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STATE EMPLOYMENT
RELATIONS BOARD

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**MEMORANDUM OF
AGREEMENT
BETWEEN
THE COLUMBIANA COUNTY ENGINEER
AND
THE COLUMBIANA COUNTY HIGHWAY AND ENGINEERING
DEPARTMENT EMPLOYEES ASSOCIATION**

**FROM: APRIL 1, 2012
TO: MARCH 31, 2015**

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PREFACE

This agreement by and between The Columbiana County Engineer and The Columbiana County Highway and Engineering Department Employees Association dated April 1, 2012 shall govern all jobs, classification of employees, work rules, grievances, wages and other matters pertinent to the operation of the Columbiana County Engineers Office for the period beginning April 1, 2012 and running until March 31, 2015, and as long thereafter as may be mutually agreeable to the parties hereto.

Amendment of these articles shall be permissible only upon mutual approval of both parties hereto. Such changes shall be limited to changes in the Department work rules as outlined in Section 5 and policies covered in Section 4. Changes in the other sections of this agreement shall not be subject to change during the life of this agreement.

SECTION 1 - JOB CLASSES

For the purpose of this agreement jobs shall be divided into the following classifications.

The following job classes all have **three (3) steps: Probationary, 6 Months, 1 Year.**

CUSTODIAL
LABOR
HIGHWAY WORKER
BRIDGE LABOR
BODYMAN
EQUIPMENT OPERATOR I
EQUIPMENT OPERATOR II
SIGN MANAGER
MECHANIC HELPER
MECHANIC
MASTER MECHANIC
ERECTOR
CARPENTER
BRIDGE INSPECTOR
HIGHWAY CLERK
ENGINEERING CLERK
DRAFTSPERSON
ENGINEERING TECHNICIAN I
ENGINEERING TECHNICIAN II
ENGINEERING TECHNICIAN III
ENGINEERING TECHNICIAN IV
ENGINEERING TECHNICIAN V
ENGINEERING TECHNICIAN VI
ENGINEERING TECHNICIAN VII

The following job classes are **As Appointed:**

FOREMAN I
FOREMAN II
GENERAL FOREMAN

SECTION 2 - CLASSIFICATION OF EMPLOYEES

The County shall at all times and in every instance reserve the right exclusively, to establish classifications, change classifications, establish qualifications, experience, and educational requirements for the various positions in the County. It is understood, however, that the County will make no changes in classifications or qualifications in existing positions to the detriment of any employee. All new employees shall be classified at the discretion of the County and within the limits of this agreement.

Promotions and advancements to higher classifications except for supervisory classifications, shall insofar as possible be made from existing personnel. When a vacancy in an upper classification occurs, the vacancy shall be filled by the posting of the classification, setting forth the rate of pay, and identifying the location of the vacancy.

Equipment Operators shall be examined as to their present ability and qualification to handle the equipment to which they are assigned at such periodic times as are established by the County Engineer. The purpose of these examinations is to promote and protect the safeguard of the affected employee, his/her fellow workers, the equipment and the general public.

SECTION 3 - BIDDING

Applications from existing employees to fill the vacancy will be accepted for 14 days. Upon receipt of applications, the applications will be reviewed for compliance to the posted requirements.

The applications will be considered according to the following factors in the following order:

1. Ability to perform duties
2. Job classification presently held
3. Seniority

For the purpose of the bidding procedure in regard to item #2, preference shall be given to employees in the same classification as the job bid. In the event no bids are received from employees in that classification, consideration will next be given to all bidders in the classification next down on the progressive job classification.

Credit will be given for seniority when all other factors have been considered. Promotion will be based upon these factors.

If no applications are received, or if no applicant meets the minimum requirements for the classifications, the County may then fill the vacancy by appointment from outside the County provided that the posted requirements are met.

Any employee joining the Columbiana County Engineering Department, whether they be transferred from another political subdivision or come from private sector, their seniority will begin on the date of hire by the Engineer regardless if they be carried on the regular County payroll or on any other Governmental payroll, except in those matters related to public employment reciprocity that are defined in the Ohio Revised Code Statutes. However, employees on the County payroll will have preference over employees carried on any other Governmental payroll(s) for job bid procedure.

Seniority shall be broken only by discharge, voluntary quit or more than a two year layoff. The County may transfer employees from one job to another either within the same Department or to another Department, but in all cases the County shall attempt to maintain job continuity.

If substantial changes in the method of operation or tools, or equipment of a job occur, or if a new job is established which is not classified, the appropriate job classification and the rate of pay shall be determined exclusively by the County.

The Supervisor determines and assigns employees to their work and to the equipment to be used in the performance of that work.

The County may assign its employees to any of the various districts or locations within the County as the need may dictate from time to time provided however, that seniority shall be considered within each classification in these assignments.

Whenever assignments outside the County are required these shall be carried out at no expense to the employee.

It is understood that the employee bidding back to a lower class job must have previously held that lower class job and advanced through the steps of job progression. Foremen, skilled employees or others appointed or advanced to those positions directly shall not automatically be eligible for said lower class jobs unless they have previously held same. Those appointed to their position directly by the Engineer such as foremen or skilled personnel shall go back to the classification of highway worker unless they have previously advanced through the job progression bidding process in which case they can bid back only to the highest classification previously held.

In order to meet the requirements of CDL, all Equipment Operators will be assigned a primary job which shall be the current bid job or if such does not exist shall be one mutually agreed upon by the Committee and the Engineer. A list of all present employees and such primary jobs shall be attached to and be made part of this agreement.

