

**COUNTY OF SUMMIT  
OHIO  
ADMINISTRATIVE CODE**



**HUMAN RESOURCE  
DEPARTMENT**

**April 15, 2003**

Approved by HRC: April 15, 2003

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**Purpose:** Pursuant to County of Summit Charter, there shall be a Department of Human Resources, which shall serve under the direction of, and perform such functions on the behalf of the Human Resource Commission as the Commission shall prescribe. By this Administrative Code, the Human Resource Commission prescribes the methods by which the Human Resource Department shall function. This Administrative Code, in combination with the separate Human Resource Commission Rules, provide for a fully functional County of Summit civil service commission, with a system for appointments to County service on the basis of merit and fitness, as ascertained by competitive examination. As permitted by R.C. 301.23, Chapter 124 is thereby rendered inoperative. The offices governed hereunder are those named in Section 2.01 of the Human Resource Commission Rules.

**SECTION ONE:       Duties of the Director of the County Human  
Resource Department**

**1.01 General Powers**

**The Director of the County Human Resource Department (the “HRD Director”) shall have all powers necessary to carry out duties set forth herein or as assigned and delegated by the Human Resource Commission (the “Commission”).**

**1.02 Responsibilities of the Director of the County Human Resource  
Department**

- A.   Serve as liaison between the County Human Resource Department (the “County HRD”), Appointing Authorities and the Commission.**
- B.   Direct the County HRD’s performance of duties as set forth herein and in the County of Summit (“HRC Rules”), to ensure compliance**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**with applicable laws, County ordinances, resolutions, rules, and affirmative action considerations.**

- C. Review employee requisitions, position descriptions for classification assignment, and job announcements.**
- D. Review and submit recommendations regarding any additions or deletions of classifications to the County classification/compensation plan.**
- E. Approve the extension of the length of a probationary period for a position within a classification upon a showing of need and request by an Appointing Authority.**
- F. Approve the method of assessment, as recommended by the Appointing Authority, best suited for determining the relative merit and fitness of candidates applying for classified non-bargaining employment.**
- G. Propose rules, rule changes, or rule amendments to the Commission in accordance with HRC Rule 4.04 (B) (1).**
- H. Perform any action or exercise any powers needed to perform the duties as set forth herein.**
- I. Perform all duties delegated by the Commission.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION TWO: Duties of the County Human Resources  
Department**

**2.01 General Duties**

**The County HRD shall perform the following duties:**

- A. Provide support to the Commission and County Council as needed to implement the Commission's responsibilities and those of County Council, i.e., establish personnel policies, procedures, classifications, rankings, and uniform pay ranges.**
- B. Provide and coordinate training and compliance with all County safety programs.**
- C. Provide training to Appointing Authorities and staff on such topics as human resources, non-discrimination in employment, counseling and other appropriate topics.**
- D. Review employee requisitions, position descriptions for proper classification assignment, job vacancy requisitions and prepare job vacancy postings.**
- E. Review and process personnel actions to ensure compliance with the HRC Rules and this Code.**
- F. Create, revise, and maintain classification specifications.**
- G. Create, revise and distribute classification/compensation plan administrative documents and management information data.**
- H. Assign classifications to positions.**
- I. Create, revise and maintain position descriptions, denoting essential**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**functions and job safety requirements for each position.**

- J. Perform job audits.**
- K. Determine the merit and fitness of candidates for employment, administer methods of candidate assessment, and certify lists of eligible candidates.**
- L. Develop and maintain employment records.**
- M. Ensure the proper use of the County's layoff and job abolishment procedures.**
- N. Conduct needs assessments and coordinate recruitment for County positions.**
- O. Administer and conduct new employee orientation.**
- P. Determine and recommend equalization and standardization of benefits.**
- Q. Monitor all insurance programs including medical, life, workers compensation, vehicle, other liability and employee assistance.**
- R. Administer deferred compensation, tuition reimbursement and other employee benefit programs.**
- S. Assist and support Appointing Authorities in matters related to human resource administration and management.**
- T. Perform such other functions and duties as delegated by the Commission.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION THREE: Definitions**

