

SUMMIT COUNTY, OHIO
HUMAN RESOURCE COMMISSION

ORDER

Date: December 4, 2006

Order # : 06-10

Whereas the Human Resource Commission met in a public meeting at 11:30 a.m. on Monday December 4, 2006 to address a request from the Prosecutor to; amend and codify section of 169.22- Family Medical Leave .

Whereas the Human Resource Director reviewed the request and recommended the following action;

Chapter 169.22 Family Medical Leave be amended in regard to outside employment while on Family Medical Leave (see attached request)

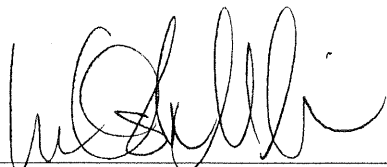
Whereas the Human Resource Commission conducted a full discussion of the proposed recommendation and heard testimony from the Director of Child Support

Whereupon a motion was entered by Richard Dobbins and seconded by Nancy Wilson to approve the amendment to 169.22 Family Medical Leave.

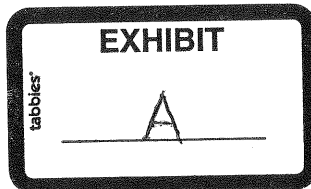
A roll call vote was taken as follows:

N. Wilson Aye
R. Dobbins Aye
J. Bailey Aye

The motion carried.



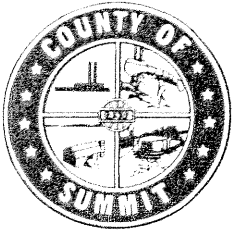
Lisa Okolish Miller, Director HRC



Cc: Sherri Bevan Walsh, Prosecutor
Ed Harshbarger, CSEA
File

Dave Hannan, Council.

07 104



SHERRI BEVAN WALSH

Prosecuting Attorney
County of Summit

CHILD SUPPORT ENFORCEMENT AGENCY

175 South Main Street • P.O. Box 80598 • Akron, OH 44308-0598
(330) 643-2765 • 1-800-726-2765 • Fax (330) 643-2745

November 21, 2006

Lisa O. Miller
Summit County Human Resource Commission
175 S. Main Street
Akron, Ohio 44308

Please be advised that we are respectfully requesting a revision to Chapter 169 of the codified ordinance as it relates to Family and Medical Leave and Leave Donation. We would like to limit outside employment. We are proposing the following:

When an employee is on Family and Medical Leave and/or Leave Donation either paid or unpaid leave there should be a limit to working any outside employment.


A strict prohibition will apply when an employee is on approved regular and reduced FMLA. When an employee is on intermittent FMLA the employee will be prohibited working outside employment within 24-hours prior to FMLA or subsequent to FMLA being used.

Any employee who works outside employment while on such leave may be subject to disciplinary action, up to and including termination. Failure to discontinue outside employment or any misrepresentation of outside employment while on leave may also result in disciplinary action. Please note this is for when the employee is on leave for their own medical condition, not a family member.

We are aware this would require approval from County Council and the Human Resource Commission. Please advise of what if any further steps need to be taken to make this request.

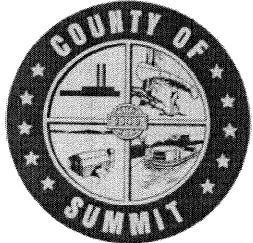
Thank you in advance for your cooperation and assistance in this matter. Should you have any questions, or require additional information please feel free to contact my office.

Sincerely,


Ed Harshbarger
Director of CSEA

cc: Prosecutor Walsh
Leonard Foster
Anita Davis

SUMMIT COUNTY



COUNCIL

Legislative Summary Sheet
Council Office
175 South Main Street
Akron, OH 44308
330.643.2725 phone
330.643.2531 fax

Subject: Amending Section 169.22 of the Codified Ordinances of the County of Summit, entitled "Leaves of Absence" to require County employees on sick leave or leave under the Family and Medical Leave Act to obtain written authorization from their appointing authority prior to working for an outside or supplemental employer while on leave.

Elected Official/Agency: Executive

Department/Agency Contact: Jill Hinig Skapin Telephone: (330) 643-2627 Fax: (330) 643-2507 E-mail: jskapin@summitoh.net

Council District(s): N/A.

History/Background: At its December 4, 2006, meeting, the Human Resource Commission issued Order No. 06-10, which is attached hereto as Exhibit A, which approves a proposal by the Child Support Enforcement Agency to amend Section 169.22 of the Codified Ordinances of the County of Summit, entitled "Leaves of Absence" to restrict the ability of County employees to work for an outside or supplemental employer while on leave. Section 825.312(h) of the Code of Federal Regulations provides that an employer policy governing outside or supplemental employment continues to apply to an employee while on leave under Family and Medical Leave Act.

Financial Information: N/A.

Prior Approvals/Recommendations: The HRC approved addressing this issue in Order No. 06-10.

Evaluation: N/A.

Other: N/A.