A CDL rating for each primary job assignment so listed shall be determined by the

Engineer and the primary jobs shall be grouped in the appropriate classifications. Equipment Operators holding a classification will be required to secure CDL licensing for all jobs in that classification.

Equipment Operators unable to qualify for a CDL for their appropriate present jobs shall be returned to the highway worker classification. When a higher classification becomes available for which they do have the appropriate CDL or if they get a CDL for their original bid position, they shall have the first right for filling these positions in the bid process. If more than one employee should be in this situation when a bid vacancy occurs, assignment shall be based on:

1. Highest prior position held prior to return to highway worker:
2. Highway Department Seniority.

Temporary revocation of CDL by the State shall at the discretion of the County Engineer result in temporary assignment to the highway worker classification until such time that the CDL privileges are reinstated.

The Equipment Operator shall be paid at the highway worker rate during such revocation period. It is understood that the Equipment Operator job will not be rebid unless such revocation is of a permanent nature.

If an employee submits a bid on a posted job, it may be withdrawn during the 14 day posting period only. Bids may not be withdrawn after said period ends. All bid slips not withdrawn by this time will be submitted to the Engineer for review and award of bid.

Once the Engineer has received the bids and determined the successful bidder, the successful bidder must do the job for a thirty (30) day period as specified below.

All Equipment Operators presently not holding a primary job designation shall by this contract be assigned one which shall be an addendum to this contract.

*** CDL Requirements**

Equipment Operator I	Mower N. Georgetown	A
Equipment Operator I	Mower Glenmoor	A
Equipment Operator I	Mower Lisbon	A
Equipment Operator I	Mower Lisbon	A
Equipment Operator I	Mower Lisbon	A
Equipment Operator I	Single Axle Truck Lisbon	A-B-C
Equipment Operator I	Backhoe Lisbon	A-B-C
Equipment Operator I	Single Axle Truck N.Geo.	A-B-C
Equipment Operator I	Single Axle Truck Glenmoor	A-B-C
Equipment Operator I	Loader Outside Lisbon	A-B-C
Equipment Operator II	Tandem N. Georgetown	A-B-C-D

Equipment Operator II Tandem Glenmoor	A-B-C-D
Equipment Operator II Tandem Lisbon	A-B-C-D
Equipment Operator II Tandem Lisbon	A-B-C-D
Equipment Operator II Grader	A-B-C-D
Equipment Operator II Distributor	A-B-C-D

*** CDL Requirements**

Equipment Operator II Distributor	A-B-C-D
Equipment Operator II Cruz-Air	A-B-C-D
Equipment Operator II Dozer-977	A-B-C-D

REQUIREMENTS: A. Basic B. Air Brake C. Combination D. Tanker

BID JOBS

<u>EMPLOYEES NAME</u>	<u>PRIMARY JOB ASSIGNMENT CLASS</u>
Amos, Jeff	Mower- North Georgetown E.O.1
Barnhart, John	Tandem - N. Georgetown E.O.2
Beverly, Jamie	Mower- Glenmoor E.O.1
Bowersock, B. J.	Chip Spreader E.O.1
Deem, Paul	Tandem E.O.2
Halstead, Ross	Tandem E.O.2
Kelly, Chris	Distributor E.O.2
Ketchum, Doug	Single Axle- Glenmoor E.O.1
Neiheisel, Bob	Distributor E.O.2
Owens, Ronald	Mower- Lisbon E.O.1
Pettigrew, Mike	Tandem E.O.2
Simms, Daniel	Cruz-Air E.O.2
Wood, Tim	Mower-Lisbon E.O.1
Wright, Todd	Single Axle - N. Georgetown E.O.1
	Loader E.O.1

Cross bidding between the Highway Department and the Engineering Department shall be prohibited. Employees of one department desiring to transfer to the other shall notify the Engineer and request consideration for any vacancy that may occur for which they are qualified. When because of equipment breakdown or because of lack of work for a particular piece of equipment it becomes necessary to reassign Equipment Operators such affected Equipment Operators shall constitute an operators pool. The Superintendent shall make temporary assignment out of such pool to any work that may from day to day exist. Assignment shall be made first on job class presently held, secondly on seniority in that classification and thirdly on overall highway department seniority.

In no case shall such re- assigned employees "bump" or displace another employee from their primary job, even if such employee is in a lower job classification.

It shall be the obligation of employees to learn to operate and utilize new equipment, tools, operations or procedures which from time to time may be adopted by the County, as such may apply to their respective jobs.

Existing labor employees will be advanced according to the scale from the prior contract adjusted up in accordance with the present contract.

Foremen, Superintendents and Department Heads shall be appointed by the County under its sole authority and discretion, and may be selected from outside the employees of the County.

The qualifications and rate of compensation shall be determined by the County Engineer.

It shall be understood that those bidding on a job with a CDL requirement shall be given the 30 day qualifying period to obtain the required CDL. During the trial period the employee shall be given reasonable help and supervision. They will be considered to have qualified for the new position when the employee satisfactorily performs their duties with no more supervision than is required by other qualified employees in the same or similar position.

If the employee fails to qualify within 30 days, the employee shall be returned to the classification from which they came and any other employee who was advanced as a result of the selection shall be set back as necessary.

The employee next chosen in the event the first fails to qualify shall be chosen from the bids originally submitted. The person who gets the job that is bid must keep it for a year and shall not bid on another opening in this year, unless a bid job at a higher pay scale becomes open which the employee will be allowed to bid on. After the year is up, the employee shall have the right to bid on any opening which occurs thereafter.