**3.01 Definitions**

**The definitions set forth Article 3.01, HRC Rules are incorporated herein by reference. In addition, the following definitions apply to these regulations:**

- A. “Abolishment” as defined by HRC Rules, Article 3.01 means the permanent deletion of a position from the organization or structure of an appointing authority due to lack of continued need for the position, due to reorganization for efficient operation, lack of funds, lack of work, or other lawful purpose.**
- B. “Administrative relationship” means employment in a position in which an employee has substantial discretionary authority to initiate action or in which the Appointing Authority must rely on the employee's personal judgment and leadership abilities. The average employee does not possess and is not delegated such discretionary authority.**
- C. “Break in service” occurs when an employee is terminated for any reason other than layoff and is not re-employed by the Appointing Authority within one (1) year of the termination.**
- D. “Classification series” refers to a related family of classifications identified by a distinctive title or series number.**
- E. "Classification specification” means a general written description of a cluster or grouping of a variety of jobs which contain certain core tasks which are common to the positions and similar in duties, responsibilities, and qualification for selection. The classification**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**specification sets forth typical duties and/or describes expected functions, and is accompanied by anticipated ranges of percentages reflecting the amount of time devoted to each.**

- F. “Competitive examination” means an assessment based upon: an unassembled test; relevant experience; relevant training; skills demonstration; structured interview; prior work experience; or assessment center simulations where the end result is a list showing the relative abilities of individuals or a group of individuals.**
- G. “Essential functions” refers to the fundamental core job duties of a given position. Essential functions do not include marginal or nonexistent functions.**
- H. “Fiduciary relationship” means a relationship where the appointing authority requires a special confidence and trust in the integrity and fidelity of an employee to perform duties which could not be delegated to the average employee with knowledge of the proper procedures. These qualifications are over and above the technical competency requirements to perform the duties of the position.**
- I. “Interim” means an appointment made for a short duration, such as while the incumbent is on an approved leave of absence.**
- J. “Intermittent” means a less than full-time appointment characterized by an irregular schedule of hours or days dictated by the needs of the Appointing Authority.**
- K. “Job safety requirement” refers to the application of federal OSHA safety standards to a position and the actions, training, and equipment required thereby.**
- L. “Layoff” as defined by HRC Rules, Article 3.01, means a suspension of employment, expected to last less than one (1) year.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

- M. “Original appointment” means the first appointment of placement in the class series, for which an outside candidate is hired.**
- N. “Position description” means a written summary of the duties which comprise a position and state its essential functions.**
- O. “Promotion” means the placement of an employee into a different classification assigned to a higher pay range than the employee's previous classification.**
- P. “Reassignment” means the assignment of an employee to a different classification.**
- Q. “Removal” means the termination of an employee's employment.**
- R. “Seasonal” means an appointment intended for a short period of time as dictated by climate.**
- S. “Temporary” means an appointment for a period of time not to exceed six (6) months.**

# COUNTY OF SUMMIT ADMINISTRATIVE CODE (HUMAN RESOURCE DEPARTMENT)

## **SECTION FOUR: The Classified & Unclassified Service**

### **4.01 Jurisdictions**

**The following offices may have both classified and unclassified positions.**

- 1. Clerk of Courts**
- 2. County Council**
- 3. County Engineer**
- 4. County Executive, including the Department of Job & Family Services**
- 5. County Fiscal Officer**
- 6. County Prosecutor, including Child Support Enforcement**
- 7. County Human Resource Commission**
- 8. County Sheriff**
- 9. County Internal Auditing Group**

