to succeed in order to ensure the agency is functioning at maximum potential for the betterment of the citizens of Ohio. To achieve this end BEMC will conduct yearly ePerformance evaluations of all staff.

### II. Timeline

- A. BEMC will be using an October Annual Cycle for staff evaluations. Each year the evaluation period will take place from **October 1<sup>st</sup>** of the current year to **September 30<sup>th</sup>** of the next year. Example: October 1<sup>st</sup>, 2016 to September 30<sup>th</sup>, 2017.
- B. Supervisors will create new ePerformance documents for staff in October where expectations and goals will be set. In November, supervisors will sit down with staff to discuss those expectations and goals. Between November and September supervisors will observe performance and provide feedback. Finally, in September supervisors will summarize and evaluate staff performance, including meeting with each staff member following the completion of the evaluation.



### III. Evaluation Process

- A. BEMC is an agency with a less hierarchical structure and because of this we will be using the **Modified Approval Review**. The flow of the Modified Approval Review allows for a simplified review workflow and will speed up the process. When creating new documents for the “Annual Review” of a staff member the supervisor you will need to ensure to use you create the “Modified” version.

#### IV. What is evaluated?

A. When creating evaluation documents, all staff will have the following:

- i. Agency Mission Statement: “The Broadcast Educational Media Commission seeks to expand the knowledge of Ohio’s citizens through promotion of educational broadcasting products, funding of the state’s broadcast affiliates and organizations, and collaboration with stakeholders and advocates of technology-driven education.”
- ii. Statewide Competency: Customer Service. All state employees are evaluated on this competency.
- iii. Classification Competency: All employees will have three (3) specific competencies, which are a measurable pattern of: (1) Knowledge, (2) Skills, and (3) Abilities and other characteristics designed to reflect the behaviors in how employees complete their assignments. For non-bargaining unit employees, BEMC will generally model, within BEMC’s sole discretion, the State competencies for classified civil servants of similar positions, to the extent that such competencies are available.

Examples of the state classification competencies used are as follows:

a) **Electronic Technician or Engineer:**

- a. Competency – Repairing and Maintaining Electronic Equipment
- b. Competency – Working with Computers
- c. Competency – Getting Information

b) **Broadcasting Engineer or Master Control Operator and Traffic:**

- a. Competency – Working with Computers
- b. Competency – Getting Information
- c. Competency – Updating and Using Relevant Knowledge

c) **VNOC Staff:**

- a. Competency – Updating and Using Relevant Knowledge
- b. Competency – Getting Information
- c. Competency – Making Decisions and Solving Problems

d) **Fiscal Staff:**

- a. Competency – Getting Information
- b. Competency – Analyzing Data and Information
- c. Competency – Communicating with Supervisors, Peers, and Subordinates

#### V. Evaluation Tips

A. Evaluations can be a difficult task for some supervisors. Here are some tips on completing performance evaluations and how you can make the process simple, yet effective.

- i. Create the next year’s documents in ePerformance when you complete the current year’s evaluation. This will ensure you don’t forget to create the documents in a timely manner and information will be fresh in your mind. You don’t complete the evaluation, just create the documents.
- ii. Take time to sit down with the employee when you set the expectations for the year and when you are completing an evaluation. You can do this in one step when you have the conversation about completing one evaluation and creating the new.
- iii. Do everything in a separate Word document. The ePerformance system can, and will, timeout periodically. If

you have not “Saved” your entries you will lose all your work. Suggest having a Word document for each employee and taking notes about performance throughout the year then entering those into the system.

- iv. Each time you hit the “Save” button an email will be sent to the employee letting them know you have saved a performance evaluation. Make sure your employees know you are working on their evaluation so they are not surprised when they get several emails from ePerformance. DO NOT USE the ePerformance email system – use our Outlook email to communicate with staff.
- v. If you supervise multiple employees, all of whom have the same classification competencies, you can create all the documents for them at one time instead of creating them individually, one-at-a-time. Only use the same classification competencies – the reviewing of each competency should be unique to each employee.
- vi. You can “Clone” the settings from a previous document. If you are simply using the same expectations and criteria from the last evaluation you can choose to “Clone” for a quick creation of documents.

**VI. Questions** - If you have questions please see Chief of Operations/ePerformance Administrators.

*Path to Access ePerformance Tools*

[www.myohio.gov](http://www.myohio.gov) → Career Resources → Manager Tasks, ePerformance Performance Docs → Create Documents → Choose Employee(s)

Effective Date: 5/2017

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_  
Executive Director

## PROCEDURE 209-1: Discipline

### I. Purpose:

- A. To establish a set of uniform guidelines and procedures for disciplinary actions for all BEMC employees. For Bargaining Unit Employees, to the extent any provisions conflict with the applicable collective bargaining agreement, the terms of the collective bargaining agreement will control.

### II. Procedure

- A. If a supervisor believes that one of the expectations in **Discipline Policy 209** has been violated by a BEMC employee, then in accordance with the policy, BEMC administrator should utilize a progressive process of discipline, if warranted:
  - i. Step One: Verbal Warning
  - ii. Step Two: Written Warning ([Discipline Form](#))
  - iii. Step Three: Suspension ([Discipline Form](#))
  - iv. Step Four: Removal/Termination ([Discipline Form](#))
- B. There may be times when policy violations are such that termination is appropriate, even for the first offense.
- C. For any discipline other than a verbal warning, the supervisor shall complete the discipline form ([Form 209-1A](#)) and meet with the employee to provide such form.
- D. No employee may be suspended, removed, or terminated without the approval of the Executive Director, or Chief of Operations.
- E. When the employee is a bargaining unit employee the union steward or representative should be made aware of the situation, in accordance with the applicable collective bargaining agreement.

Effective Date: 5/2017

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_  
Executive Director

**Employee Discipline Form 209-1A**  
(Broadcast Educational Media Commission Employees)

EMPLOYEE: \_\_\_\_\_  
DEPARTMENT: \_\_\_\_\_  
SUPERVISOR: \_\_\_\_\_

ID Number: \_\_\_\_\_  
POSITION: \_\_\_\_\_

---

**TYPE OF ACTION:**

- Written Warning
- Suspension:    Begins: \_\_\_\_\_                      Ends: \_\_\_\_\_
- Termination:    Effective: \_\_\_\_\_

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Date(s) of Incident: \_\_\_\_\_    Time of Incident: \_\_\_\_\_

**Description of the Incident(s) or Behavior(s):**

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**Reported by:**

---

**Other Individuals who may have information:**

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**Supporting Evidence, if any (please describe; attach copies of any documentation):**

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**Employee's Comments:**

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**Other Individuals who may have information:**

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**Supporting Documentation, if any (please describe; attach copies of any documentation):**

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**Corrective Action Plan:**

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**Next Action Step if Problem Continues:**

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**Follow up:**

- Two weeks       One month       Three months       Six months

I acknowledge receipt of this disciplinary action and that its contents have been discussed with me. I understand that my signature does not necessarily indicate agreement, and that refusal to sign will not invalidate the disciplinary action. I understand that this form will be placed in my personnel file. I further have been informed that I may submit a written response to the information in this form, and that my written response will also be kept with this form in my personnel file.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

*Copies of this form and any attachments should be sent to the Employee and to the Chief of Operations.  
The originals should be maintained by BEMC in the appropriate Employee Personnel File.*



## PROCEDURE 211-1: Billing and Deposit Procedures

### I. Purpose:

- A. The purpose of this procedure is to provide fiscal staff with direction to properly process billing. This includes creation of invoices, payment processing, and collections.

### II. Update the Master Log

- A. Open current fiscal year master log.
  1. L:\Fiscal\Logs\FYXX
- B. On the Payment Log tab, Create new invoice numbers.
  1. VyVx format is *ETC01-VyVxXX-001*
    - a) XX should be replaced with the current fiscal year
    - b) Continue the numbering sequence (001, 002, 003...)
  2. ECOESC format is *ETC01-FYXXQX-ECOESC*
    - a) XX should be replaced with the current fiscal year
- C. Update Invoice Date and Due Date
  1. Due Date is 30 days after Invoice Date

### III. Invoicing

- A. Go to the current fiscal year Master Log (i.e. FY21).
  1. VyVx invoices are created on the 10<sup>th</sup> of the month, or the following Monday if the 10<sup>th</sup> occurs on a weekend.
    - a) Data for invoices is provided by master control via email.
- B. Open the previous year's billing folder and open each invoice.
  1. L:\Fiscal\Billing\FYXX
- C. Update the following fields on each invoice:
  1. Invoice number
  2. Invoice date
  3. Billing cycle dates
  4. Due date
  5. Description
  6. Amount (if necessary)
- D. Validate Bill To information.
- E. Save as PDF to a new folder named the current fiscal year (i.e. FY22) at the same location in step B.
- F. Email PDF to contact(s) in the Bill To field.

### IV. Payment Processing

- A. Payments are sent by check (or electronic transfer of funds) and received by BEMC. All revenue received is processed and sent to TOS within three (3) business days of receipt in accordance with OAC 113-1-02 and ORC 113-08.
  1. For transfer of funds, an email will be received from TOS. Skip to step B.
  2. Separation of duties is required to ensure secure payment processing
    - a) Employee A opens envelope with check.
    - b) Employee B Deposits the check at the bank.
      - (1) If insufficient staff exists, Employee A and Employee B can be the same person.
    - c) Employee C creates the deposit in OAKS.
  3. Note the receive date on the warrant.
  4. Write (or stamp) *For Deposit Only* on the back of the check.
  5. Scan the warrant (check and attached backup) and email to the fiscal staff.

- a) Ensure the account number at the bottom of the check is omitted or it becomes a public record once emailed.
- 6. Complete the deposit slip and scan/email to the fiscal staff.
- 7. Deposit the check at any KeyBank location. Ask for receipt if none offered.
- 8. Scan and email receipt to fiscal staff.
- B. Once scanned documents (or EFT notice) are received, follow procedure in “The Source” for processing deposits.
  - 1. Leave deposit ID as “NEXT”.
  - 2. Payment ID is the invoice number listed in the fiscal log.
  - 3. Complete the deposit packet.
    - a) Complete the deposit template for the appropriate deposit type  
(1) Fiscal -> Billing -> Billing Templates -> Deposit Templates
    - b) Attach warrant image
    - c) Attach deposit slip image
    - d) Attach deposit receipt image
    - e) For EFT, attach TOS notification email and station communication (if present)
  - 4. Attach deposit packet to OAKS deposit using Attachment hyperlink.
  - 5. Follow steps in “The Source” for direct journal entry.
    - a) Speedcharts are established for deposit entry to ensure proper coding.
  - 6. Follow steps in The Source to print PDF of payment detail report.
    - a) Attach payment detail report to deposit packet in step c above.
  - 7. Email deposit packet to executive director for approval.
  - 8. ED follows steps in The Source to approve deposit.
  - 9. Once ED has approved deposit, email packet to [Faxcashiers@tos.ohio.gov](mailto:Faxcashiers@tos.ohio.gov)
    - a) For EFT deposits, email [ohrms@tos.ohio.gov](mailto:ohrms@tos.ohio.gov).
  - 10. Deposit is complete once TOS approves it.
    - a) TOS completion is monitored via reconciliation.
- C. Update fiscal log with deposit information.

**V. Collections**

- A. Invoices enter collection status once the due date is past. Tracking is via the Master Log, or preferred method of tracking.
- B. Email the contact to whom the invoice was sent with notification the invoice is past due. It is a best practice to include the invoice for reference.
- C. Continue sending notifications each month until the bill is paid.

Effective Date: 04/18/2023

Administrative Approval: Geoffrey A. Phillips  
Executive Director

## PROCEDURE 211-2: Invoice Processing Procedure

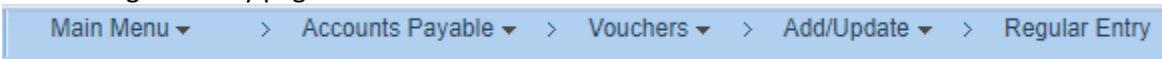
### I. Purpose:

- A. The purpose of this procedure is to provide fiscal staff with direction to properly process invoices. This includes receipt of a hard copy invoice, invoices processed by Ohio Shared Services (OSS), Intra-State Transfer Vouchers (ISTV), and budget errors.