An employee shall have the right when an opening exists to move back to a lower classification job. Written notice of desire to move back to a lower classification must be given to the County Engineer, and upon approval of said change, the employee will have preference over other bidders on the first job bid at the lower classification. The employee must remain in that job classification for a period of one year before the employee may rebid a higher classification job.

In order to provide continuity of service during the filling of vacancies of new classifications, the County shall have the right to fill openings and make transfers on a temporary basis, in line with seniority, skill, ability and experience pending the selection of an employee for the position under these provisions.

The County reserves the right to fill classifications as the need may dictate. A vacancy will be considered to have occurred only when a classification is posted. Should layoff occur such layoff

will be by each respective job classification. The employee in the particular classification holding the least departmental seniority shall be laid off first with the oldest departmental seniority being laid off last.

In the re-hiring of employees who have been laid off, the senior employee shall be given preference over the junior employee in the same job classification. However, an employee must notify the County Engineer of their intention to return to work in writing within forty-eight (48) hours after being notified and shall report within six (6) working days after notification or they shall be deemed to have forfeited their seniority rights.

A list of employees arranged in the order of their seniority shall be posted in a conspicuous place at their place of employment. A list of employees arranged in the order of their job classification shall be posted in a conspicuous place at their place of employment.

Nothing contained herein shall be construed to limit or prevent the County Engineer from hiring skilled personnel who may not have seniority, it appearing that the County's best interest would be served by such employment. Seniority lists will be provided on request.

SECTION 4 - POLICIES

NON-DISCRIMINATION POLICY

Neither the employer nor the Association shall discriminate in a way inconsistent with the laws of the United States or the State of Ohio or executive order 83-6Y of the State of Ohio on the basis of race, sex, creed, color, religion, age, national origin, political affiliation, handicap or sexual orientation. Nor shall either party discriminate on the basis of family relationship. The employer shall prohibit sexual harassment and take action to eliminate sexual harassment in accordance with executive order 87-30, Section 4112 of the Ohio Revised Code, and Section 703 of Title VII of the Civil Rights Act of 1964 (as amended).

The employer shall not solicit bargaining unit employees to make political contributions or to support any political candidate, party or issue.

DRUG AND ALCOHOL POLICY

PURPOSE

It is the policy of the County Engineer's Office that its employees be free of substance abuse and alcohol abuse. Consequently, the use of illegal drugs by employees is prohibited. Further, employees shall not use alcohol or engage in "prohibited conduct" as defined herein. The overall goal of this policy is to ensure a drug and alcohol free transportation and workplace environment and to reduce accidents, injuries and fatalities.

TYPES OF TESTS:

Pursuant to regulations promulgated by the Department of Transportation (DOT), the County Engineer's Office has implemented six (6) circumstances for drug and alcohol testing: (1) pre-employment testing, (2) post accident testing, (3) random testing, (4) reasonable suspicion testing, (5) return-to-duty testing, (6) follow-up testing.

REFUSAL TO TEST:

Refusal to submit to the types of drug and alcohol tests employed by the County Engineer's Office will be grounds for refusal to hire applicants and terminate employment of existing employees. A refusal to test is defined to be conduct which would obstruct the proper administration of a test. Refusing to sign step 2 of the alcohol form is considered a refusal to test. A delay in providing a urine or breath specimen could be considered a refusal. If an employee cannot provide a sufficient urine specimen or adequate breath specimen he/she will be evaluated by a physician of the

Engineer's choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either urine or breath), it will be considered a refusal to test. In that circumstance the employee has violated one of the prohibitions of the regulations.

POLICY VIOLATION

Any employee who becomes unqualified or engages in prohibited conduct as set forth herein may be subject to termination of employment.

PRE-EMPLOYMENT TESTING

All applicants who have been offered a position with the Columbiana County Engineer's Office must submit to urine drug tests and alcohol tests. An employee/applicant is not required to submit to urine drug tests if the Engineer can verify that the employee driver has participated in a valid drug testing program within the preceding thirty (30) days and while participating in that program was either tested within the past six (6) months or participated in a random selection program for the previous twelve (12) months. The Engineer must also verify that no prior employer of the driver has records indicating a violation of any DOT rule pertaining to controlled substance use within the previous six (6) months. The Engineer does not have to perform a pre-employment alcohol test if the applicant has undergone an alcohol test required under DOT rule within the previous six (6) months demonstrating an alcohol concentration of less than .04. The Engineer must also ensure that no prior employer of the applicant has knowledge of records of a violation of the DOT rules within the previous six (6) months.

RANDOM TESTING:

The County Engineer's Office will conduct random drug and alcohol testing. The Engineer or his agent will submit all employees to a random selection system set up with Community Action Agency. The random selection system selects an equal chance for each employee to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year. The Engineer or agent will drug test, at a minimum, 50 percent of the average number of employees in each calendar year. The Engineer or agent will select, at a minimum, 25 percent of the average number of employees for random alcohol testing. Random selection, by its very nature, may result in employees being selected in successive selections or more than once in a calendar year. Alternatively, some employees may not be selected in a calendar year.

If an employee is selected at random, for either drug or alcohol testing, the County Engineer or his agent will notify the employee. Once notified, every action the employee takes must lead to a collection. If the employee engages in conduct which does not lead to a collection as soon as possible after notification, such conduct will be considered a refusal to test.

POST-ACCIDENT TESTING

Drivers with a CDL will follow Federal Law regarding post-accident testing which is shown in the following table.