### **4.02 Classified Service**

**The classified service shall consist of all non bargaining positions except those defined as unclassified.**

### **4.03 Rights of Classified Employees**

**Classified employees shall be hired on the basis of merit and fitness as determined by the County HRD, and may not be terminated, suspended for a period in excess of three (3) days, demoted, laid off, or reduced in pay or position except with written notice and for just cause.**

**Classified employees may not be suspended for a period of three (3) days or less except with written notice and for reasonable cause.**

# COUNTY OF SUMMIT ADMINISTRATIVE CODE (HUMAN RESOURCE DEPARTMENT)

## 4.04 Unclassified Service

The unclassified service shall include:

- A. Elected Officials and Appointing Authorities of the offices designated in Section 4.01.
- B. Attorneys in a position required to hold a license to practice law in the State of Ohio and employed as an attorney by and Appointing Authority.
- C. All positions previously defined as unclassified by June 1, 2003, shall remain as unclassified.
- D. Those positions as determined by the County HRD and so approved by the County HRC.

## 4.05 Rights of Unclassified Employees

Persons employed in a position in the unclassified service, serve at the pleasure of the Appointing Authority and have no right of appeal to the HRC relative to the terms and conditions of their employment.

## 4.06 Unclassified Status

Newly employed unclassified position employees shall be notified in writing by the Appointing Authority of their unclassified status. A copy of this notice shall be placed in the employee's file and a copy sent to the HRD Director.

## 4.07 Unclassified Vacancies

## **COUNTY OF SUMMIT ADMINISTRATIVE CODE (HUMAN RESOURCE DEPARTMENT)**

**Vacant unclassified positions may be filled by the Appointing Authority at any time, provided the Appointing Authority has filed a personnel action with the HRD Director two (2) weeks in advance of such appointment.**

### **4.08 Additional Unclassified Positions**

**A. Appointing Authorities may petition the Commission for the designation of an unclassified position(s).**

**B. A separate petition must be filed for each position for which unclassified status is sought, and must set forth the following information:**

- 1. Name, of incumbent(s), if any, holding the position; and**
- 2. A list of duties, and responsibilities assigned to the position; and**
- 3. Reporting relationship to the Appointing Authority; and**
- 4. Recommended pay range; and**
- 5. Reasons for seeking unclassified status, with an explanation of the impracticality of determining merit and fitness for the position on a basis of competitive assessment. Such reasons include the need for additional operating officers reporting directly to an Appointing Authority. Essential operating officers include those whose duties and responsibilities include several of the following functions; (i) formulate or direct the implementation of policy; (ii) participate either in collective bargaining negotiations or predisciplinary investigations; (iii) report during most weather emergencies; and (iv) directly supervise at least two supervisory level employees; and (v) serve in a fiduciary relationship in which the Appointing Authority reposes a special trust and confidence in the integrity and fidelity of the employee to perform duties which surpass technical competence and**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**which could not be delegated to the average employee.**

**C. Upon receipt of such petition, the HRD Director shall inform the Commission members of the petition.**

**D. Upon completion of review by the HRD, the HRD Director shall forward a recommendation to the Commission and the Appointing Authority making the petition, within forty-five calendar days.**

**E. Should the Commission not concur with the HRD Director's recommendation, or the HRD Director does not recommend to the Commission, the commission will convene the Human Resource Commission Advisory Group using the following procedures:**

- 1. The HRC Advisory Group shall be convened for the review of each request and shall be made up of the HR professionals representing the Elected Officials, except as provided herein, shall be considered hearing officers, *pro tempore*.**
- 2. The Chairperson of the HRC Advisory Group shall preside over the presentation of evidence by the Appointing Authority or designee, seeking the unclassified position; and, following the presentation of evidence, shall charge and poll the HR Advisory Group as to its majority decision, subject to item #3 of this section.**
- 3. Prior to polling the HR Advisory Group, the presiding hearing officer shall allow a reasonable amount of time for comment, either verbally or in writing by members of the HR Advisory Group or Appointing Authority and/or designee.**
- 4. Following the decision of the HR Advisory Group, the**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**presiding hearing officer shall notify the Commission in writing, of the decision.**