### II. Receipt of a Hard Copy Invoice

- A. Open invoice and note date on it.
- B. Invoice is scanned and emailed to fiscal staff.
- C. Contact the supplier to send invoice to Financial Support Services
  1. Give supplier email and PO Box
    - a) [invoices@ohio.gov](mailto:invoices@ohio.gov)
    - b) PO Box 182880, Columbus, OH 43218-2880
  2. Verify which method the supplier will use.
    - a) If supplier will not comply, prepare OSS Pre-Processing form following steps in The Source
      - (1) [http://finsource.ohio.gov/oaksfinprocessmanual/ap/#t=Steps\\_for\\_Vouchering\\_with\\_OSS%2Fusing\\_a\\_pre-processing\\_form.htm](http://finsource.ohio.gov/oaksfinprocessmanual/ap/#t=Steps_for_Vouchering_with_OSS%2Fusing_a_pre-processing_form.htm)
  3. Confirm receipt of invoice by monitoring the vouchers created by OSS.
    - a) File hard copy once invoice is vouchered.
- D. Follow steps below to complete OSS processed voucher

### III. OSS Vouchers

- A. Follow steps in The Source for Managing Agency Sorter Page Exceptions. This is completed every day to ensure exceptions do not age.
  1. [http://finsource.ohio.gov/oaksfinprocessmanual/ap/#t=Steps\\_for\\_Vouchering\\_with\\_OSS%2Fap\\_sorter\\_page.htm](http://finsource.ohio.gov/oaksfinprocessmanual/ap/#t=Steps_for_Vouchering_with_OSS%2Fap_sorter_page.htm)
- B. Follow the steps in "The Source" to run Query name "OH\_AP\_VCHR\_PENDING\_STATUS".
  1. [Home > OAKS FIN Process Manual > OAKS FIN Reporting > Running OAKS FIN Queries](#)
  2. Run the query for Business Unit ETC01.
  3. This list of pending vouchers displays.
- C. Navigate to the Regular Entry page in OAKS FIN.
  1. 
- D. Enter the voucher number for the first voucher listed in step B.
  1. Click the yellow "Image" button to view the invoice.
- E. Compare all invoices details to the voucher.
  1. Business Unit and Origin
  2. Invoice Number
  3. Invoice Date
  4. Amount
  5. Supplier and Address
  6. Payment Method
  7. Voucher coding
  8. Special instructions (RA, Due Now...)
- F. Attach any necessary backup to voucher.
- G. Gather "Okay to Pay" email from appropriate department and attach to voucher.
  1. DO NOT PROCEED until Okay to Pay is attached unless the voucher only requires executive director approval.
    - a) Approval entity is found on the Master Log.
- H. If all details are correct, email voucher number to executive director for approval.

- I. If any details are incorrect, the voucher needs denied and the reason (i.e. incorrect invoice number, incorrect coding...) explained on the denial.
  - 1. The CFO has authority to deny vouchers that are entered by OSS. The CFO will follow the steps in “The Source” to process the denial.
    - a) All other denials should be processed by the Executive Director.
- J. Update the Fiscal Log.

**IV. Intra-State Transfer Vouchers (ISTV's)**

- A. Navigate to the Regular Entry page in step III-C-A.
- B. In the Entry Status Field, select “Recycle” from the drop-down box.
- C. Click on the voucher to be worked.
- D. Follow the steps in “The Source” to process an ISTV voucher, beginning with step 10
  - 1. [http://finsource.ohio.gov/oaksfinprocessmanual/ap/#=Steps\\_for\\_ISTV\\_Vouchers%2Fprocessing\\_istv\\_vouchers.htm](http://finsource.ohio.gov/oaksfinprocessmanual/ap/#=Steps_for_ISTV_Vouchers%2Fprocessing_istv_vouchers.htm)
- E. Attach any necessary backup to voucher.
  - 1. Most invoices can be downloaded and attached via the ISTV Viewer page in OAKS FIN.
  - 2. DAS and DRC invoices are attached by OSS and will typically be present on the voucher 2-3 days after it appears in the recycle list.
- F. Gather “Okay to Pay” email from appropriate department and attach to voucher.
  - 1. DO NOT PROCEED until Okay to Pay is attached unless the voucher only requires executive director approval.
- G. If all details are correct, email voucher number to executive director for approval.
- H. If any details are incorrect, contact the billing agency to correct.
- I. Update the Fiscal Log.

**V. Budget Errors**

- A. Run OAKS FIN query “OH\_AP\_BUDGET\_EXCEPTIONS”
- B. Type ETC01 in Business Unit field.
- C. If vouchers appear, correct coding to clear error.
  - 1. Most errors will be due to insufficient funds allocated. Submit a budget transfer journal to correct.

Effective Date: 04/18/2023
Administrative Approval: <u>Geoffrey A. Phillips</u>
Executive Director

## PROCEDURE 211-3: Contracting Procedure

### I. Purpose:

- A. BEMC follows the contracting practice set forth in the SAFE Manual. The purpose of this procedure is to provide fiscal staff with direction to properly issue purchasing contracts. It is prudent if recurring contracts are started no later than May before the new fiscal year. This allows time for both supplier and state legal to review and make alterations.

### II. Receipt of Quote

- A. The quote for service is received and validated.
  - a. Should include a description of goods or service and service period.
- B. Quote is approved by appropriate senior staff member.
- C. Quote is signed by executive director.

### III. Creation of Contract

- A. Create contract.
  - a. Most services will be repeat purchases. Use a prior year contract as template, updating necessary details.
  - b. If a new purchase, use the contract template to create a new document.
- B. Send to Attorney General's office for review.
  - a. Work with supplier to enact any changes recommended.
- C. Obtain executive director's approval to proceed.
- D. Send contract to supplier.
- E. If the supplier sends terms and conditions that require a signature, **do not** sign until:
  - a. The AG's office has confirmed it is appropriate to do so.
  - b. The BEMC executed contract is signed and returned.
- F. When contract is returned with signature, obtain executive director's signature and file on the shared drive.
- G. Proceed with purchase order.

Effective Date: 04/18/2023

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

## PROCEDURE 211-4: Financial Statement Procedure

### I. Purpose:

- A. The purpose of this procedure is to provide fiscal staff with direction to properly prepare the monthly financial statement. The report is completed on the first working day of the month.

### II. Generate BI Reports

- A. Log in to BI.
- B. Generate reports
  - a. GL0001
    - i. Ledger Group = Allotment
    - ii. Budget Period = Current FY
    - iii. Department = ETC
  - b. GL0001
    - i. Ledger Group = Cash Control
    - ii. Fund = 4F30, 4T20, 5VBO, and 5FK0
- C. Save reports to the appropriate financial report folder.
  - a. L:\Fiscal\Reports\Monthly Financial Reports

### III. Complete Report

- A. Save a copy of the previous financial report to a new folder for the current month.
- B. Follow the steps on the instructions tab to complete report.
- C. Save report as a PDF to the folder created in III A.
- D. Email copy of PDF to executive director.

Effective Date: 04/18/2023

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

## PROCEDURE 211-5: Procurement Procedure

### I. Purpose:

- A. BEMC makes every attempt to follow the guidelines set forth in the State of Ohio's Procurement Procedures document PM01. The purpose of this procedure is to provide fiscal staff with direction to properly procure goods or services.

### II. Identify Need

- A. Purchase request is given to fiscal staff for a good or service.
- B. Ensure three quotes are present in request, if required by PM01.
  - a. If not, determine if the supplier is sole source or obtain additional quotes.
- C. Obtain okay to purchase from appropriate senior staff member, if necessary.

### III. Purchase Order Purchases

- A. Follow steps in The Source for Creating a Special Request Requisition.
  - a. [http://finsource.ohio.gov/oaksfinprocessmanual/epro/#t=Creating\\_Requisitions%2Fcreating\\_a\\_special\\_request\\_requisition](http://finsource.ohio.gov/oaksfinprocessmanual/epro/#t=Creating_Requisitions%2Fcreating_a_special_request_requisition)
- B. Once the PO is dispatched, send to the supplier.
  - a. In email, include address for Financial Support Services ([invoices@ohio.gov](mailto:invoices@ohio.gov)) and ask all invoices to be sent by email to that address
    - i. i.e. "In order to ensure expedient payment, please send all invoices to [invoices@ohio.gov](mailto:invoices@ohio.gov) and be sure to include PO number on invoice."
- C. Update the Fiscal Master log with the PO number.
- D. Depending on the supplier, either the requestor or fiscal will contact the supplier to proceed with purchase.

### IV. PCard Purchases

- A. See Procedure 211-6 for instructions on Pcard purchasing.

Effective Date: 04/18/2023

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

## PROCEDURE 211-6: Payment Card Procedure

### I. Purpose:

- A. BEMC follows the payment card guidance in the SAFE manual. The purpose of this procedure is to provide fiscal staff with direction to properly process payment card transactions. PCard transactions are entered into OBM application Payment Card Reconciliation Portal (PREP), which interfaces with OAKS to create the PCard voucher.

### II. Purchase Good or Service

- A. Obtain okay to purchase, if necessary.
- B. Following the SAFE manual and purchasing policy, purchase good or service.
- C. Obtain okay to pay, if necessary.
- D. If included in package, attach packing slip to documentation.

### III. Reconciliation

- A. Access PREP application.
  - a. <https://pcard.obm.ohio.gov/default.aspx>
- B. Click on Transactions.
- C. Click on transaction to be processed.
- D. Complete the form.
  - a. Add documentation to attachments.
  - b. Add comments, if necessary.
  - c. Look up supplier and add PO, if available.
  - d. Add coding if no PO is used.
  - e. Click Approve to route transaction to first approver.
- E. Approvers follow steps in The Source to approve transactions.

### IV. Complete Log

- A. Open Payment Log and enter transaction in PCard section.
- B. Voucher number will not be available immediately. Enter it after the voucher is created, typically 1-3 business days.

Effective Date: 04/18/2023

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director



## PROCEDURE 211-7: Reconciliation Procedure

### I. Purpose:

- A. The purpose of this procedure is to provide fiscal staff with direction to properly process quarterly reconciliations. This includes purchase orders, disbursements, and revenue.

### II. Purchase Orders

- A. Purchase order balance report from BI is sent via automatic email schedule.
- B. Compare PO balance from report to PO balance in Master Log in shared drive.
  - a. Note for a portion of the fiscal year, usually the first two quarters, open PO's from the prior fiscal year will need to be added to the total.
- C. Identify differences.
- D. Report is reconciled when log total equals report total.
- E. Notify executive director when reconciliation is complete.
- F. Executive Director verifies the reports balance and provides email that certification is complete.
- G. Email is filed in at L:\Fiscal\Reconciliations\FYXX in the appropriate month.

### III. Revenue

- A. Revenue report from BI is sent via automatic email schedule.
- B. Compare report to Master Log.
- C. Identify differences.
- D. Report is reconciled when log total equals report total.
- E. Notify executive director when reconciliation is complete.
- F. Executive Director verifies the reports balance and provides email that certification is complete.
- G. Email is filed in at L:\Fiscal\Reconciliations\FYXX in the appropriate month.

### IV. Disbursements

- A. Disbursement report from BI is sent via automatic email schedule.
- B. Compare report to Master Log.
- C. Identify differences.
- D. Report is reconciled when log total equals report total.
- E. Notify executive director when reconciliation is complete.
- F. Executive Director verifies the reports balance and provides email that certification is complete.
- G. Email is filed in at L:\Fiscal\Reconciliations\FYXX in the appropriate month.

Effective Date: 04/18/2023

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

## PROCEDURE 211-8: Subsidy Procedure

### I. Purpose:

- A. The purpose of this procedure is to provide fiscal staff with direction to properly process subsidy calculations and payments. This includes Ohio Public Broadcasting station verification forms, creation of the subsidy allocation calculation worksheet, Memoranda of Understanding, subsidy payments, and in-kind letters.

### II. Station Verification Forms

- A. Prior to close of the fiscal year, station verification forms are sent to each station which receives subsidy. The form identifies changes to the stations such as transmission asset changes, additions or removal of a station with reference to call letters, etc. and financial data from the previous year.
  - a. A meeting with the Executive Director and the CIO should occur before the form is sent to stations to determine if alterations to the form are necessary.
  - b. Once the form questions are finalized, the Microsoft Forms document is created for email to the stations and creation of reports based on responses.
- B. Create new form or use previous year's form with required updates.
- C. Email form link to each station.
- D. Export results to Excel spreadsheet.
  - a. This should be done, at minimum, weekly until all stations report.
  - b. At minimum, a weekly reminder email should be sent to stations that have not completed the form.
- E. Subsidy allocations cannot be completed until the forms are received from each station.

### III. Subsidy Allocation Worksheet

- A. Open the previous fiscal year's allocation spreadsheet and save as a new file with the new fiscal year.
- B. On the FYXX TV-Radio tab, update the cells outlined in red.
  - a. Should be cells E7, B30:C77, and K30:L51.
    - i. These may vary if changes to stations are required.
  - b. Manually enter the OGT and SNB totals in cells J64:J65.
- C. On the FYXX Radio Reading Services (RRS) tab, update cells I2:I7 and K2:K7.
- D. On FYXX Multimedia tab, update cells B3, C3, and B8:B15, if necessary.
- E. Remainder of the workbook is formula-based. As long as the formulas are not adjusted, the calculations are automatic.
  - a. Formula reviews take place periodically. All related documents are in the Fiscal/Subsidy folder on the shared drive.
- F. Instructions are also located on the Instruction tab of the workbook.
- G. **ROUNDING ERRORS WILL OCCUR.** It is crucial data is validated to prevent over or underpaying subsidy funds.

### IV. Memoranda of Understanding (MOU)

- A. Open previous fiscal year's MOU Word document.
  - a. Make any changes necessary (fiscal year, dollar amount...).
  - b. Send a copy to the AG's office for review if substantive changes are made.
- B. Send to Executive Director for review.
  - a. The Ex. Dir. may not make changes but should have the option.
- C. Once AG and Ex. Dir. have approved the MOU's, email a PDF copy to each station.
  - a. In email, make clear that the MOU needs to be signed and returned.