Table for §382.303 (A) and (B)		
Type of accident involved	Citation issued to the CMV driver	Test must be performed by employer
i. Human fatality	YES NO	YES YES
ii. Bodily injury with immediate medical treatment away from the scene	YES NO	YES NO
iii. Disabling damage to any motor vehicle requiring tow away	YES NO	YES NO

Alcohol tests. If a test required by this section is not administered within two hours following the accident, the employer shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If a test required by this section is not administered within eight hours following the accident, the employer shall cease attempts to administer an alcohol test and shall prepare and maintain the same record. Records shall be submitted to the FMCSA upon request.

Drivers **without** a CDL must submit to drug and alcohol testing any time he or she is involved in an accident where 1) a fatality is involved; or 2) the employee receives a citation for a moving violation arising from the accident scene, or if any vehicle involved incurs "disabling damage" (must be towed), or any treatable injury. Following any accident, the driver must contact the Engineer's Office/Supervisor as soon as possible. The Employee has been presented with an information card setting forth certain instructions for post accident drug and alcohol testing. The Employee shall follow the instructions contained on the information card as well as any additional instructions from the Engineer or his representative.

The DOT requires that any time a post-accident drug or alcohol test is required, that it be performed as soon as possible following the accident. If no alcohol collection can be made within

eight (8) hours, attempts to collect a breath sample shall cease. If no urine collection can be obtained for purposes of post-accident drug testing within thirty-two (32) hours, attempts to make such collection shall cease.

In the event that Federal, State or Local Officials conduct breath or blood tests for the use of alcohol and/or urine tests for the use of controlled substances following an accident, these tests shall be considered to meet the requirements of this section, provided the tests conform to applicable Federal, State or Local requirements. The employee will sign a release allowing the company to obtain the test results from Federal, State or Local Officials.

In the event an employee is so seriously injured that the employee cannot provide a urine or breath specimen at the time of the accident, the employee must provide necessary authorization for the Engineer to obtain hospital records or other documents that would indicate whether there were controlled substances or alcohol in the employee's system at the time of the accident.

REASONABLE SUSPICION TESTING:

Reasonable suspicion for requiring a driver to submit to drug and/or alcohol testing shall be deemed to exist when an employee manifests physical or behavioral symptoms or reactions commonly attributed to the use of controlled substances or alcohol. Such employee conduct must be witnessed by at least one supervisor trained in compliance with Section 382.603. Should a supervisor observe such symptoms or reaction, the employee must submit to testing.

PROHIBITED CONDUCT:

The following shall be considered "prohibited conduct" for purposes of this policy:

- * No employee shall report for duty or remain on duty while having an alcohol concentration of .02 or greater.
- * No employee shall be on duty or operate a commercial motor vehicle while the employee possesses alcohol.
- * No employee shall perform a safety-sensitive function within four (4) hours after using alcohol.
- * No employee required to take a post-accident alcohol test shall use alcohol for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first.
- * No employee shall refuse to submit to post-accident, a random, or a reasonable suspicion.
- * No employee shall report for duty or remain on duty when the employee uses any controlled substance, except when use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to operate a

motor vehicle.

If the County Engineer/Supervisor has actual knowledge or has reason to believe that an employee has engaged in prohibited conduct, the Engineer/Supervisor may require the employee to submit to drug and/or alcohol testing immediately.

If an employee engages in prohibited conduct, the employee is not qualified to drive a commercial motor vehicle and shall be immediately removed from service. The Engineer, at his discretion, may keep the employee's position open while such employee attempts to become re-qualified. The Engineer may also take action against the employee up to and including termination.

SUBSTANCE ABUSE EVALUATION:

Any employee who engages in prohibited conduct shall be provided the names, addresses, and telephone numbers of qualified substance abuse professionals. If the employee desires to become re-qualified, the driver must be evaluated by a Substance Abuse Professional (SAP) and submit to any treatment prescribed by the SAP. Following an evaluation and treatment, if any, in order to become re-qualified the employee must submit to and successfully complete a return-to-duty drug and/or alcohol test. Such employee is subject to follow-up testing. Follow-up testing is separate from and in addition to the Engineer's reasonable suspicion, post-accident, and random testing procedures. Follow-up testing shall be on a random basis and be in accordance with the instructions of the Substance Abuse Professional. Follow-up testing may continue for a period of up to sixty (60) months following the employee's return to duty. No fewer than six (6) tests shall be performed in the first twelve (12) months of follow-up testing. The same benefits and insurance coverages that are provided for all other illnesses, diseases, and/or physical or psychological conditions, under the County's established health insurance benefit plan, shall be available for individuals who accept medically approved treatment of alcoholism or drug dependency.

AUTHORIZATION FOR PREVIOUS TEST RECORDS:

Within fourteen (14) days of performing a safety-sensitive function, DOT regulations require that the Engineer obtain certain drug and alcohol testing records from an employee's previous employers for the previous two (2) years. The Engineer will verify that no prior employer of the employee/applicant has records indicating a violation of any DOT rule pertaining to controlled substance or alcohol use within the previous two (2) years. The Engineer must also ensure that no prior employer of the employee has knowledge or records of a violation of the DOT alcohol rules within the previous six (6) months. As a condition to employment, the employee shall provide the Engineer with a written authorization for all previous employers within the past two (2) years to release such drug and alcohol testing records as the regulations require.

DRUG URINALYSIS:

Drug testing will be performed through urinalysis. Urinalysis will test for the presence of drugs and/or metabolites of the following controlled substances: (1) marijuana, (2) cocaine, (3) opiates, (4) amphetamines, (5) phencyclidine (PCP).