- 5. The Commission shall upon receipt of the HR Advisory Group's decision take a vote for approval or disapproval. The decision of the Commission shall be final and binding and shall be conveyed to the petitioning Elected Officeholder.**
- 6. The Appointing Authority may resubmit such request to the Commission after the expiration of twelve (12) months from the initial date of the petition.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION FIVE: Filling of Job Vacancies**

**5.01 Job Vacancies**

- A. Each Appointing Authority shall notify the County HRD of the appointment type and existence of all any classified vacant positions that the Appointing Authority intends to fill that requires recruitment or job vacancy announcements.**
  
- B. Job vacancies may be filled by the Appointing Authorities within their respective budgetary restraints. No newly created classified position may be filled by any Appointing Authority until the Office of Budget and Management has certified to the County HRD that sufficient funds exist from which to pay the salary and costs of the position for the remainder of the fiscal year.**

**5.02 Appointment Types**

**In filling a vacancy, an appointing authority may utilize any of the following appointment types:**

- (a. emergency**
- (b. intermittent**
- (c. interim**
- (d. part-time**
- (e. full-time**
- (f. temporary-full time**
- (g. temporary-part time**
- (h. seasonal**

**5.03 Process**

**Upon receipt of a requisition for a job vacancy from an Appointing Authority, the County HRD will prepare a job vacancy announcement and post the opening.**

## **COUNTY OF SUMMIT ADMINISTRATIVE CODE (HUMAN RESOURCE DEPARTMENT)**

### **5.04 Numbering and Identification**

**Each job vacancy announcements shall identify the position to be filled, a the classification number, the department and supervisor under whom the position will function, a statement of minimum qualifications, general duties, essential functions, annual minimum and midpoint range of salary and whether a background check, post-offer/pre-start physical examination, or drug screening is required Each notice must contain a posting date and notice of a final date for application.**

### **5.05 Posting Period**

**The posting period for a job vacancy announcement shall be no less than three (3) working days.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION SIX: Procedure for Application**

**6.01 General**

**Applications in response to specific job vacancy announcements will be accepted in the County Human Resource Department office, Ohio Building, Room #103.**

**6.02 Responsibility of Applicant**

**It is the responsibility of the applicant to provide all relevant information at the time of application. It is the duty of the applicant to tender photocopies of any required license, certificate, credential, or transcript required by the job vacancy announcement. The failure to provide the information requested may result in the disqualification of the candidate.**

**6.03 Disqualification of Applicants**

**The County HRD may disqualify an applicant based upon;**

- A. False information provided on an application for employment;**
- B. Unexpunged conviction of a crime affecting fitness for duty;**
- C. Prior unsatisfactory work performance.**

**Disqualification of an applicant is not appealable.**

**6.04 False Information**

**Any applicant knowingly providing false information including but not**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**limited to information regarding licenses, certificates, credentials, or transcripts will be disqualified, and may be referred for investigation and prosecution by the appropriate authorities.**

**6.05 Discipline of an Employee for False Application**

**Subject to Section 11.03 hereof, an employee hired on the basis of false information, concerning licensing, certificates, credentials or transcripts shall be subject to disciplinary action therefore. The disciplinary action may include termination of employment.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION SEVEN: Hiring or Promoting**

**7.01 General**

**No full-time or permanent part-time vacancy in the classified service shall be filled by any Appointing Authority except through the process contained herein, and with the approval of the County HRD.**