- D. Upon receipt of the signed MOU, send to Ex. Dir. to sign.
  - a. Save to the L: drive Fiscal -> Subsidy -> FYXX
- E. Once both signatures are obtained, subsidy payments can be sent.
  - a. Do not send the payments until signatures are in place.
  - b. While not required, it is a good practice to send each station a copy of their fully executed MOU.

**V. Subsidy Payments**

- A. Complete subsidy payment template located in the Subsidy folder in the Fiscal folder on the L: drive.
- B. Send to [OSSServiceManagement@ohio.gov](mailto:OSSServiceManagement@ohio.gov). This team will create the invoices and enter into OAKS for BEMC approval.
  - a. The mail merge feature of the FSS Payment Request Form is not currently operational. The work around is to send the spreadsheet to the email above.
  - b. In the event the mail merge becomes active, follow the steps on the FSS website for mail merge.
    - i. Send invoices to FSS.
- C. Follow Invoice Processing procedure for subsidy payments entered in OAKS.
  - a. Prior to May multimedia payment, contact CIO to determine if deliverable will be met.

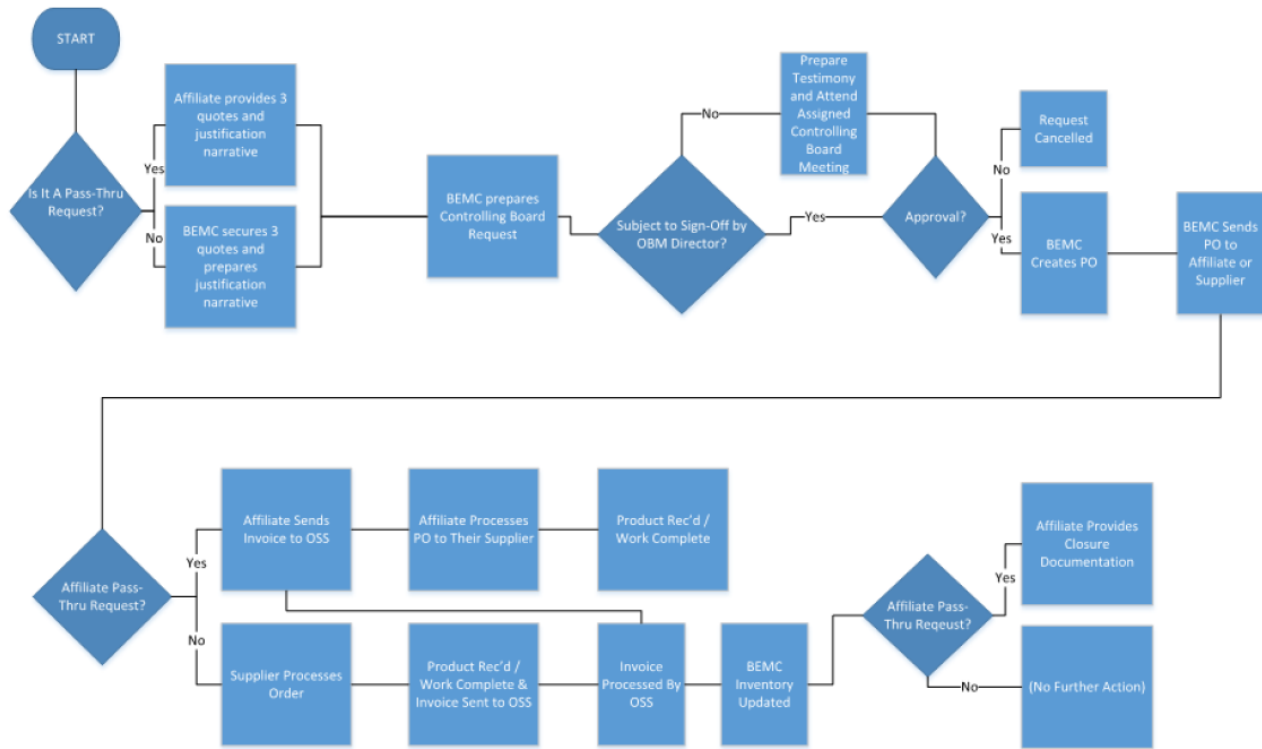
**VI. In-Kind Letters**

- A. Open the previous fiscal year In-Kind Calculation workbook.
- B. Follow the directions on the Instruction tab to update the totals for the current fiscal year.
- C. Create letters using data from the spreadsheet.
  - a. Open previous year's letter and update totals.
- D. Inform Executive Director of status and await their okay to send letters.
  - a. Ex. Dir. will verify amounts listed in the letters.
- E. Email PDF of letters to station contact.

Effective Date: 04/18/2023

Administrative Approval: Geoffrey A. Phillips  
Executive Director

**PROCEDURE 211-9: Capital Fund Requests**



Effective Date: 11/2020

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

## PROCEDURE 211-10: Travel Procedure

### I. Purpose:

- A. The purpose of this procedure is to provide fiscal staff with direction to properly process travel reimbursements. BEMC staff will, at times, incur travel costs while performing required duties. The OBM Travel rule requires travelers to submit expense reports within 60 days of the travel date and all expense reports must be reviewed by OBM (via Financial Support Services) at a cost of \$5.00 per expense report. To minimize costs to BEMC, receipts for multiple travelers can be submitted on one expense report by the CFO if the total per traveler is \$5.00 or less. The most common travel expense is parking. This procedure does not apply to any expenses incurred without a receipt.

### I. Travel Reimbursement Process

- A. Traveler will determine appropriateness of travel expense report.
  - a. If the cost of travel is \$5.01 or greater, or the expense includes mileage, the traveler will complete a travel expense report.
  - b. If the expense is \$5.00 or less, and no mileage is requested, the traveler will estimate if they will perform additional travel requiring reimbursement within the next 60 days.
    - i. If yes, the traveler will hold the receipt for inclusion on their future expense report.
    - ii. If no, the traveler can choose to give the receipt to the CFO for inclusion on the CFO's next expense report or follow step A.b.i.
      - 1. If it is not expected that the CFO will incur travel costs within the next 60 days, the CFO may refuse the receipt. In this case, the traveler is required to submit an expense report.
- B. Proxy Travel Expense Report
  - a. If the CFO rejects the receipt, the traveler completes the expense report.
  - b. If the CFO accepts the expense and receipt, the CFO Acknowledgement of Travel Receipt Form will be completed. All signatures are required for the form to be valid. This form will be attached to the expense report.
    - i. The CFO submits the expense report.
    - ii. The CFO completes the Fiscal Log.
    - iii. Funds are distributed as agreed upon in the CFO Acknowledgement of Travel Receipt Form.
- C. Upon delivery of the funds to the traveler, the Travel Reimbursement Acceptance Form will be completed. All signatures are required for the form to be valid. This form will be filed on the Fiscal shared drive.

Effective Date: 04/18/2023

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

**Receipt of Travel Reimbursement Certification Form 211-10A**  
(Broadcast Educational Media Commission Employees)

I, \_\_\_\_\_, certify that I received  
Traveler

\$ \_\_\_\_\_ from \_\_\_\_\_  
Chief Financial Officer

as reimbursement for

---

Purpose

via  Cash  Check  Electronic Transfer

I further acknowledge that \_\_\_\_\_  
Chief Financial Officer

has/will include this expense on their next travel expense

report and I am not entitled to additional reimbursement for this expense.

---

Traveler Date

---

CFO Date

---

Executive Director Date

**Acknowledgement of Receipt for Travel Reimbursement Form 211-10B**  
(Broadcast Educational Media Commission Employees)

I, \_\_\_\_\_, certify that I received  
Chief Financial Officer

a receipt from \_\_\_\_\_  
Traveler

in the amount of \$ \_\_\_\_\_ for

\_\_\_\_\_  
Purpose of Expense

I acknowledge that this expense will be included on the next travel expense report submitted by the CFO, or within 60 days. Funds will be disbursed to the above traveler immediately or when travel funds are paid, at the agreement of the traveler and CFO.

*Funds disbursed:*     *Immediately*                       *After Funds Deposited*

\_\_\_\_\_  
Traveler Date

\_\_\_\_\_  
CFO Date

\_\_\_\_\_  
Executive Director Date

## PROCEDURE 211-11: Interest Payment Procedure

### I. Purpose:

- A. The purpose of this procedure is to provide fiscal staff with direction to properly process interest payments to suppliers who are due interest. BEMC follows the SAFE manual to determine if these payments are required.

### II. Interest Calculation

- A. Generate BI report
  - a. Late Payment Calculation report is automatically sent by email.
    - i. If not, retrieve report from BI Reporting Folders -> For BI Admin -> Agency Report Sharing -> ETC Cognos Reports -> AP Late Payment Calculation Report
    - ii. Dates will need to be changed in Report Design.
      - 1. Instructions are in L:\Fiscal\Reports\Interest Payments, if needed.
  - b. Per SAFE manual, only interest payment above \$10 will need to be paid.
- B. Save report to appropriate L: drive Fiscal folder.
- C. Brief Executive Director on report.
  - a. CFO may include interest data with quarterly reconciliations.

### III. Generate Invoice

- A. BI Reporting Folders -> For BI Admin -> Agency Report Sharing -> ETC Cognos Reports -> AP Late Pymt Calc Report – Warrant Req Form
  - a. Validate information on the invoice.
  - b. Print and send to [invoices@ohio.gov](mailto:invoices@ohio.gov).

Effective Date: 04/18/2023

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director



## **PROCEDURE 211-12: Inventory Procedure**

### **I. Purpose:**

A. This procedure is to provide BEMC staff with direction to properly process inventory. This includes receipt of goods, new asset processing, asset retirement, asset reconciliation, and annual asset certification. BEMC follows DAS guidelines for asset management.

### **II. New Assets**

A. Delivery is accepted by BEMC staff. The individual who accepts delivery will sign and date the packing slip.

1. The signed packing slip is scanned to Packing Slip distribution list.

2. The packing slip is given to the CFO.

B. Assets requiring a tag are tagged upon receipt of good by the inventory specialist.

1. For assets too cumbersome to tag upon arrival, the inventory specialist will give the tag to the responsible party, with the understanding between the two that the asset will be tagged upon deployment.

a) Serial numbers are garnered from the packing slip or shipping container.

### **III. Retiring Assets**

A. Equipment is identified by appropriate staff for retirement.

1. Assets for retirement are collected by inventory specialist and documented.

2. Documentation is sent to Senior Team for review and final approval by Executive Director.

3. Documentation is submitted to DAS Surplus.

B. Inventory Specialist will coordinate with DAS Surplus to determine if items should be sent to surplus or disposed.

1. Fiscal staff will secure data wiping and transport to DAS facility, if necessary.

2. If disposal is chosen, Inventory specialist will coordinate the proper means for disposal.

C. Retirement is supervised by Inventory Specialist Surplus Documentation is provided to the driver at pickup.

D. Inventory specialist retires assets in OAKS and Access database.

E. Once the returned certificate of destruction/surplus is received, it is spot checked against the retirements in OAKS and the Access database.

1. Certificate is stored in the Inventory shared drive under the appropriate folder.

### **IV. Asset Certification**

A. Inventory specialist reconciles inventory to OAKS annually.

1. Once reconciled, Executive Director reviews and approves the reconciliation.

B. Reconciled inventory is certified each year to DAS by October 1<sup>st</sup>.

### **V. Bi-Annual Physical Asset Certification**

A. BEMC is required to perform a physical asset certification bi-annually. A BEMC employee must visually verify the asset tag on each item recorded in OAKS.

1. For assets at the facility, a BEMC staff member will visually verify assets on hand.

2. For assets off-site, inventory specialist or engineer will visually verify asset tags.

B. Physical certification forms are downloaded from the DAS website.

1. Form is completed and uploaded to DAS.

Effective Date: 04/18/2023

Administrative Approval:

*Geoffrey A. Phillips*

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Executive Director

## PROCEDURE 211-13: Kronos Timekeeping Audit/Reconciliation Procedures

### I. Purpose:

A. To verify hours reported in Kronos were approved by employees and manager, and to verify hours paid out by OAKS match time reported in Kronos.

### II. OBM will send BEMC via email:

- A. Payroll Register
- B. Kronos Timecards for each employee
- C. Interface file from Kronos to OAKS
- D. WFP-0053 Time Reconciliation Report.

### III. Biweekly reconciliation consists of the following steps for each pay period ending date:

- A. BEMC will verify that all variances on WFP-0053 report are reported correctly on Pay Register.
  - 1. Any changes needed will be communicated via email to OBM.
- B. BEMC will use the Pay Register and the Kronos Timecard View report to verify each timecard has the employee's approval and the manager's approval.
  - 1. If there is a missing approval, email approval will be obtained for the timecard to include with the reconciled reports.
- C. BEMC may use reports to check for common timekeeping errors.
- D. Irregularities should be noted on the payroll reconciliation log.

### IV. Regularly, review issues with reconciliations with Executive Director.

V. Quarterly signoff by Executive Director shall be electronic via email, with approval email saved to the same folder as the payroll reconciliation log.