The urinalysis procedure starts with the collection of a urine specimen. Urine specimens will be submitted to a SAMHSA-certified laboratory for testing. As part of the collection process, the specimen provided will be split into two (2) vials; a primary vial and a secondary vial. The SAMHSA-certified laboratory will perform initial screening on all primary vials. In the event that the primary specimen tests positive, a confirmation test of that specimen will be performed before being reported by the laboratory Medical Review Officer (MRO) as a positive.

All laboratory results will be reported by the laboratory to a MRO (Medical Review Officer) designated by the County Engineer. Negative test results shall be reported by the MRO to the Engineer's confidant. Before reporting a positive test result to the Engineer, the MRO will attempt to contact the employee to discuss the test result. If the MRO is unable to contact the employee directly, the MRO will contact the Engineer's official confidant designated in advance by the Engineer, who shall in turn contact the employee and direct the employee to contact the MRO. Upon being so directed, the employee shall contact the MRO immediately or, if after the MRO's business hours and the MRO is unavailable, at the start of the MRO's next business day. In the MRO's sole discretion, a determination will be made as to whether a result is positive or negative. If, after failing to contact the MRO after five (5) days, or if the employee cannot be contacted at all within thirty (30) days, the MRO may verify the test as positive. After any positive verification the employee may petition the MRO to reopen the case for consideration.

Pursuant to DOT regulations, individual test results for the employee/applicants and employees will be released to the Engineer/ confidant and will be kept strictly confidential unless consent for the release of the test results has been obtained. Any individual who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon a timely written request.

An individual testing positive may make a request of the MRO to have the secondary vial tested. The employee may request that the secondary vial be tested by a different SAMHSA-certified lab than tested the primary specimen. The individual making the request for a test of the second specimen must pre-pay all costs associated with the test. The request for testing of a second specimen is timely if it is made to the MRO within seventy-two (72) hours of the individual being notified by the Engineer of a positive test result.

ALCOHOL TESTS:

The Engineer will perform alcohol tests using a device that is on the National Highway Traffic Safety Administration's (NHTSA) Conforming Products List (CPL) and meets the DOT's testing requirements. This may be a breath testing device and may be provided through a vendor

or agent. The device will be operated by a technician who is certified and trained on the specific device he or she will be operating. The employee shall report to the alcohol testing site as notified by the Engineer or his representative. The Employee shall follow all instructions given by the alcohol technician.

Any initial test indicating a blood alcohol concentration of .02 or greater will be confirmed on an evidential breath testing device operated by a breath alcohol technician. The confirmation test will be performed no sooner than 15 minutes and no later than 30 minutes following completion of the initial test. In the event the confirmation test indicates a breath alcohol concentration of .02 to .0399, the employee shall be removed from duty for 24 hours or until his/her next scheduled on-duty time, whichever is longer. Employees with tests indicating a breath alcohol concentration of .04 or greater are considered to have violated the regulatory prohibitions, which may result in disciplinary action up to and including termination. All alcohol tests shall be performed just prior to, during, or just after duty.

TRAINING

The County Engineer shall ensure supervisors designated to determine whether reasonable suspicion exists to require an employee to undergo testing under section 382.307 receive at least sixty (60) minutes of training on alcohol misuse and receive at least an additional sixty (60) minutes of training on controlled substance use. The training shall cover the physical, behavior, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

The Engineer shall provide educational materials that explain the requirements of Section 382.601, consequences of violating the regulations, and the employer's policies and procedure with the respect of meeting these requirements. The materials supplied to employees may include information on additional employer policies with respect to the use or possession of alcohol or controlled substances, for example, the consequences for an employee found to have a specified alcohol or controlled substances level based on the employer's authority independent of Section 382.601. The Engineer shall ensure each employee is required to sign a statement verifying that he or she has received a copy of these materials described in Section 382.601.

SUMMARY OF THE DRUGS THAT MUST BE INCLUDED IN THE TESTING PROGRAM AND THEIR EFFECTS ON DRIVING

MARIJUANA is the common name for a crude drug made from the plant *cannabis sativa*. A marijuana cigarette is made from the dried particles of the plant. The immediate effects of smoking marijuana include a faster heartbeat and pulse rate, bloodshot eyes and a dry mouth and throat. The drug can impair or reduce short term memory, alter sense of time and reduce the ability to do things which require concentration, swift reactions and coordination, such as driving and operating machinery.

Driving experiments show that marijuana affects a wide range of skills needed for safe driving. Thinking and reflexes are slowed, making it hard for drivers to respond to sudden unexpected events. Furthermore a driver's ability to "track" through curves, brake quickly and maintain speed and proper distance between vehicles is affected. Research shows that these skills are impaired for at least 4-6 hours after smoking a single marijuana cigarette. If a driver drinks alcohol along with using marijuana, the risk of an accident greatly increases.

COCAINE is a drug extracted from the leaves of the coca plant which grows in South America. Cocaine is a central nervous system stimulant. It usually appears as a fine crystal-like powder, although it can come in larger pieces which are called rocks. Cocaine is usually sniffed or snorted into the nose, although some users inject it or smoke a form of the drug called freebase.

The effects of the drug begin within minutes and peak within 15 to 20 minutes. These effects include dilated pupils, increase in blood pressure, heart rate, breathing rate, and body temperature. The dangers of cocaine use vary, depending on how the drug is taken, the dose and the individual. Some regular users report feelings of restlessness, irritability, anxiety and sleeplessness. In some people even low doses of cocaine may create psychological problems. People who use high doses of cocaine over a long period of time may become paranoid or experience what is called a cocaine psychosis. This may include hallucinations of touch, sight, taste, and smell.