**7.02 Process for Hiring**

- A. An Appointing Authority wishing to hire an employee or fill a vacant position must submit to the County HRD, an employee requisition, using a designated form that sets forth the duties to be performed, as well as any licenses, certifications, or credentials required for the position.**
- B. The County HRD will assess all applications that have been received for the vacancy and eliminate those who have failed on their application to establish minimum qualifications. The County HRD's assessment shall be based upon the knowledge, skills, and abilities as defined in the classification specification for the position in question.**
- C. The County HRD will certify to the Appointing Authority a list of the names of eligible candidates in alphabetical order along with a copy of the candidates' applications.**
- D. The Appointing Authority will fill the vacancy from the list of eligible candidates, and notify the County HRD of the identity of the successful candidate within thirty (30) calendar days of receipt of the list of eligible candidates. This time period may be extended at the request of the Appointing Authority.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

- E. The Appointing Authority shall determine the merit and fitness of candidates for positions. The Appointing Authority shall interview such candidates and document the selection of the candidate best qualified for the position, based upon the knowledge, skills, and abilities set forth in the classification specification and supplemented by any attributes or skills represented in the position description for the position.**
- F. In selecting candidates from the list, the Appointing Authority may conduct structured interviews based upon the position description of the job to be filled.**
- G. A recent list of candidates for a specific classification, shall have continued viability following the selection of the candidate, for each subsequent new vacancy within the same classification for a period of ninety (90) calendar days.**

**7.03 Selection and Promotion**

**When in an Appointing Authority's jurisdiction, an existing full-time classified non-bargaining position becomes vacant, or due to reorganization, a vacant position exists, the Appointing Authority:**

- A. May select an employee from a classification having a lower grade.**
- B. May select and promote an employee who meets the knowledge, skills, abilities, experience, and required certification(s) to effectively perform within the classification of promotion; or**
- C. May internal post for vacant positions.**

**If no current county employee is selected for the position, the County HRD shall post under the procedures set forth above 7.02 (A) through (G).**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**7.04 Appointment of Candidates**

**Appointment of a candidate shall not become effective until the following information has been received and approved by the County HRD and provided to the County Fiscal Officer's Payroll Department:**

- A. A personnel action form approving the appointment; and**
- B. A signed statement summarizing the selection process utilized by the Appointing Authority and attesting to the fact that the candidate was selected on the basis of merit and fitness, and was the best qualified for the appointment.**

**The above referenced documents will be kept by the County HRD for a period prescribed by law.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION EIGHT: Classification/Compensation Plan**

**8.01 Responsibility of County Council**

**In accordance with Section 3.03 of the Charter of the County of Summit, County Council shall establish a classification/compensation plan.**

**8.02 Responsibilities of County HRD**

**The County HRD shall be responsible for administering the County's classification/compensation plan and other related human resource services. The County HRD shall exercise the following responsibilities and perform the following duties:**

- A. Develop new classification specifications as requested by the Appointing Authorities.**
- B. Group similar jobs within a classification, so positions with similar duties and responsibilities are described by the same title, with the same pay assigned and with the same qualifications for selection.**
- C. Recommend to the Commission assignment of a classification title to each classification within the classification/compensation plan.**
- D. Prepare a classification specification for each classification, describing the duties, responsibilities and qualifications of the classification.**
- E. Ensure that each classification is assigned a proper pay range.**
- F. If the County HRD finds a position is not properly classified, the HRD Director may recommend reclassification and consult with the Appointing Authority to obtain approval of the recommendation.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

- G. Recommend assignment of related classifications to a classification series.**
- H. Assign an identification number to each classification, designating the classification series to which the classification is assigned.**
- I. Submit a classification or compensation plan action to the Commission and where required to County Council.**
- J. Monitor the compensation practices of Appointing Authorities to ensure compliance with Council pay resolutions and ordinances.**
- K. Conduct periodic wage surveys or other compensation studies.**
- L. Perform any and all other functions necessary to effectively administer the classification/compensation plan.**

**8.03 Appointing Authority and Employee Notification**

**When the Commission submits a recommendation to County Council to modify a classification or assign a classification to an appropriate pay range, the County HRD shall send written notice of the recommendation to the Appointing Authorities of the affected employees, no later than the time that such recommendation is submitted to County Council. The Appointing Authorities shall notify affected employees regarding such recommendations of the Commission. The County HRD shall also notify such Appointing Authorities of County Council's actions on the Commission's recommendations.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**8.04 Position Audits**