Effective Date: 11/2020

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### XXI. Series 300 – Agency Owned Equipment

#### Policy # 301 – Use of Agency Owned Property and Technology

Effective Date: 5/2017

#### 1. POLICY

- A. This policy establishes controls on the use of agency provided property and information technology (IT) resources to ensure they are appropriately used for the purposes for which they were acquired. The people of Ohio expect their public servants to devote their time to conduct the agency's business and compensate them for that time. In the use of their time and IT resources, public employees must be mindful of the public trust that they discharge, of the necessity for conducting themselves according to the highest ethical principles, and of avoiding any action that may be viewed as a violation of the public trust. As custodians of resources entrusted to them by the public, public servants must be mindful of how these resources are used.
- B. This policy is intended to comply and comport with the Ohio IT Policy E.8 "Use of Internet, Email and Other IT Resources" established by DAS, however, in the event of discrepancies the language herein takes precedent.
- C. For purposes of this policy, "agency owned property" includes, but is not limited to: lands; buildings and appurtenances (whether owned or leased); office equipment such as copiers, scanners, and fax machines; equipment or property within vehicles; keys to buildings, vehicles, and furniture; computer equipment; mobile phones; audio/visual equipment; and surveillance equipment. Use of agency-owned vehicles is dealt with in separately in [Policy 303](#).
- D. This policy applies to all BEMC employees. To the extent that provisions of this policy conflict with provisions in an employee's applicable collective bargaining agreement, the provisions of the collective bargaining agreement shall apply.

#### 2. No Expectation of Privacy

- A. This policy serves as notice to BEMC employees that they shall have **no reasonable expectation of privacy in conjunction with their use of agency provided IT resources**. Contents of BEMC computers may be subject to review, investigation and public disclosure at any time and **without prior notice** to the employee. Access and use of the Internet, including but not limited to, communication by email and instant messaging and the content thereof, are not confidential, except in certain limited cases recognized by state or federal law. BEMC reserves the right to view any files and electronic communications on agency-owned computers, monitor and log all electronic activities, and report findings to appropriate supervisors and authorities.

#### 3. Use of BEMC Provided IT Resources

- A. **Assignment** - At the discretion of a supervisor, state-owned property may be specifically assigned to an employee for the employee to effectively and efficiently carry out his/her duties. BEMC may provide computers, services, software, supplies and other IT resources to employees, contractors, temporary personnel and other agents of the agency for supporting the work and conducting the affairs of BEMC. This assignment may be revoked if the

need for the assignment is no longer valid or if the employee has failed to demonstrate responsible use of the state-owned property.

- B. **Personal Use Restriction** - Personal use of agency owned property, as permitted by the agency, shall be strictly limited and can be restricted or revoked at BEMC's discretion at any time. Any personal use of IT resources that disrupts or interferes with agency business, that incurs an undue cost to the agency, that could potentially embarrass or harm the agency, or that has the appearance of impropriety is strictly prohibited.
- C. **Duty to Report Damage/Loss** - All employees have a duty to immediately report any needed repair, maintenance, loss or damage to any agency-owned property to the employee's supervisor. Upon receiving the employee's notification of theft, loss or damage, the supervisor shall notify the Chief of Operations or designee so that appropriate next steps can be taken. Any failure to report the theft, loss or damage of agency-owned property may result in disciplinary action up to, and including, termination.

#### 4. Use of State Provided Telephones and Services

- B. Restrictions on the use of IT resources outlined in this policy apply to wired and wireless telephone devices and services, including facsimile machines connected to BEMC's telephone service. Additional restrictions on the use of BEMC telephones and services are covered by Ohio IT Policy IT-11 "Use of State Telephones" which is hereby is fully incorporated herein.
- C. Personal phone calls on state-owned wired or wireless devices should only be used in emergency situations and, when applicable, only be used during lunch or break-times with duration of calls made or received kept to a minimum.
- D. No state-owned wired or wireless device should be used for personal business except as delineated in sec. B above, and employees should refrain from giving out their state telephone number as the number to be reached at for personal business.

#### 5. Use of Agency Email

- A. All messages distributed via the agency's email system are BEMC's property. BEMC employees should have no expectation of privacy in anything that you create, store, send or receive on the agency's email system. BEMC may monitor your emails without prior notification, if BEMC deems this necessary. If there is evidence that you are not adhering to the guidelines set out in this policy, BEMC reserves the right to take disciplinary action, including termination and/or legal action.
- B. **Prohibitions** - BEMC employees are prohibited from engaging in the following actions using email:
  - i. Sending or forwarding emails containing libelous, defamatory, offensive, racist or obscene remarks. If you receive an email of this nature, you must promptly notify your supervisor;
  - ii. Sending unsolicited email messages or chain mail;
  - iii. Forging or attempting to forge email messages, or disguise or attempt to disguise your identity when sending mail; and/or
  - iv. Deleting a public record email message that has not met or exceeded the appropriate retention period.

#### 6. Personal Property

- A. BEMC recognizes that employees may need to bring certain personal items to work. However, personal property that is not related to the employee's job performance may be disruptive to the workflow or pose a safety risk to

other employees, and BEMC reserves the right to prohibit such personal items. In addition, employees should refrain from receiving personal mail (correspondence, magazines, catalogs, etc.) or package deliveries at BEMC.

- B. Employees are expected to exercise reasonable care to safeguard personal items brought to work. BEMC is not responsible for the loss, damage, or theft of personal belongings and employees are advised not to carry unnecessary amounts of cash or other valuables with them when they come to work.
- C. To maintain security and protect against theft, BEMC reserves the right to inspect all personal property brought onto BEMC property, including vehicles, packages, briefcases, backpacks, purses, bags, and wallets. In addition, BEMC may inspect the contents of desks, storage areas, file cabinets, and workstations at any time. Such inspection, if deemed necessary, may be conducted by the Chief of Operations or designee.

## **7. Discipline**

- A. Violations of this policy may result in disciplinary action up to, and including, termination for first offense.

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### XXII. Series 300 – Agency Owned Equipment

#### Policy # 302 – IT Security Framework/Education

Effective Date: 5/2017

#### 1. POLICY

- A. This policy represents a compendium of Ohio DAS IT Services policies on IT Security. This review is intended to supplement Ohio DAS IT Security policies, which are generally incorporated by reference herein, unless specifically indicated otherwise, and is meant to adopt and familiarize these policies to the functionality of the state and BEMC's IT systems.

#### 2. Boundary Security

- A. In accordance with state requirements, BEMC implements a robust network perimeter defense capability in order to provide Users of agency electronic services with secure and reliable access to resources and communication. However, systems are in place to detect and deny access to unauthorized internal and external users. In implementing this system, BEMC has adopted the core principle of "Allow authorized traffic and deny everything else."

#### 3. Password and Personal Identification Number Security

- A. The first line of defense in computer system security is the user. Each IT resource used by BEMC is assigned to a user (an individual employee of the Commission). Each user is responsible for assuring the IT resource (desktop or laptop computers) has a password access code. Breach of user passwords is one of the easiest methods of gaining unauthorized access to sensitive information and system. Proper password management is one of the most effective, most cost effective, and most necessary measures to restrict unauthorized access.
- B. Each individual employee is responsible for securing and maintaining the privacy of his/her passwords.

#### 4. Internet Security

- A. The use of the internet has increased dramatically as a method to obtain and disseminate information and support the business needs of the agency. Use of the internet also exposes agencies to unauthorized access to computer systems and networks. Due to this threat and the increasing value of computer system assets, BEMC employs appropriate security measures to safeguard information and systems.

#### 5. Remote Access Security

- A. BEMC will implement and operate security measures for **remote access** capabilities as needed to protect agency systems and restrict unauthorized access to agency data or release of access password through hackers.

#### 6. IT Education and Awareness Training

- A. In order to ensure compliance with state IT Security requirements and to protect the agency, employees, and citizens from security breaches all BEMC employees will be required to complete basic IT security awareness training.

- B. Users shall complete the basic IT security awareness training within two weeks of their initial hire date, annually thereafter; and when required by role or system changes. As appropriate, BEMC shall supplement basic IT security awareness training with tools that will help communicate local or programmatic information security incidents and procedures (e.g., “message of the day,” posters, special events, e-mail notices).
- C. BEMC shall ensure that all information system users meet the training requirements of this policy by identifying, monitoring and managing the overall IT security education effort. BEMC shall identify all individuals requiring basic IT security awareness and role-based training. Individual training records shall be maintained to ensure that basic IT security awareness and role-based training requirements are being fulfilled. These records shall be retained in accordance with BEMC record retention requirements.



## BROADCAST EDUCATIONAL MEDIA COMMISSION

### XXIII. Series 300 – Agency Owned Equipment

#### Policy # 303 – Vehicle Use

Effective Date: 11/2020

#### 1. POLICY

- A. The following are policies for BEMC employees who are permitted to use the agency-owned vehicles.

#### 2. Authorized Use:

- A. Travel between the place where the state vehicle is dispatched by employee and where official agency business is being performed.
- B. When on paid travel status, between the place of agency business and the place of temporary lodging.
- C. When on paid travel status and not within reasonable walking distance, between either of the above places and places to obtain meals; places to obtain medical assistance (including drugstore); places of worship; cleaning establishments and similar places required to sustain the health, welfare or continued efficient performance of the driver, exclusive of places of entertainment.
- D. Transport of other employees or guests of the agency when they are on official agency business.
- E. Transport of consultants, contractors or commercial firm representatives when such transport is in the direct interest of the agency.
- F. Travel between the place of dispatch or place of performance of state business to your personal residence when specifically authorized by the proper authority in your agency.
- G. Notwithstanding the provisions above, non-employees are not permitted in an agency owned vehicle without prior permission by the Executive Director.
- H. All other use is strictly prohibited.

#### 3. Responsibilities

- A. All authorized employees will follow the procedures in [Procedure 303-1 - Vehicle Use](#) in addition to policy.
- B. The driver shall comply with all applicable state and local traffic and parking laws. In the event of a violation of such state and local traffic and parking laws, the driver shall be personally liable for any criminal or civil penalty incurred. All drivers shall be required to notify his or her supervisor of any tickets as soon after receipt as possible and prior to the payment due date or scheduled court date. Such driver shall also provide his or her supervisor proof that (a) such ticket has been paid within 10 working days after the payment of such ticket or (b) in the case of appeal, the court's final decision.
- C. The driver shall possess a valid driver's license from the state in which he/she lives or in the case of a suspended or revoked license, special work privileges must be awarded by a court and copies of the order provided.

- D. The driver shall be responsible for checking the state motor vehicle before operating to ensure that the vehicle lights, turn signals, brake lights and other safety equipment is functional on the state motor vehicle. If the driver finds any of this equipment is not functioning properly, the driver shall report malfunctions to his or her supervisor as soon as possible in order to arrange for repairs.
- i. In the event of damage or loss to any agency owned vehicle, or any personal injury or damage to a third-party, the employee shall file a timely report with the Chief of Operations.
  - ii. If theft, loss or damage to any agency owned property is a result of the employee's negligence, carelessness, misuse or abuse to the property, the employee may be required to reimburse the BEMC for the repair or replacement of the agency owned property and any ancillary costs.
- E. The driver is prohibited from engaging in certain activities that, by their nature, will result in distracted driving while 1) operating an agency-owned vehicle or 2) operating a personally-owned vehicle while on state time and/or conducting state business.
- a. The following activities are prohibited:
    - i. Using a mobile (cellular) device to send, compose, or read text messages or emails, taking photographs, accessing the Internet, applications, or data files, or any other similar tasks that can be performed on a mobile (cellular) device that requires a driver to divert their focus from operating the vehicle;
    - ii. Using a hand-held mobile (cellular) device to talk on the phone, make or receive calls, unless hands-free operation is used;
    - iii. Operating and/or using a computer/laptop or tablet (e.g. iPad);
    - iv. Using earphones, earbuds, earplugs, or any device that covers all or a portion of both ears, unless a specific exception applies under R.C. 4511.84;
    - v. Manual programming of Global Positioning System (GPS) or navigation applications or devices;
    - vi. Reading (e.g. a book or a newspaper);
    - vii. Personal Grooming (e.g. shaving, applying makeup); and
    - viii. Eating.
  - b. Exceptions: The following activities are permitted:
    - i. Using a mobile (cellular) device or any other device to make an emergency call (e.g. 911);
    - ii. Using the Multi-Agency Radio Communication System (MARCS) in performance of a state employee's job duties; and
    - iii. Using technology, communication devices, emergency equipment and/or any other type of device by law enforcement or other personnel as required and in the performance of their job duties.
- F. The driver shall not drive in an impaired state, which includes, but is not limited to, driving under the influence of alcohol or drugs, or driving while drowsy.
- G. The driver shall not use tobacco products in the vehicle, except for smoking cessation products approved by the U.S. Food and Drug Administration.
- H. Unauthorized use of state vehicles or any violation of this policy may result in disciplinary action from BEMC, up to and including termination.

## PROCEDURE 303-1: Vehicle Use Procedure

### I. Purpose:

- A. To establish a uniform set of guidelines and procedures for the scheduling and safe use of the agency vehicle to be used for BEMC official business in supplement to **Policy 303**.