OPIATES, sometimes referred to as narcotics, are a group of drugs which are used medically to relieve pain, but also have a high potential for abuse. Some opiates come from a resin taken from the seed pod of the Asian poppy. This group of drugs includes opium, morphine, heroin and codeine. Other opiates are synthesized or manufactured. Opium appears as dark brown chunks, or as powder, and is usually smoked or eaten. Heroin can be a white or brownish powder which is usually dissolved in water and injected.

Opiates tend to relax the user. When the opiates are injected, the user feels an immediate "rush". Other initial and unpleasant effects include restlessness, nausea, and vomiting. The user may go "on the nod" going back and forth from feeling alert to drowsy. With very large doses, the user cannot be awakened, pupils become smaller, and the skin becomes cold, moist, and bluish in color. Furthermore, breathing slows down and death may occur.

PHENCYCLIDINE (PCP) is most often called "angel dust". It was first developed as an anesthetic in the 1950's. It was taken off the market for human use because it sometimes caused hallucinations. PCP is available in a number of forms, It can be a pure, white crystal-like powder, a tablet or capsule, it can be swallowed, smoked, sniffed, or injected. Although PCP is illegal, it is easily manufactured.

Effects depend on how much is taken, the way it is used, and the individual. Small amounts act as a stimulant, speeding up body functions. For many users, PCP changes how they see their own bodies and things around them. Speech, muscle coordination and vision are affected; sense of touch and pain are dulled; and body movements are slowed. Time seems to "space out." Effects include increased heart rate and blood pressure, flushing, sweating, dizziness, and numbness. When large doses are taken effects include drowsiness, convulsions, and coma. Taking large amounts of PCP can also cause death from repeated convulsions, heart and lung failure or ruptured blood vessels in the brain.

AMPHETAMINES are stimulants that tend to increase alertness and physical activity. Some drivers use amphetamines to counteract the drowsiness or "down" feeling caused by sleeping pills or alcohol. In pure form, they are yellowish crystals that are manufactured in tablet or capsule form. Abusers also sniff the crystals or make a solution and inject it.

Amphetamines increase the heart and breathing rate and blood pressure, dilate pupils and decrease appetite. The user can experience a dry mouth, sweating, headache, blurred vision, dizziness, sleeplessness and anxiety. Extremely high doses can cause people to flush or become pale; they can cause a rapid or irregular heartbeat, tremors, loss of coordination, and even physical collapse. People who use a large dose over a long period of time can develop an amphetamine psychosis: seeing, hearing and feeling things that do not exist, having irrational thoughts or beliefs and feeling that people are out to get them. People in this extremely suspicious state frequently exhibit bizarre - sometimes - violent behavior.

SMOKING:

1. Smoking shall be prohibited in all buildings and other enclosed structures owned or leased by Columbiana County that are under the control of the employer.
2. Smoking shall be prohibited in all vehicles owned or leased by Columbiana County that are under the control of the employer.
3. Non smoking area's and smoking area's shall be designated or re-designated by the employer.

SECTION 5 - DEPARTMENT RULES

STARTING TIME: Starting time will be 7:00 a.m. for the **Highway Department** and will be 8:00 a.m. for the **Tax Map and Engineering Departments**. Repeated tardiness will result in a written reprimand. After assignment, the employees are to proceed to their respective assignments. Loafing will not be tolerated.

QUITTING TIME: Normal quitting time is 3:30 p.m. for the **Highway Department**. Crews are not to be in the garage before 3:15 p.m. Drivers not having enough time to return for another load should use this time to perform necessary maintenance and to fuel and load for the next day. The **Tax Map and Engineering Departments** quitting time is 4:00 p.m.

HOURS OF WORK: Generally, the work day for the **Highway Department** will be eight (8) consecutive hours, exclusive of a **half-hour (½) unpaid meal period**. Generally, the workday for the **Tax Map and Engineering Departments** will be eight (8) consecutive hours, **inclusive of a half-hour (½) meal period**.

TIME CLOCK: All employees must *personally* punch in and out each day, **no buddy punching**. Anyone observed buddy punching will be subject to disciplinary action. Repeated failure to punch in will result in a written reprimand. *Unpunched in and outs must* be authorized by the Superintendent or authorized representative. Late punch ins of one minute or more will be docked 1/10 of an hour (six minutes) .

REPORT-OFFS: Employees will report off no later than their scheduled starting time, earlier when possible. Failure to report off, or repeated reporting off late will result in a written reprimand.

COFFEE BREAK: There will be a ten (10) minute coffee break for the Highway Department, which will generally be taken at 8:30 a.m. Employees are not to stop in public restaurants on the way to the job for coffee breaks.

HIGHWAY EQUIPMENT ABUSE: Any employee abusing equipment by speeding, reckless driving or failure to check water and oil will be removed. Drivers are to turn in weekly vehicle inspection sheets of their equipment and perform daily maintenance checks on oil and water. Drivers are to turn in a report of any accidents however minor. Equipment on the road left overnight must be put in a safe place to minimize theft and vandalism. During winter weather, snow plows and ashers removed by drivers using the spare trucks for other work must be re-installed at the end of the day. Extra drivers are to turn in reports on trucks they have been temporarily assigned to.

IMMEDIATE TERMINATION: Employees determined to be guilty of drunkenness, fighting, or stealing while on County time shall be subject to immediate termination by the County Engineer after a hearing. The employee shall be accompanied by his/her Association Representative and the Association President at such hearing.

SNOW CALL OUT: During bad weather, drivers are expected to notify Superintendent, Garage Foreman and the Outpost Foreman when they will not be home if called. All drivers will be called for their regular routes. Drivers are not to punch out and leave until released by the person in charge. A Back-up Snow Control Drivers Schedule will be in effect for each Snow Control Season. This Schedule will show all available drivers on a rotation basis.