**The County HRD may initiate and conduct audits of any positions that are part of the classified non-bargaining classification/compensation plan. Any affected employee or Appointing Authority shall be afforded reasonable opportunity to submit facts for consideration.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION NINE: Performance Evaluation**

**9.01 When conducted**

- A. All classified County employees shall be evaluated with respect to performance twice during the employee's probationary period, and once each year thereafter. A performance form and format shall be specified by the County HRD.**
- B. The first probation performance evaluation shall be completed upon the conclusion of the first half of the employee's probationary period.**
- C. The final probationary performance evaluation shall be completed prior to the expiration of the probationary period.**
- D. All evaluation Performance Review Summary forms must be filed with the County HRD within fourteen (14) days of their completion.**

**9.02 Duties of the Appointing Authority**

**Each Appointing Authority must adopt a written procedure for controlling the timely completion of performance evaluations within their jurisdiction. Copies of such procedures shall be forwarded to the County HRD within thirty (30) days of adoption.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION TEN: Probationary Periods**

**10.01 General Probationary Period**

**The probationary period for all new hires, and promotions shall be one hundred eighty (180) calendar days.**

**10.02 Extended Probationary Periods**

**At the request of an Appointing Authority and with notice to the employee, the HRD Director may extend a probationary period. The length of the probationary period, with any extension, shall not exceed one (1) calendar year**

**10.03 Removal During Probation Period**

- A. An employee may be removed at any time during a probationary period. In the case of an original appointment, such removal shall constitute a separation from County service.**
  
- B. In the case of a probationary removal of an employee who is promoted, the employee shall be returned to the position from which promoted.**

**10.04 Appeals Prohibited**

**An employee removed from a position during a probationary period may not appeal such action.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION ELEVEN: Termination and Suspension**

**11.01 General**

**An employee in the classified service may not be terminated, suspended for more than three (3) days, or reduced in pay or position except by written order and for just cause. Termination, suspension for more than three (3) days, and reductions in pay or position are appeal able to the Commission.**

**11.02 Requirements of a Termination/Suspension Order**

**A. No order issued under this section shall be valid unless it meets all of the following criteria:**

**1. The order must be signed by the Appointing Authority.**

**Where the Appointing Authority is a commission or multi-member body, the order must be accompanied by either:**

**a. a resolution adopting the action, or**

**b. a resolution authorizing the chief administrative officer to sign on behalf of the multi-member body.**

**B. Copies of the order must be filed with the HRC Director and the HRD Director within seven (7) calendar days of its effective date.**

**C. The Appointing Authority or designee must have served a copy of the order to the affected employee prior to its effective date.**

**D. The order must include a list of the particular facts that form the basis for the order.**

## **COUNTY OF SUMMIT ADMINISTRATIVE CODE (HUMAN RESOURCE DEPARTMENT)**

### **11.03 Time Period Restriction**

**Employees shall not be disciplined for acts which have been known, or should have been known, to the Appointing Authority more than two (2) years prior to the issuance of the order.**

### **11.04 Time for Filing an Appeal**

- A. Service of an order of termination or suspension shall be sent by mail to the last residence address provided by the employee, and shall be deemed to have occurred on the third (3rd) business day after the mailing.**
- B. Appeals from orders issued pursuant to this section shall be filed with the Commission within ten (10) calendar days of the date on which the employee was served the order.**
- C. If the final day for taking an action under this article falls on a Saturday, a Sunday, or a county-recognized holiday, the appeal will be timely if filed on the next regular business day.**

### **11.05 Absent Without Leave**

**Any employee who is absent from duty for three (3) or more work days without approved leave or without notice may be subject to removal for job abandonment.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION TWELVE: Layoff and Abolishment**