### II. Procedures:

- A. **Qualifications of Driver:** In addition to having a valid state-issued driving license, before being permitted to drive an agency-owned vehicle, all BEMC employees will be required to affirm having such insurance and may be required to produce proof of insurance upon request by BEMC. Employees must sign a "DAS state fleet card driver responsibilities sheet" and submit document to the Inventory Specialist.
- B. **Scheduling:** In order to schedule the vehicle an employee needs to reserve use in the Calendar of Microsoft Outlook. This is done by creating a calendar appointment and adding "BEMC Van" as an "Attendee". When scheduling the vehicle employees should coordinate all travel time in the appointment – not just the time of the appointment. Example: an employee is taking the van to a station for a meeting at 1:00pm and the travel time is 2 hours. The vehicle should be scheduled from 11:00am to 4:00pm. Always allow for a variance in travel time due to traffic, etc.
- C. **Key Pick-up/Drop-off:** The key for the vehicle is located in Master Control. The key should be returned promptly upon return to the North Star facility.
- D. **Use Form:** There is a form located in the vehicle that must be completed for each trip taken in the vehicle. Ensure the form is filled out in its entirety and when the trip is completed that the form is submitted to the Inventory Specialist.
- E. **Purchasing Fuel:** You must return the vehicle with at least a half tank of gas. A Fleet Card and instructions for purchasing fuel located in the glove box. Failure to comply with this provision may subject violator to a loss of privileges for future use of the agency vehicle.
- F. **Insurance:** Insurance information is located in the glove box of the vehicle. In the event of an accident or mechanical failure, consult the insurance information.
- G. **Maintenance:** The vehicle will receive periodic cleanings both of the interior and exterior in addition to required oil changes and tire rotations.
- H. Questions or concerns regarding the agency vehicle should be directed to the Inventory Specialist.

Effective Date: 04/18/2023

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

## BROADCAST EDUCATIONAL MEDIA COMMISSION

### XXIV. Series 400 – Records Management and Public Records

#### Policy # 401 – Records Management and Public Records

Effective Date: 5/2017

#### 1. POLICY

- A. It is the belief of the Broadcast Educational Media Commission (BEMC) that openness leads to a better-informed citizenry, which leads to better government and better public policy. It is the policy of BEMC to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, in writing, including legal authority, as outlined in the Ohio Revised Code.

#### 2. Public Records

- A. This office, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of BEMC that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the agency. All records of BEMC are public unless they are specifically exempt from disclosure under the applicable provisions of the Ohio Revised Code.
- B. It is the policy of BEMC that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and posted prominently. For additional information as to how BEMC maintains its records, see [Procedure 401-1 – BEMC Retention Schedule](#) and [Procedure 401-2 – Records Management](#).

#### 3. Public Record Requests

- A. **Receipt and Processing** - Each public records request received by BEMC should be evaluated for a response using the guidelines practices delineated in [Procedure 401-3](#).
- B. **Timing** - Each request should be evaluated for an estimated length of time needed in order to respond. For additional timing considerations refer to [Procedure 401-3](#).
- C. **Response** - All requests for public records requests must be responded to in writing. If BEMC is unable to provide a complete response within one week, (7) days, from the date of receipt of the request, then it will issue an acknowledgement of receipt to the requestor. For additional information regarding response practices and procedures, including those for acknowledgements, refer to [Procedure 401-3](#).
- D. **Denial, Redaction, or Withholding of Public Records** – If BEMC denies to produce or make available records, or withholds records that are otherwise responsive to public records request, or if BEMC provides a copy of a record containing redactions in response to a public records request, then for such denial, withholding, or redaction BEMC must provide an explanation of its legal basis for doing so. For additional information refer to [Procedure 401-3](#).

#### **4. Waiver of privilege**

- A. If the document is deemed to be exempted from disclosure pursuant to R.C. 149.43(A)(1) then such determination must be made prior to disclosure. Only the Executive Director or his designee may waive any privilege on behalf of BEMC to produce a document that otherwise would qualify as exempted from disclosure.

#### **5. Costs for Public Records**

- A. Those seeking public records will be charged only the actual cost of making copies as delineated in [Procedure 401-3](#).

#### **6. E-mail**

- A. Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and employees should retain such based upon the retention schedule – see [Procedure 401-1](#).
- B. Public records created or maintained in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of BEMC are instructed to retain their e-mails that relate to public business and to copy them to their business e-mail accounts for purposes of retention.
- C. The Records Custodian is to treat the e-mails from private accounts, if received, as records of the public office, filing them in the appropriate way, retaining them per established schedules, making them available for inspection, and copying in accordance with the Public Records Act.

#### **7. Records Retention Schedule**

- A. BEMC must establish and abide by a Records Retention Schedule. See [Procedure 401-1](#) for a copy of the current schedule.

## PROCEDURE 401-1: Retention Schedule

### a. Purpose

A. The purpose of this procedure is to provide the Broadcast Educational Media Commission's (BEMC) Record Retention Schedule.

b. **Procedure:** It is the responsibility of each BEMC employee to be familiar with and abide by the following retention schedule for records within that employee's control. If an employee has any questions regarding this procedure contact the Chief of Operations or the Records Custodian. The following chart details the BEMC Retention Schedule:

Series Number	Title	Description	Retention Period
GAR-PP-01	Directives, Manuals and Handbooks	Publications produced by an agency detailing operations, regulations, and/or procedures of an agency.	Retain until superseded, obsolete, or replaced, then transfer to State Archives for their possible retention or destruction.
GAR-PP-02	Departmental Policies and Procedures	Includes published reports, unpublished substantive reports and policy studies.	Retain until superseded, obsolete or replaced, then transfer to State Archives for their possible retention or destruction.
GAR-PP-03	Executive Orders and Proclamations	Instructions issued by the Governor as the Chief Executive of State Government (Original on file permanently with Secretary of State).	Retain until superseded, obsolete, or replaced, then destroy.
GAR-PP-04	Management and Operations Reports	Reports created by state agency staff or outside consultants concerning the management or operations of a state agency.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then transfer to State Archives for their possible retention or destruction.
GAR-RPM-01	Annual Reports	Also includes other published periodic reports on agency activities.	Upon publication, fulfill the requirements of O.R.C. 149.11. Destroy excess copies when no longer of administrative value.
GAR-RPM-02	Publications, State	Printed matter published by state agencies for distribution to the public.	Upon publication, fulfill the requirements of O.R.C. 149.11. Destroy excess copies when no longer of administrative value.
GAR-RPM-03	Speeches	Printed or recorded copies of public speeches given by representatives of state agencies.	Retain in agency until no longer of administrative value, then transfer to state archives for their possible retention or destruction.
GAR-RPM-04	Newspaper Releases and News Bulletins	Includes news/press releases and bulletins issued by an agency.	Retain in agency until no longer of administrative value, then transfer to state archives for their possible retention or destruction.
GAR-RPM-05	Photo File	Includes negatives, prints, slides, transparencies, and related items.	Retain until information is no longer current then to State Archives for possible retention or destruction.
GAR-RPM-06	Audiovisual Materials	Includes exhibits, movies, and videotape productions.	Retain until information is no longer current, then to State Archives.
GAR-RPM-07	Monthly & Weekly Reports	Documents status of on-going projects and issues; advises supervisors of various events and issues.	Retain 1 year, then destroy.
GAR-RPM-08	Minutes of Agency Staff Meetings	Minutes and supporting records documenting internal policy decisions.	Retain 2 years, then transfer to State Archives for their possible retention or destruction.
GAR-RPM-09	Minutes of Official Public Meetings	Official minutes, orders and decisions of a state agency, commission, board, or council.	Retain 2 years, then transfer to State Archives for their possible retention or destruction.
GAR-RPM-10	Visitors' Log	Records documenting the entry and departure of employees and visitors into a State office building during and/or after office hours.	Retain 1 year, then destroy.
GAR-CM-01	Correspondence, Executive	Correspondence of the head of an agency dealing with significant aspects of the administration of their offices. Correspondence includes information concerning agency policies, procedures, program, fiscal and personnel matters.	Retain 2 years then transfer to State Archives.
GAR-CM-02	Correspondence, General	Includes internal correspondence (letters, memos); also, correspondence from various individuals, companies, and organizations requesting information	Retain 6 months, then destroy.

		pertaining to agency and legal interpretations and other miscellaneous inquiries. This correspondence is informative (it does not attempt to influence agency policy).	
GAR-CM-04	Lists/Directories	Includes Mailing lists, directories, rosters, and registers compiled by an agency.	Retain until superseded, obsolete, or replaced, then destroy.
GAR-CM-05	Transient Documents	Includes telephone messages, post-it-notes, drafts and other limited documents which serve to convey information of temporary importance in lieu of oral communication.	Retain until no longer of administrative value, then destroy.
GAR-RR-01	Records Retention Schedule	A form used to identify the length of time a record must be retained before final disposition.	Retain until superseded by a revised retention schedule, or until record series is no longer maintained, then destroy.
GAR-RR-02	Records Inventory & Analysis Worksheet	Used for conducting an inventory of an agency's record series. Requests vital information to be used in determining the retention period and disposition of a record.	Retain until superseded by an updated inventory or until record series is no longer created, then destroy.
GAR-RR-03	Records Storage Service Request	A form that is used to deposit, retrieve, return and destroy records stored off-site.	For deposits, destructions and returns, retain 2 years after transaction is completed then destroy. For retrievals only, retain until transaction is completed (e.g.. Return to storage), then destroy.
GAR-RR-04	Certificate of Records Disposal	Form used to certify the destruction or transfer of records according to an approved records retention schedule.	Retain 2 years, then destroy.
GAR-LL-01	Attorney General's Opinions	Formal opinions and informal opinions issued to state agencies with all pertinent materials attached thereto.	Retain until no longer of administrative or legal value to agency, then destroy.
GAR-LL-02	Legislation	Copies of state and federal legislation of interest to an agency.	Retain until no longer of use, then destroy.
GAR-LL-03	Administrative Rules	Includes worksheets and information used to draft rules, JCARR proceedings, transcripts of public hearings etc.	Retain 1 year after rule published, then destroy.
GAR-LL-04	Claims and Litigation Records		Retain 2 years after case is closed and no further appeals can be filed, then destroy. If case is dismissed without prejudice, retain one year after statute of limitations runs, then destroy.
GAR-LL-05	Delinquent Claim	Used by state agencies to request that the Attorney General pursue collection of dollars owed to them that they have not been able to collect.	Retain until no longer of administrative value, then destroy.
GAR-LL-06	Licenses, Permits, Certifications	All documents relating to application and grant or denial of an administrative license, permit, etc.	Retain 1 years after final expiration, including all renewals, or 1 year after denial, then destroy.
GAR-OES-01	Office Equipment Service Request	Used to request installation or modification of any equipment or service provided by telephone, computer, copier companies, etc.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-OES-02	Equipment Inventory and Assignment Sheets	Original computer printout, instructions and work sheets used to complete equipment inventory reports for pagers, laptops, cellular phones, etc.	Retain until superseded, then destroy.
GAR-OES-03	Delivery Slips and Packing Lists		Retain until no longer of administrative value, then destroy.
GAR-OES-04	Direct Purchase Orders, Requisitions and Other Documents Related to Purchase of Goods or Services		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-OES-05	Intra-State Transfer Voucher	Authorizes payment to another state agency for goods and/or services received and serves as the basis for disbursing funds.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-OES-06	Invoices (Accounts Payable Invoices)	Bill for goods shipped or services rendered. They are matched with purchase orders and receiving reports, and attached to vouchers for payment.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-OES-07	Release and Permit to Make Direct Purchases	Used to make emergency purchases of all materials, supplies and equipment and to make direct purchases or engage in contract of services.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-OES-08	Requisitions for Supplies	Used to order supplies, forms, food, etc., from a storeroom.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.