CALL OUT UNDER INFLUENCE: Any employee reporting for call out under the influence of alcohol and/or drugs will be given time off and be subject to the provisions of the drug free workplace policy.

STOPPING AT BARS: Employees are not to stop for lunch in bars. County vehicles are not to be parked in or around such places.

PARKING ALONG ROAD: Parking along the road or otherwise loafing will not be tolerated. The driver and all occupants of any vehicle caught will be sent home. Foremen will be responsible for the men assigned to them. The carpenter shop, sign shop and engineering department are for these crews only. Others found loafing in these areas will be sent home.

SLEEPING IN TRUCKS: Employees are not to lie down, sleep or lounge in the vehicles during stops along the road when waiting for help, equipment or materials.

UNAUTHORIZED USE OF EQUIPMENT: Employees shall not use County equipment to perform any work on private property which is not related to a project authorized by the Superintendent.

FINISHING UP WORK: When the work assigned has been finished, the employee will report back to the person assigning them for further orders. This should be done by radio when in outlying areas.

MANPOWER ON JOB: Foreman or Supervisor will be responsible for the Manpower on the job. When it is evident that too many employees are on the job, the foreman or supervisor will send those not needed back for re-assignment. The foreman or supervisor are in charge on the job and will be responsible for the amount and quality of work done.

RAINY DAY WORK: During rainy weather or sub-zero temperatures, the foremen shall determine if outside work is appropriate at the assigned job site. Cooperation will be needed in keeping busy. Suggested means are painting vehicles, yard or building maintenance, cleaning vehicles, cleaning drains, helping mechanical department, learning how to operate equipment, planning future work.

OVERTIME: There will be no overtime worked unless authorized by the Supervisor in charge. Overtime shall be paid for time approved and worked in excess of 40 hours in a work week at a rate of one and a half times the employees base rate of pay. For the purpose of overtime calculations, sick leave, vacation and holidays shall be included as "time worked."

FOREMEN RESPONSIBILITY: Foremen will be responsible for the employees assigned and quantity and quality of work performed. Foremen will be responsible for assuring that the proper tools, material and equipment are on the job. Foremen not meeting these standards will be removed and reclassified to their former job.

EQUIPMENT OPERATOR'S RESPONSIBILITY: Equipment operators will bid one job which will be their primary responsibility. However, operators may have to run other equipment as required. Operators should become familiar with all equipment in their classification.

PERSONAL APPEARANCE: Employees must keep a neat and clean appearance which is normally acceptable. All **Highway Department Employees including Summer employees** will follow the clothing standards herein set forth. Due to new OSHA regulations, and the Safety Plan adopted by the Safety Committee shorts and sweat pants **MAY NOT BE WORN**. Jeans or pants must be in good condition - no large rips or tears. Shirts and safety vests will be worn at all times by all personnel, including equipment operators. No tank, tube or crop tops are allowed. You **MUST** wear good work shoes or boots. There will be no sandals or tennis shoes permitted. No shirts containing vulgar or offensive printing are permitted. This is also in accordance with OSHA PPE (Personnel Protective Equipment) standards, and the Engineer's Safety Plan. Personnel reporting for work without the proper attire will be sent home.

The **Tax Map, Engineering and Administrative Departments including Summer employees** must keep a neat and clean appearance which is normally acceptable when dealing with the general public. **Traditional, proper office attire is desired, which would include but not be limited to: dress slacks or dress shorts, skirts and dresses of proper length, appropriate dress shoe or boot. Such will be considered suitable for everyday dress.** Shirts containing vulgar or offensive printing, ripped, worn out, or tight fitting clothing are prohibited.

EMPLOYEES REPRIMANDS: Violation of the department work rules, with the exception of the "IMMEDIATE TERMINATION" rule, shall result in a written reprimand. A second offense shall result in a written reprimand and a three day suspension. A third offense shall result in termination if such offense occurs within two years.

Inclusion of these work rules in this Agreement shall constitute a written notification to all employees of them.

The County Engineer may, if the employees work record and past conduct warrant, waive the three (3) day suspension. Such action shall not however waive the Engineers right to dismissal of the employee if further violation of the work rules results.

From time to time **WORK RULES** governing detailed and specific items of employment shall be formulated with the mutual consent of both parties and may be adopted and made a part of this agreement and/or may be modified.

EXCUSED ABSENCE: A medical certificate or a satisfactory affidavit or certificate shall be required for illness of more than three (3) working days, and may at the discretion of the County Engineer, be required for three (3) days or less. The failure to present such a certificate or affidavit, at such time as the department head may require, may result in loss of pay for the time absent or disciplinary action. Where sick leave is requested to care for members of the immediate family, the department head may require a physician's certificate to the effect that the presence of the employee is necessary to care for the ill member.

GRIEVANCE

SECTION 6 - GRIEVANCE PROCEDURE

Grievance – any time there is a dispute or misinterpretation as to the terms of the collective bargaining agreement.

When a grievance arises, the following procedure shall be observed:

Step 1 : An employee having a grievance shall take it up orally with their immediate supervisor. Any such grievance shall be presented within one working day after the employee has knowledge of the event. The supervisor shall give their answer within three (3) working days after the grievance has been presented to him. The supervisor's answer may be given orally or in writing.

Step 2 : If the grievance is not satisfactorily settled in Step 1 of the procedure, it shall be reduced to writing and presented to the Superintendent. The Grievance shall be presented to the Superintendent within three (3) days after immediate Supervisor has given their answer to Step 1 of this procedure. A meeting of the appropriate parties shall be scheduled by the Superintendent.