**12.01 General**

**Employees in the classified service may be laid off or their positions abolished whenever a reduction in force is deemed necessary by an Appointing Authority for reasons of efficiency, lack of funds, lack of work, or other lawful purpose.**

**12.02 Choice by Appointing Authority**

- A. A layoff may be used whenever an Appointing Authority deems it necessary to temporarily reduce the total number of employees for a period less than one (1) year.**
- B. An abolishment may be used whenever an Appointing Authority deems it necessary to permanently eliminate one or more positions.**
- C. The choice of whether to utilize a layoff or an abolishment resides with the Appointing Authority.**

**12.03 Procedure**

- A. In the event that an Appointing Authority conduct a layoff or abolishment, the following steps shall be followed:**
  - 1. The Appointing Authority shall submit to the County HRD a statement explaining the need for the action and setting forth a projection of the number of positions of the classification(s) to be affected, and, in the case of a layoff, the expected duration.**
  - 2. In the event of a layoff, the Appointing Authority shall determine the classification(s) to be affected.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

- 3. In the event of an abolishment, the Appointing Authority must identify the position(s) within the classification(s) to be affected.**
  - 4. The Appointing Authority shall provide to the County HRD a timetable of events setting forth:**
    - a. the effective date of the action; and**
    - b. the date on which notices will be sent to affected employees, which must be a minimum of seven (7) calendar days prior to the effective date.**
  - 5. The Appointing Authority shall certify to the County HRD in the Statement of Removal that no employee has been moved into or out of the affected classification/position for a period of the preceding thirty (30) calendar days.**
  - 6. The Appointing Authority shall provide the County HRD with a list of affected employees, and their respective anniversary hire dates with the Appointing Authority.**
- B. In the case of a layoff, the targeted number of employees in each affected classification having the fewest retention points will be laid off.**
- C. In the case of an abolishment, the employee serving in the affected position may displace an employee in the same classification having the fewest number of retention points. In the event there is no opportunity to displace an employee within the same classification, the affected employee may displace within the next lower classification of the classification series by displacing the employee having the fewest retention points. In the event there is no displacement opportunity, the affected employee's employment with the Appointing Authority shall be terminated.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**12.04 Order of Layoff (excluding abolishment)**

- A. For the purpose of this section the order of layoff of employees in the same affected classification are as follows:**
- 1. New hire employees serving in an initial probationary period shall first be considered.**
  - 2. Interim and temporary employees.**
  - 3. Part-time seasonal position employees.**
  - 4. Full-time seasonal position employees who have not completed their probationary period.**
  - 5. Full-time seasonal position employees that have completed their probationary period.**
  - 6. Part-time permanent position employees who have not completed their probationary period.**
  - 7. Part-time permanent position employees who have completed their probationary period.**
  - 8. Full-time permanent position employees who have not completed their probationary period.**
  - 9. Full-time permanent position employees who have completed their probationary period.**
- B. The progression of layoff shall be based upon retention point order beginning with the employee having the fewest retention points and continuing to the employee with the most retention points. Where two or more employees have identical retention points the tie shall be broken in accordance with sub-section 12.05 (H).**

**12.05 Retention Points**

- A. Appointing Authorities shall compute the total retention points for each employee in the classification(s) affected by a layoff or position abolishment. In the case of an abolishment, retention points shall be calculated for employees in the classification in**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

which an affected employee may have displacement rights.