GAR-OES-09	Postal Records, Registered Mail, Insured Mail Logs, and Metered Records		Retain 1 year, then destroy.
GAR-OES-10	Postal Reports, Stamp Requisitions		Retain 1 year, then destroy.
GAR-OES-11	Release for Abandoned Property	Used for the salvage of equipment or property of the State of Ohio.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-OES-12	Printing Orders	Used to submit specification for a printing job to State Printing and to encumber the dollars needed for the job.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-C-01	All Bidding Documents, RFP's, RFQ's or Similar Documents (Purchasing, construction, personnel servic		For sale of goods, retain five years then destroy. For services, retain 16 years, then destroy.
GAR-C-02	Vender Master Input Document	Used to establish descriptive information about a vendor or update previously entered vendor data.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-BLM-01	Lease Records of Lands or Buildings		Fulfill the requirements of O.R.C. 117.49. Retain 2 years after expiration of lease, then destroy.
GAR-BLM-02	Maintenance and Repair of Building		Retain 2 years, then destroy.
GAR-BLM-03	Purchase of Land Records	Appraisals, encumbrances, fund transfers, plans, resolutions, Attorney General's opinions, contracts and any other original documents related to the acquisition of real property by the State of Ohio through O.R.C. 127.13 or other O.R.C. sections.	Retain permanently with the original instrument filed pursuant to O.R.C. 117.49. Retain photocopies in agency until property conveyed, then destroy.
GAR-BLM-04	Deed Records, Real Property		Retain for 1 year after permanently recorded with county auditor, then destroy.
GAR-BLM-05	Capital Asset Records		Retain 2 years after asset is sold, then destroy.
GAR-BLM-06	Capital Projects Master	Used to establish descriptive information for each capital project and to update previously entered capital projects data.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-VT-01	Out-of-State Travel Request	Internal form used to obtain authorization for out-of-state travel for a state employee.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-VT-02	Travel Expense Report	Used for claiming reimbursement for in-state and out of state travel.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GAR-VT-03	Vehicle Operations File	Includes service records, compilation sheets, operation maintenance reports of licensed vehicles, warranty and guaranty statements, operating manual, reports and shop-work orders, accident reports, repair records, mileage and usage logs etc.	Retain during ownership of vehicle, then destroy.
GAR-VT-04	Vehicle to Salvage Information Sheet	Form initiated when salvaging a state vehicle. Describes condition of vehicle, lists accessories installed on vehicle.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GP-O-01	Organizational Charts		Retain until superseded. The current chart will be audited by Auditor of State.
GP-O-02	Employee Position Control Rosters	List of all positions within an agency by position control number, including both filled and vacant positions. Used for budget and personnel purposes.	DAS to retain 3 years; all other agencies retain until superseded by a new roster, then destroy, provided audited by Auditor of State and audit report is released and all discrepancies are resolved.
GP-O-03	Employee Personnel File	**A COMPREHENSIVE LIST OF WHAT MUST BE MAINTAINED IN AN EMPLOYEE PERSONNEL FILE IS BEING COMPILED BY DAS AND WILL BE DISTRIBUTED WHEN COMPLETED. THIS PAGE WILL BE UPDATED AT THAT TIME.	Retain 7 years after employee leaves employment, then transfer to DAS to keep permanently. PLEASE DELAY ANY TRANSFERS UNTIL YOU RECEIVE DAS NOTIFICATION.
GP-O-04	Hiring Materials	Vacancy postings and applications, resumes, civil service applications and interview questions from applicants not hired.	Retain 7 years after position filled or decision not to fill the position is made.
GP-O-05	Employee FMLA, EAP, Disability and Workers Compensation Records		Retain 7 years after employee separation, then destroy.
GP-O-06	Civil Service Exam Announcements, Cover Sheet Position Descriptions and Position Descriptions		Retain until superseded, replaced or obsolete, then destroy. (DAS keeps for 7 years.)
GP-O-07	Employee Discipline and Grievance Records		Retain 7 years after case is closed, then destroy. (Be aware that some collective



			contracts specify where such documents can be kept.)
GP-O-08	Training Manuals	Manuals produced by an agency for internal personnel training.	Retain until superseded, obsolete, or replaced, then destroy.
GP-PAY-01	Attendance Records	Timesheets, leave requests, etc.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GP-PAY-02	Payroll Warrant Records and Payroll Disbursement Records		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy. If Federal funds are involved, retain according to appropriate Federal schedules.
GP-PAY-03	Temporary Personnel Contracts		Retain 7 years after the expiration of contracts, then destroy provided audited by Auditor of State and audit report is released and all discrepancies are resolved.
GP-M-01	Requests for Investigations	Requests for outside agency (ex. Highway Patrol, Auditor, EOD...) to investigate an employee. Includes request, referral, and any attached documentation including preliminary investigation before the referral.	Retain 1 year after completion of investigation or decision not to investigate, then destroy.
GP-M-02	Internal Investigations	Employee investigations file.	Retain 3 years, then destroy.
GP-M-03	Telephone Logs, Bills and Call Records	Listing of long distance calls made by agency personnel for a particular time period.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GP-M-04	Financial Disclosure Statements & Joint Legislative and Ethics Commission "JLEC" Statements		Retain 2 years, then destroy.
GP-M-05	Employee Training Records, Workforce Development, Tuition Reimbursement and Other Education Assistan		Retain 2 years, then destroy.
GP-M-06	Civil Rights and Title VII Files	Contains complaints and hearing information.	Retain 7 years, then destroy.
GP-M-07	Affirmative Action Plans		Retain 2 years, then transfer to State Archives for their possible retention or destruction.
GP-M-08	Accident, Health & Safety Records, Incident Reports, OSHA Reports, etc.		Retain 5 years, then destroy.
GF-WV-01	Application, Affidavit and Related Documents for Replacement Warrants Never Received, Lost, Stolen,		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-WV-02	Auditor of State Rewrite	Form used to change the address or other information on a warrant.	Retain until no longer of administrative use, then destroy.
GF-WV-03	Request for Stop, Release or Cancellation of Warrant		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-WV-04	Vouchers and Voucher Journals		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-WV-05	Employee Tuition Reimbursement Records		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-G-01	Grant Applications and Related Documents		Retain for 1 year after grant is awarded and complete, or audits conducted and closeout documents are received, then transfer to State Archives for their possible retention or destruction.
GF-G-02	Federal Grant Files	All records concerning federal grants to state agencies which document the expenditure and use of federal monies.	Retain until state and federal audits have been conducted, audit reports released, and audit resolutions issued or resolved, then destroy.
GF-G-03	Grant Master Information	Used to establish a grant master plan in CAS. Provides a profile of the grant. Enables the system to collect financial totals for a grant.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-BA-01	Allotment and Plan Adjustment	Worksheets used for proposed budgets, legislative testimony and related documents.	Retain until budget is in effect, then destroy.
GF-BA-02	Executive Budget Proposal		Retain until the end of biennium, then destroy.

GF-BA-03	Fund Appropriation Request	Allows state agencies to establish or increase appropriation authority in special funds.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-BA-04	Spending Authority Adjustment	Used to transfer appropriations at the Spending Authority Code (SAC) level on the Central Accounting System between quarters of the fiscal year if they are within the same appropriation line item of an appropriation bill.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-BA-05	Request for Transfer of General Appropriation and Re-allotment of Quarters	Allows state agencies to transfer funds between appropriation line items. O.R.C. 127.13.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-BA-06	Refund of Expenditure Within the Biennium for Prior Year	Used to record receipts or repayment where the original payment was in error, duplicated, or made illegally. This is done within the biennium for the prior year.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-BA-07	Controlling Board General Request	To request Controlling Board approval of emergency expenditures for Capital Improvement Projects, purchases made without competitive selection, and transfer of Capital Improvement Funds.	Retain 2 years, then destroy.
GF-M-01	Internal Audit Reports	Audit reports and work papers created by an agency's internal audit unit or similar functioning unit.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-M-02	Federal or State Audit Reports	Copies of audit reports issued by the Auditor of State or federal government.	Retain 2 years, then destroy.
GF-M-03	Bonds & Bond Coupons, Redeemed		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-M-04	Bond Registers		Retain 10 years after final call date, then destroy.
GF-M-05	Petty Cash Records		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-M-06	Cash in Treasury Detail Ledger, Cash Receipt Records & Cash Transfer, Register of Intra-Treasury		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-M-07	Accounting Entity Description, Accounts Payable Ledger and Accounts Receivable Ledger		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-M-08	Balance Sheets		Retain 2 years, then destroy.
GF-M-09	Bank Deposit Slips, Ledgers, Bank Statements, Cancelled Checks and Related Documents		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-M-10	CAS Batch Control Sheet	Used by agency to maintain a log of batches submitted to CAS.	Retain until batches are verified, then destroy.
GF-M-11	CAS Coding Attachment	Continuation Sheet for CAS documents (Formerly Encumbrance Coding Traveler).	Retain as long as attached CAS document, then destroy.
GF-M-12	CAS Reports and Inquiries by Data Classification	Various computer generated reports distributed by OBM to various state agencies	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-M-13	OBM Allocation Unit/SAC Definition	Used by OBM to define allocation units and be agencies to define their Spending Authority Codes (SAC's).	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-M-14	Revenue Receipts and Holding Account Redistribution	Used to deposit and record revenue receipts from any known revenue source and to hold unknown receipts for redistribution. Also used by agencies which have established a departmental holding fund from which revenue is redistributed or by any agency which receives revenue from an unknown source and deposits it to a fund using the revenue source hold.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
GF-M-15	Correction Notice	Used by State Accounting to indicate errors on documents returned to an agency site.	Retain until error is corrected, then destroy.
GAR-CM-03	Correspondence, Routine	Referral letters, requests for routine information or publications provided to the public by an agency which are answered by standard form letters.	Retain 6 months, then destroy.
GAR-C-03	Contract Encumbrances, Procurements, Complaints to Vendors, and Related Contract Documents		For sale of goods, retain five years after contract expires, then destroy. For services, retain 16 years, then destroy.

IT-AD-01	Information Resources Management and Data Processing Services Plans	Agency IT plans, data processing services plans, strategic plans, and related records used to plan for information systems development, technology acquisitions, data processing services provision, or related areas.	Retain until superseded, obsolete or replaced, then transfer to State Archives for their possible retention or destruction. See GAR-PP-02
IT-AD-02	Data Processing Policies	Records of data processing policies including those covering access and security, systems development, data retention and disposition, and data ownership.	Retain until superseded, obsolete or replaced, then transfer to State Archives for their possible retention or destruction. See GAR-PP-02
IT-AD-03	Data Processing Product/Vendor and State Contracts Reference Files	Information on data processing equipment, software, and other products and their vendors.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy. See GAR-C-02
IT-AD-04	OGS Data Center Time Billing Records	Reports and other records from OGS detailing charges for use of the Office of General Services computer services including monthly billing reports, copies of vouchers and bills.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy. See GAR-WV-04
IT-AD-05	Copies of Purchase Requisitions, Orders, and Billing Records for Data Processing Services	Copies of records created to initiate the purchasing process, authorize and provide funds for, or satisfy claims and expedite payments for private service providers including copies of purchase orders, invoice requests, receipts, agency vouchers, service reports, and other supporting documentation.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy. See GAR-OES-04
IT-AD-06	Records of Chargebacks to Data Processing Services Users	Electronic and manual records used to document, calculate costs and bill program units for computer usage and data processing services. These records are also used for cost recovery, budgeting, or administrative purposes. Records Not Covered: Chargeback records subject to Federal audit requirements should be scheduled separately.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy. See GAR-OES-05
IT-SD-01	Data Systems Specifications	Records necessary for using the system: user guides, system or sub-system definitions, system flowcharts, program descriptions and documentation, job control or work flow records, system specifications, and input and output specifications.	Retain for 3 years after discontinuance of system and until all system data is destroyed or transferred to new operating environment, then destroy. If all data is not destroyed or transferred, transfer specifications to State Archives for their possible retention or destruction.
IT-SD-02	Data Documentation/Data Dictionary Records	Records generally created during development or modification and necessary to access, retrieve, manipulate and interpret data in an automated system including data element dictionary, file layout, code book or table, and other records that explain the meaning, purpose, structure, logical relationships, and origin of the data elements.	Retain 3 years after discontinuance of system or application and until system's or application's data is destroyed or transferred to a new structure or format, then destroy. If all data is not destroyed or transferred, transfer records to State Archives for their possible retention or destruction.
IT-SD-03	Automated Program Listing/Source Code	Automated program code which generates the machine-language instructions used to operate an automated information system.	Retain for 3 system update cycles after code is superseded or replaced, then destroy.
IT-SD-06	Test Database/Files	Routine or benchmark data sets, related documentation, and test results constructed or used to test or develop a system.	Retain until no longer of administrative value to agency, then destroy.
IT-OP-01	Data Processing Operating Procedures	Records of procedures for data entry, the operation of computer equipment, production control, tape library, system backup, and other aspects of a data processing operation.	Retain until superseded, obsolete or replaced, then transfer to State Archives for their possible retention or destruction. See GAR-PP-02
IT-OP-03	Maintenance Contracts Files	Maintenance contracts for data processing equipment, and related records including copies of contracts, service histories, and work orders.	For sale of goods, retain five years after contract expires, then destroy. For services, retain 16 years, then destroy. See GAR-C-03
IT-OP-04	Operating System and Hardware Conversion Plans	Records relating to the replacement of equipment or computer operating systems.	Retain 1 year after successful conversion, then destroy.
IT-SD-04	Technical Program Documentation	Copy of program code, program flowcharts, program maintenance log, system change notices, original design documents, specifications, requirements, acceptance tests, and other records that document computer programs and the modifications made to computer programs.	Retain until all data in system has been migrated or destroyed. If all data is not destroyed or transferred, transfer documentation to State Archives for their possible retention or destruction.
IT-SD-05	Data Processing Procurement Files	Records used in the procurement of system hardware and software including request for proposals, proposals, quotations and bids, benchmark/acceptance testing information,	For sale of goods, retain five years then destroy. For services, retain 16 years, then destroy. See GAR-C-01

		correspondence, duplicate copies of contracts, purchase orders, technical reviews, and vendor information including references and literature on the firm or product line.	
IT-OP-02	Data Processing Hardware Documentation	Records documenting the use, operation, and maintenance of an agency's data processing equipment including operating manuals, hardware/operating system requirements, hardware configurations, and equipment control systems.	Retain until the agency no longer uses related hardware and all data is transferred to and made useable in new hardware environment, then destroy.
IT-OP-05	Data Processing Disaster Preparedness and Recovery Plans	Records related to the protection and reestablishment of data processing services, equipment and data (back-up files) in case of a disaster.	Retain until superseded by revised plan, then destroy.
IT-OP-06	System Backup Files	Copies of master files or databases, application software, logs, directories, and other records needed to restore a system in case of a disaster or inadvertent destruction.	Retain for a minimum of 12 backup cycles, then destroy.
IT-OP-07	System Users Access Records	Electronic or textual records created to control or monitor individual access to a system and its data created for security purposes, including but not limited to user account records, security logs, and password files.	Retain until no longer of administrative value to agency, then destroy.
IT-OP-08	Computer Usage Files	Electronic files or automated logs created to monitor computer system usage including but not limited to log-in files, system usage files, data entry logs, and records of individual computer program usage.	Retain until no longer of administrative value to agency, then destroy.
IT-OP-09	Summary Computer Usage Reports	Summary reports and other paper records created to document computer usage.	Retain until no longer of administrative value to agency, then destroy.
IT-OP-10	Computer Run Scheduling Records	Records used to schedule computer runs including daily schedules, run reports, run requests, and other records documenting the successful completion of a run.	Retain until no longer of administrative or fiscal value to agency, then destroy.
IT-OP-11	Input Documents	Copies of records or forms designed and used solely for data input and control when the data processing unit provides centralized data input services and original records are retained by the program unit.	Retain until all data has been entered into the system and, if required, verified, then destroy.
IT-OP-12	Audit Trail Files	Data generated during the creation of a master file or database used to validate a master file or database during a processing cycle.	Retain for a minimum of 12 database/master file backup cycles, then destroy.
IT-OP-13	Automated Tape Library System Files	Automated records used to control the location, maintenance, and disposition of magnetic media in a tape library.	Retain until related records or media are destroyed or withdrawn from the tape library, then destroy.
IT-OP-14	Tape Library Control Records	Records used to control the location, maintenance, and disposition of magnetic media in a tape library including list of holdings, control logs, and "scratch reports" regarding the destruction of tape library electronic files.	Retain until superseded, then destroy.
IT-AS-01	Site/Equipment Support Files	Records documenting support services provided to specific data processing equipment or installations including site visit reports, program and equipment service reports, service histories, and correspondence and memoranda. For service contracts, see IT-OP-03.	Retain site visit reports, problem and equipment service reports, and routine correspondence and memoranda until warranty or guarantee of service has expired, then destroy. Retain service histories and other summary records until the related equipment is no longer in use, then destroy.
IT-AS-02	Help Desk Telephone Logs and Reports	Records used to document requests for technical assistance and responses to these requests as well as to collect information on the use of computer equipment for program delivery, security, or other purposes.	Retain until no longer of administrative value, then destroy.
IT-AS-03	Training Course Information	Memoranda, flyers, catalogues, registration forms, rosters, and other records relating to training courses run by a data processing user support or office automation support unit.	Retain until superseded, obsolete, or replaced, then destroy. See GP-O-08
IT-CS-01	Network Usage Reports	Summary reports and other records created to document computer usage for reporting or other purposes.	Retain until no longer of administrative value to agency, then destroy.

Effective Date: 5/2017

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_

## PROCEDURE 401-2: Records Management

### I. Purpose:

- A. The purpose of this procedure is to provide requirements and guidelines for the storage and disposal of public records.

### II. Retention Procedures

- A. Retention of Paper Public Records with Two (2) year or less Retention Periods.
  - 1. Records shall be retained and stored by the Chief of Operations, or designee.
  - 2. Records shall remain on site for their entire retention period.
- B. Retention of Paper Public Records with **greater than two (2) year** Retention Periods.
  - 1. Records shall be retained & stored on-site by the Chief of Operations, or designee, for a minimum of two (2) years.
  - 2. Records with greater than two (2) year retention periods shall be prepared for storage in the following manner:
    - a. Records shall be placed in boxes provided by the Chief of Operations, or designee, only.
    - b. Records from only one program per box.
    - c. Only records with the same retention schedule shall be placed in the same box.
    - d. Chief of Operations, or designee, shall provide the Records Management Officer with an index of items placed in each box.
    - e. A copy of the index shall be kept by the Records Management Officer and another copy inside each box.
    - f. Labels for each box shall be created by the Records Management Officer or Designee.
    - g. The Records Management Officer shall arrange and manage the off-site storage of BEMC records.
- C. Retention of Electronic Records
  - 1. The Chief of Operations, or designee, shall have sole responsibility for the retention & storage of electronic records.
  - 2. The Chief of Operations, or designee, may reference the following best practices to assist in their retention of electronic records:
    - a. Make sure that "Titles" and "Subject Lines" accurately reflects the content of the document or email.
    - b. Label folders and subfolders to mimic the BEMC Records Retention Schedule.

c. An alternative to electronic storage would printing out the record and store as any other paper record.

### III. Records Management and Security

- A. No records shall be removed from their area of storage without authorization from the Chief of Operations, or designee, the or from the Executive Director.

### IV. Disposal Procedures

- A. Disposal of Paper Records with **two (2) year or less** Retention Periods.
  - 1. Chief of Operations, or designee, shall have sole responsibility for the disposal of paper records with two (2) year or less retention periods.
  - 2. Records containing confidential or sensitive information shall be disposed of in a manner that ensures information is not released to unauthorized individuals.
  - 3. If a public records request has been made for records with expired retention periods, the Chief of Operations, or designee, is required to provide the requested records if they have not been disposed of at the end of their retention period.
- B. Disposal of Paper Records with **greater than two (2) year** Retention Periods.
  - 1. The Records Management Officer shall have sole responsibility for the management, retention and disposal of records stored at off-site facilities.
  - 2. Prior to the disposal of any records stored offsite, the Records Management Officer shall forward to the Executive Director an index and content summary of all boxes containing records that have reached or exceeded their retention schedule.
- C. Disposal of Electronic Records
  - 1. Chief of Operations, or designee, shall have sole responsibility for the disposal of Electronic Records.
  - 2. Records containing confidential or sensitive information shall be disposed of in a manner that ensures information is not released to unauthorized individuals.
  - 3. If a public records request has been made for records with expired retention periods, the Chief of Operations, or designee, is required to provide the requested records if they have not been disposed of at the end of their retention period.

Effective Date: 5/2017

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_

Executive Director

## PROCEDURE 401-3: Public Records Request Response

### I. Purpose:

- A. The purpose of this procedure is to detail the actions a BEMC employee must take upon receipt of a public records request (“PRR”).
- B. Only employees designated and authorized by the BEMC Executive Director to be a Records Custodian shall issue any response or acknowledgements to a PRR on behalf of BEMC.

### II. Receipt of Public Records Request:

- A. Immediately upon receipt of a PRR, employees shall forward the PRR to [PUBLICRECORDSREQUEST@BROADCAST.OHIO.GOV](mailto:PUBLICRECORDSREQUEST@BROADCAST.OHIO.GOV) with “Public Records Request” appended to the beginning of the Subject line of the email.
- B. Immediately upon receipt of a PRR, the Records Custodian shall update the ticket and assign to the most appropriate employee to respond.
- C. All email responses to the PRR should include the [PUBLICRECORDSREQUEST@BROADCAST.OHIO.GOV](mailto:PUBLICRECORDSREQUEST@BROADCAST.OHIO.GOV) email address so that responses can be added to the initial request.
- D. Any verbal communications should be summarized in the ticket with date and time of conversation.

### III. Public Record Request Response:

- A. Each request for public records should be evaluated for a response using the following guidelines:
  - 1. Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to BEMC to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request in a manner in which BEMC keeps its records. The requester does not have to put a request in writing, and does not have to provide his or her identity or the intended use of the requested record. It is BEMC policy that this information is not to be requested.
  - 2. Public records are to be made available for inspection during regular office business hours, as defined in **Policy 201**, with the exception of published holidays. Public records will be made available for inspection promptly and must be made available within a reasonable period of time. “Prompt” and “reasonable” take into account the volume of records requested; the proximity of location where the records are stored; and the necessity for any legal review of the records.
  - 3. Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied more expeditiously. Routine requests include, but are not limited to, Commission meeting minutes (in both draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.
  - 4. All requests for public records must either be satisfied or acknowledged in writing by BEMC within a reasonable time-frame following the receipt of the request. If BEMC is unable to provide a complete response within one week, (7) days, from the date of receipt of the request, then it will issue an acknowledgement to the requestor that includes the following:



- a. Confirmation of receipt of the request;
  - b. An estimated number of business days (if possible to determine) it will take to satisfy the request;
  - c. An estimated cost of copies if such are requested.
    - The charge for producing paper copies is 0.05 cents per page. An estimate of the cost may be provided and requested by BEMC in advance of producing such documents.
    - The charge for downloaded digital files to a compact disc is \$1.00 per disc.
    - There is no charge for documents sent electronically, e.g., via e-mail.
    - If such records are to be produced in hard-copy or on a compact disc, the Requester may pick-up these records in-person during normal business hours, or alternatively may request that the records be mailed to address provided. If mailed, the Requester is responsible for the actual cost of the postage and mailing.
5. Any denial of public records requested, or any exclusions of records as permitted under Ohio law, must be communicated to the requestor and must include an explanation with legal authority. If a record contains portions that are legally exempt from disclosure, the exempt portions are to be redacted and the rest released where feasible to do so. If there are redactions made to documents otherwise being produced or made available, then each redaction must be accompanied by a supporting explanation, including legal authority.

Effective Date: 04/18/2023

Administrative Approval:

*Geoffrey A. Phillips*

Executive Director

## BROADCAST EDUCATIONAL MEDIA COMMISSION

XXV. Series 500 – Programs

Policy # 501 – Video Network Operations Center (VNOC)

Effective Date: 11/2018

### 1. POLICY

- A. As part of its mission, Broadcast Educational Media Commission (BEMC) operates and manages the video conferencing connections referred to as Video Network Operations Center (“VNOC”) to Ohio’s K-12 and Higher Education institutions and other state agencies. As directed by the BEMC Commissioners, it shall be the duty of the Executive Director to oversee the operations of VNOC—including properly allocating financial, technical, and human resources to ensure the proper and efficient operations of the VNOC.

### 2. Membership Policy

#### A. Eligibility for Service

i. BEMC provides video and multimedia services to the following entities:

- a. Ohio K-12 School Districts: Eligible entities include Public Schools, Community Schools, qualifying Educational Service Centers, Career Technical Education Planning Districts, Ohio School for the Deaf, Ohio School for the Blind, and the Dept. of Youth Services.
  - Non-public schools should contact their ITC to inquire about their eligibility and application requirements for Ohio K-12 Network connectivity funding.
  - Ohio K-12 Network Connectivity Requirements are available on the Ohio Department of Education’s website at <http://education.ohio.gov/Topics/Finance-and-Funding/Programs/Educational-Technology/Ohio-K-12-Network/Ohio-K-12-Network-Connectivity-Requirements>.
- b. Ohio Educational Service Providers: Eligible entities include organizations that are state supported in scope and that have a principal mission to provide educational services primarily to the K-12 education community. Examples include Education Service Centers (ESC), Educational Technology Centers (Ed Techs), Information Technology Centers (ITC), Special Educational Regional Resource Centers (SERCC), Colleges and Universities, BEMC, and the Ohio Public Television affiliates.
- c. Ohio Institutions of Higher Education: Eligible entities include, but may not be limited to, public and private, two- and four-year institutions, including Community Colleges and Technical Institutes.
- d. State of Ohio Government: Eligible entities include, but may not be limited to, State of Ohio Agencies, Departments, Boards and Commissions.
- e. Ohio Content Providers: Eligible entities include, but are not limited to zoos, museums, art galleries, libraries, hospitals, as well as other non-profit, or for-profit organizations

that provide educational content primarily to other members of the BEMC video network.

- ii. Ohio K-12 Network members must be connected to the BEMC video network via one of the approved connectivity models. Approved connectivity models are available on the Ohio Department of Education's website at <http://education.ohio.gov/Topics/Finance-and-Funding/Programs/Educational-Technology/Ohio-K-12-Network/Ohio-K-12-Acceptable-Models>.
- iii. Other members may be connected to the BEMC video network through the most economically, and technically feasible method – and will be determined on an individual case basis. These connections may include a one-time, and/or recurring service charge.

#### B. Acceptable Use

- i. The BEMC video network may be used by members for the following purposes:
  - a. Class to class distance learning (real-time or video on-demand)
  - b. Participation in in-state and out-of-state distance learning endeavors
  - c. Video on demand, or streaming services provided by a commercial vendor
  - d. Administrative meetings by the officials, teachers, administrators, or employees of member participants
  - e. Collaborative academic and research exchanges among students, staff, faculty, administration and researchers.
- ii. Media, such as audio, video and still images, are subject to intellectual property rights and copyright laws just as text materials are. The originating site is responsible for ensuring that notice for copyright or other intellectual property rights are properly displayed.
- iii. Content Providers may use the BEMC video network for the following purposes:
  - a. Content providers may use the network to supply video content (real-time or on demand) to any member of the BEMC video network.
  - b. Content providers may also supply these services to non-member entities, so long as there is a BEMC video network member involved in the event.