- B. The retention points for an employee shall be determined by the length of service.**
- C. Length of full-time service points shall be calculated on the basis of one (1) point for each bi-weekly pay period of completed, continuous unbroken service with the Appointing Authority. A break in service exceeding one (1) year shall cause the employees service date to become the hire date after the break. Approved leaves of absence lasting no more than three (3) years are excluded from the computation of retention points.**
- D. Full-time seasonal, full-time interim, or full-time temporary service credit will be given only for pay periods in which the employee worked.**
- E. Retention points for other than full-time service shall be calculated on the basis of one-half (.50) point for each bi-weekly pay period of continuous service.**
- F. Overtime shall not be counted for the purposes of calculating retention points.**
- G. The date for calculation of retention points shall be as of the pay period ending date, prior to the pay period in which retention points are received for verification by the County HRD.**
- H. In the event two or more employees have identical retention points as calculated by this section, the tie shall be broken by using the following methods, in the following order:**
  - (1) First, employees having the most recent date of continuous service from which no break in service has occurred shall be laid off or displaced first; and**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

- (2) Second, the Appointing Authority shall determine the employee to be laid off or displaced.**

**12.06 Displacement (abolishment only)**

- A. Displacement rights exist only in the event of abolishment of a classified position. Each employee in an abolished position shall have the right to displace an employee with fewer retention points in the same or lower classification within the same classification series. Displacement shall be permitted only within the department or division of the Appointing Authority designated department or division from which the abolishment occurred.**
- B. An employee exercising a displacement right must notify the Appointing Authority of his or her intent to displace within five (5) calendar days after receipt of a notice of abolishment or displacement.**
- C. No employee shall displace an employee in a position requiring special minimum qualifications unless the employee possesses the required minimum qualifications.**
- D. An employee exercising displacement rights to a position, or an employee displaced as a result of an abolishment shall be paid according to the pay range assigned to the classification into which the employee is displaced. The employee shall be assigned to a rate in the pay range which is nearest to but not exceeding the rate at which the employee was paid in the classification held prior to displacement. If the rate the employee was assigned in his or her prior classification exceeds the highest rate in the pay range assigned to the new classification, the employee will be assigned the highest rate of the new classification.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

- E. An employee of the abolished position having no displacement right, or a displaced employee having no further displacement right, shall have employment with the Appointing Authority terminated.**

**12.07 Reinstatement Rights of Laid-off Employees**

- A. Appointing Authorities having laid-off employees shall create a recall list of reinstatement. The list shall state the employees' names, their classifications, retention points, and date of commencement of continuous service, in descending retention point order for each classification of layoff.**
- B. In the case of identical retention point ratings, the order of recall shall be in the reverse order of layoff.**
- C. The employee's name shall remain on the appropriate layoff list for a period of one (1) calendar year from the date the employee was first laid off.**
- D. Employees having the greatest retention points shall be recalled first to open positions only within their department or division of lay-off, and within their classification of lay-off. Employees must respond in writing to a recall notice of their acceptance or refusal of the recall within seven (7) calendar days of their receipt of notice. Failure to respond within the time period shall result in removal of their name from the recall list.**
- E. Employees having the greater retention points within their department or division of lay-off shall be notified first by certified mail of open positions within their classification series or other classifications for which they may be qualified. Failure to respond, acknowledging acceptance or refusal of the position within seven (7) calendar days of their receipt of notice shall not give cause for removal from the Appointing Authorities recall list but shall**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**prevent further notification of open positions, other than the classification from which they were laid off.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**SECTION THIRTEEN: Involuntary Disability Separation**

**13.01 General**

**Except as provided in the American With Disabilities Act (ADA) if an employee becomes unable to perform the duties of the employee's job, and has exhausted all available leave, including “Family and Medical Leave”, such employee may be separated from employment.**

**13.02 Medical Examination**

- A. An Appointing Authority may order a medical or psychological examination by a licensed practitioner to substantiate a disabling condition. Such an examination shall be a prerequisite prior to separating an employee as set forth herein. The costs of such an examination shall be borne by the Appointing Authority. A copy of the report shall be provided to the employee.**
- B. Any employee who fails or refuses to attend a medical examination under this section shall be discharged.**

**COUNTY OF SUMMIT ADMINISTRATIVE CODE  
(HUMAN RESOURCE DEPARTMENT)**

**NOTES:**