#### C. Scheduling & Conferencing

- i. Connections to sites outside of the video network using satellite uplinks, satellite downlinks, or other services may incur additional charges. Contact the BEMC VNOC if you have questions about connection charges for a specific meeting.
- ii. Members must check the availability of rooms with all site contacts before scheduling a conference.
- iii. The BEMC VNOC will not add a site to a scheduled conference without approval from the conference requester (scheduler).
- iv. VNOC resources are available on a first-come, first-served basis.

- v. Conference recordings will be stored for a 6-month period at which time they are removed to make room for new recordings. BEMC highly recommends downloading recording(s) for archival and/or long-term storage.
- vi. Fee-based rooms in a conference are charged per minute of use. Charges begin the minute each fee-based room is connected to the bridge.
- vii. All cancellations must be done 24 hours prior to the scheduled start of a video conference. In the event a scheduled conference must be cancelled with less than 24-hour notice, the scheduler or instructor must contact the BEMC VNOC Help Desk. No penalties will be assessed if notification is received in this manner. If not received in this manner, member will be charged 100% of any associated conference fees.
- viii. BEMC will take reasonable measures to ensure the Service is available without significant interruption, notwithstanding scheduled downtime needed to help maintain effective operation of the Service. However, difficulties with hardware, software, equipment and services supplied by others may result in service interruptions. In no event will BEMC be liable to any party for any loss, cost or damage that results from any period of down time suffered by the Service.
- ix. Any changes in hours of availability and service interruption will be announced via the VNOC mailing list.

#### D. Billing

- i. All bridged calls are billed on actual connected time.
- ii. Fee based services incurred during that month are in addition to flat rate or hourly rate services and will be added to monthly bills.
- iii. Hourly Rate Video Services are based on purchasing minimum room hours per month. Unused room hours do not carry over month to month. Upon cancellation of an account, no refunds will be issued for unused room hours.
- iv. A month is defined as a period that starts at the beginning of the calendar month or on the date of initiation of service (for example, March 12, 2019, through March 31, 2019).
- v. Members may cancel their subscription at any time. When a subscription is cancelled, the service is de-activated immediately. NOTE: Absolutely NO refunds will be given for the remaining portion of the billing month after a cancellation.
- vi. No refunds or credits will be issued except in exceptional cases involving the failure or unavailability of the service. BEMC will endeavor to work with the client to determine an appropriate solution to any problem that may arise.
- vii. Recurring service will not be terminated unless the customer specifically requests that this be done. BEMC requires 30 days' notice for termination of a recurring service.

#### E. User Information & Privacy

- i. By registering for the Service, BEMC will provide a username, password and video room URL link to the registered contacts. Contacts may not disclose or share the username or password with any unauthorized third parties or use the username or password for any unauthorized purpose. If the username or password is shared, the registered contact may lose control over sensitive information on the Service and BEMC will not be responsible. If a username or password has

been stolen or otherwise compromised, contacts should immediately contact BEMC VNOG Help Support Desk.

- ii. Users should be aware that, subject to certain statutory exceptions, most documents and records maintained by the State of Ohio, including but not limited to electronic data, are public records under Ohio law. Therefore, information submitted through this service may be subject to disclosure pursuant to a public records request.

### 3. Rates & Fees

- A. Video Conference Services are made available to Ohio K-12 School Districts, Ohio Educational Service Providers and Ohio Content Providers at no cost. Connections to sites outside of the Ohio K-12 Network using satellite uplinks or downlinks, or other additional services may incur fee-based service charges.
- B. Video Conference Services are made available to Ohio Institutions of Higher Education and State of Government based on the follow rates and fees:

#### C. Membership Rates

- i. Flat Rate Standard Video Services: \$150 per month per video endpoint
  - a. Flat rate and Hourly rate services are billed on a month-to-month basis.
  - b. Services Include:
    - Unlimited multipoint conferencing to any video network member(s)
    - Access to web-based reservation scheduling system. (24 x 7)
    - Live Help Desk Technical Support during support hours
    - Standard connection rate of 512 kbps. Other rates supported upon request.
    - Access to IP Guest Rooms. (fee-based)
    - Access to video recording rooms. (fee-based)
    - Access to satellite uplink and downlink services. (fee-based)
    - Support for High Definition video bridging.
- ii. Flat Rate Video Bridge Services: \$150 per month per video bridge
  - a. Flat rate and Hourly rate services are billed on a month-to-month basis.
  - b. Services include:
    - Designed for customers who own and operate their own video bridge.
    - Provides all services in the standard video services package.
    - Includes (1) video room profile (bridge) for one concurrent connection.

- iii. Hourly Rate Video Services\*: \$500 per month /50 room hours, \$750 per month/ 100 room hours

- a. Flat rate and Hourly rate services are billed on a month-to-month basis.
- b. Hourly rate members exceeding monthly allocation of plan hours will be billed at a rate of \$10/hr (\$500 service plan) or \$7.50/hr (\$750 service plan).
- c. Hourly Rate Video Services are based on purchasing minimum room hours per month. Unused room hours do not carry over month to month. Upon cancellation of an account, no refunds will be issued for unused room hours.
- d. Services include:
  - Unlimited room registrations
  - Access to web-based reservation scheduling system. (24 x 7)
  - Live Help Desk Technical Support during support hours.
  - Standard connection rate of 512 kbps. Other rates supported upon request.
  - Access to IP Guest Rooms (included)
  - Access to video recording rooms (fee-based)
  - Access to satellite uplink and downlink services (fee-based)
  - Support for High Definition video bridging.

iv. Web Conferencing

- a. Virtual room for web conferencing only
- b. Virtual room with H.323 connection(s)
- c. Virtual room dedicated to customer organization

v. Fee Based Services

- a. IP Guest rooms: \$10 per hour
- b. Conference Recordings: \$10 per hour
- c. Satellite downlink: \$25 per hour
- d. Satellite uplink: \$200 per hour, plus satellite time

## **BROADCAST EDUCATIONAL MEDIA COMMISSION**

### **XXVI. Series 500 – Programs**

#### **Policy # 502 – Engineering & Broadcast Operations**

Effective Date: 5/2017

#### **1. POLICY**

- A. As part of its mission, the Broadcast Educational Media Commission (BEMC), operates and manages the broadcasting operations that connect all Ohio public television stations and Ohio Governmental Telecommunications to the citizens of Ohio.
- B. Authority for such operations and oversight is granted to the Executive Director by the Commission. It shall be the duty of the Executive Director to properly allocate financial, technical and human resources to ensure the proper and efficient operations of the Engineering and Broadcast Operations.

#### **2. Procedures**

- A. For additional procedures specific to the daily broadcast operations see [Procedure 502-1](#).

## PROCEDURE 501-1: Video Network Operations Center (VNOC) Procedures

- I. **Purpose**
  - a. The purpose of this procedure is to supplement [Policy # 501 – Video Network Operations Center](#).
- II. **Scheduling & Conferencing**
  - a. Members must have their conference equipment turned on 20 minutes prior to the start of each conference. If your site does not connect within 5 minutes of the pretest start time call the BEMC VNOC at 877-843-3640 or 614-485-6640.
  - b. To insure high quality video and audio, BEMC has standardized on a transmission rate of 512 Kbps at 30 fps (frames per second) for video bridge conferences.
- III. **Live Technical Support**
  - a. VNOC Help Desk support technicians are available during designated operating hours. BEMC VNOC Help Desk technicians also provide post-conference technical support in the identification and resolution of issues affecting a conference and offer circuit and equipment testing to diagnose transport versus equipment errors on request. The VNOC Help Desk team will interact directly with the member's technical contacts or, with appropriate authority granted by the member, work on behalf of the member with third party vendors.
  - b. Members may contact the VNOC via:
    - i. Telephone: Toll Free at 877-VIDEO-40 (877-843-3640) or 614-485-6640
    - ii. Email: [VideoSupport@broadcast.ohio.gov](mailto:VideoSupport@broadcast.ohio.gov)
- IV. **Live Technical Support Operating Hours**
  - a. Standard operating hours during the school year for the BEMC VNOC are 7:00 am to 5:00 pm ET, Monday through Thursday, and 7:00 am to 3:00 pm ET on Fridays.
  - b. Operating hours during educational break periods for the BEMC VNOC are 8:00 am to 3:00 pm ET, Monday through Friday.
  - c. Conferences scheduled before or after the listed operating hours will not be monitored.
  - d. The BEMC VNOC Help Desk is closed during State of Ohio holidays when offices are closed.
  - e. Changes in operating hours and holidays will be posted on the BEMC website and announced via VNOC mailing list.
- V. **VNOC Mailing List**
  - a. All schedulers, organization contacts, room contacts, technical contacts and other relevant contacts for VNOC member institutions may be added to the VNOC mailing list.
  - b. Only BEMC employees may post to the VNOC mailing list.
  - c. The purpose of the mailing list is to communicate to VNOC constituents relevant news about the VNOC, BEMC operations and video conference events.
- VI. **Recording & Streaming Video Conferences**
  - a. Video conferences may be recorded. Unless otherwise specified, recordings may be publicly available.
  - b. Users should be aware that, subject to certain statutory exceptions, most documents and records maintained by the State of Ohio, including but not limited to electronic data, are public records under Ohio law. Therefore, information submitted through this service may be subject to disclosure pursuant to a public records request.
  - c. Streaming from the recording server is not available due to limited port availability.
- VII. **Becoming a VNOC Member Institution**
  - a. Video Room Registration
    - i. Video room registration is available on BEMC's website, under Video Conferencing.
    - ii. Filling out all fields on this form provides BEMC employees with contact and room information to setup a room in the scheduling tool.
    - iii. The form details are emailed to [VideoSupport@broadcast.ohio.gov](mailto:VideoSupport@broadcast.ohio.gov). Please allow two business days for the room to be created. An email will be sent to the scheduler or room contact to verify room creation.
    - iv. Accounts will be created upon request by BEMC employees to enable VNOC Member Institutions to schedule and manage conferences.



Effective Date: 3/2019

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_

Executive Director

## PROCEDURE 502-1: Broadcast Operations Procedures

### A. Purpose

- a. The purpose of this procedure is to set the guidelines and procedures for employees who are part of the Master Control operations, including Master Control Operators (Broadcast Engineers) and Media Managers, by which leave requests will be considered and approved.
- b. This procedure is not intended to conflict or override any collective bargaining agreement that pertains to employees listed above. In the event any conflict occurs, the collective bargaining agreement will control.

### II. Leave Request Process and Approval Requirements

- a. To maintain adequate staffing levels in Master Control operations no more than two (2) employee vacation/personal/compensatory leave requests will be granted on a single day, unless Extenuating Circumstances demand otherwise.
  - a. For the purposes of this procedure, Extenuating Circumstances include, but are not limited to unplanned, family or medical emergencies or other unique situations that require additional employee(s) request(s) for leave to be granted. The determination of what constitutes Extenuating Circumstances is within the sole discretion of BEMC management, including the Chief of Operations and Executive Director.
- b. Vacation Leave Canvassing - Requests for vacation leave will be granted through a process of canvassing. Canvassing means that all employees will be given a deadline by which to submit vacation leave requests for the upcoming calendar year. Canvassing will occur during a two-week period at the end of each calendar year to submit requests. For the purposes of canvassing, all leave requests submitted by the submission deadline will be considered vacation leave requests regardless of whether the employee plans to use or does use other forms of leave available to the employee at the time the leave is taken. Employees must make requests in the approved method of email and all requests will be time-stamped upon receipt. Employees will be given notice at the time of the start of the canvassing period of the date by which all requests will be reviewed and processed.
  - a. Processing Canvassed Requests – After the canvassing period closes, BEMC Management will consider all requests submitted during the canvassing time-frame and approve requests based on employee seniority priority. In the event of conflict between seniority status, approval will be made based on first-come, first-serve based on the time stamp of submission during canvassing.
  - b. After all requests are processed all employees will be promptly notified of whether each request was approved or denied, and if denied, the basis for the denial. Thereafter, employees may submit additional vacation, personal, and comp time leave requests.
- c. Post-Canvassing Leave Requests - Any requests for vacation, personal, or comp time leave after the close of the canvassing period will be considered on a first-come, first-serve priority basis in conformance with sec. A above. However, in the event of simultaneous receipt of requests, priority will be given on the basis of employee seniority.
- d. Employee Seniority – For purposes of this procedure, employee seniority is defined as based on the time employed by BEMC (and any preceding agency names). Meaning for example, an employee who worked at BEMC for 5 years has a greater seniority over an employee who worked for BEMC for six months, regardless of previous work experiences of either employee.
- e. Sick Leave – Requests for sick leave use will follow the policy and procedure as stated in [Policy #203](#) (4) and is exempt from the processes of this procedure.

Effective Date: 2/2018

*Geoffrey A. Phillips*

Administrative Approval: \_\_\_\_\_

Executive Director