The Superintendent shall have their answer within five (5) working days, thereafter. The time limitations provided for in this section may be extended by mutual agreement. If the grievance is not satisfactorily settled, it may be submitted to the County Engineer upon request of either party. Within five (5) working days thereafter, the County Engineer shall schedule a meeting of all appropriate parties at which he shall review all information relating to the grievance. He shall within a reasonable period of time issue decision on such grievance a copy of which shall be given to all parties concerned.

If the grievance is not resolved at this stage, the employee involved shall seek recourse through the State Personnel Board of Review, State Employment Relations Board, and the related appropriate sections of the Ohio Revised Code.

SECTION 7 - NEGOTIATIONS

Contract negotiations will be conducted in accordance with the Collective Bargaining Laws and/or Rules.

SECTION 8 - EMPLOYEES COMMITTEE

On the first day of May Committee members will be elected to a term of 3 years, for which they shall act as the representatives of the Columbiana County Highway and Engineering Department Employees Association in all matters. Committee members will not serve more than two (2) consecutive terms. Elections shall be by the following categories:

1. One (1) Employee from Glenmoor Garage
2. One (1) Employee from North Georgetown Garage
3. Two (2) Employees from the Garage in Lisbon
4. One (1) Employee from the Engineering Department

Employees shall vote for one representative from within the group in which he or she is employed. The employees committeeman shall accompany the employee involved at all meetings set up under the Grievance procedure.

The committeeman shall be furnished a copy of all reprimands issued to employees upon request.

Balloting will be conducted by the Columbiana County Highway and Engineering Department Employees Association in accordance with rules and/or laws set forth by the State of Ohio -State Employment Relations Board.

The current employee committee shall count the ballots. The new committee shall be deemed to take office once the ballots have been tallied. Officers of the new committee shall be elected in accordance with the By-Laws of the Columbiana County Highway and Engineering Department Employees Association.

The County Engineer shall be informed as to when balloting will take place. An appointed representative of the County Engineer's office may be present at the ballot counting if deemed appropriate by the Engineer.

SECTION 9 - HOLIDAYS

Legal Holidays shall be those holidays as established by the Legislature of the State of Ohio and do hereby consist of the following:

- | | |
|---------------------------|------------------------------|
| 1. New Years Day | First Day of January |
| 2. Martin Luther King Day | Third Monday of January |
| 3. Washington - Lincoln | Third Monday of February |
| 4. Memorial Day | Last Monday in May |
| 5. Independence Day | Fourth Day of July |
| 6. Labor Day | First Monday in September |
| 7. Columbus Day | Second Monday in October |
| 8. Veteran's Day | November 11 |
| 9. Thanksgiving Day | Fourth Thursday of November |
| 10. Christmas Day | Twenty-fifth day of December |

SECTION 10 - GENERAL PROVISIONS

The provisions of this agreement shall apply equally to all employees without discrimination as to age, sex, marital status, race, color, creed, national origin, or political affiliation. The Employees shall share equally the responsibilities and duties above, and that of applying the provisions of this agreement.

The work day, work week, overtime pay, vacation, sick leave, Holidays, special apparel, military leave and health and safety areas shall be handled in accordance with the appropriate section of the Ohio Revised Code.

Work assignments in every instance shall be made by the supervisor in charge according to the classification of each employee, with consideration given to seniority, physical ability, knowledge and experience. It shall be a condition of employment that during certain periods, any employee may be required to perform duties outside of their normal classification, when no work exists in their classification or during an emergency. There shall be no loss in pay for these temporary changes in duties and they shall be exercised only when necessary to provide service to the public or continuity of employment.

When an employee becomes physically incapacitated in the performance of his/her duties of their classification, the County shall endeavor to transfer him/her to a new or vacant classification in a lower grade if such exists with a corresponding rate of pay, the duties of which he/she has the ability to perform.

This section shall apply to any incapacitated employee whether a result of illness or on the job injury which he/she may have sustained.

In all cases adequate documentation from the attending physician will be required.

It shall be the responsibility of the employee to keep the County informed of his/her current correct address and telephone number, if any.

All vacations shall be taken at minimum intervals of **one hour and thereafter in increments of one half hour** and at maximum intervals of no more than the amount of vacation accrued annually by the individual, unless otherwise authorized by the County. Should a vacation be scheduled to begin on a Monday, the close of work on the Friday preceding said vacation will be considered the employee's last day of work until their return from said vacation. The County Engineer or Superintendent have the right to schedule vacations in accordance with department manpower needs.

During the term of this agreement, the County shall maintain in full force and effect a plan of hospital and surgical benefits and eye and dental for the employee. If and when the Commissioners should implement a Co-Pay by the employees, the contract can be reopened and this issue discussed. .

Any employee of the County who under active orders of the Branch of the Military Service of the United States who is required to attend training exercises or training programs on an annual basis shall be permitted military leave for this purpose, provided that a copy of the employees orders are filed with the County prior to the period of absence. The employees shall suffer no loss of benefits of any kind as a result of their participation in military exercises or programs. The County shall pay to the employee during his/her absence for the above purpose the difference between the amount he/she would normally earn, less the amount paid by the United States during the training period.

The Employee Committee and The Columbiana County Highway and Engineering Department Employees Association hereby recognizes it's responsibilities as bargaining agent and agrees to represent all employees in the department, without discrimination, interference, restraint or coercion, and will not participate in or sanction unauthorized work stoppages, on pain of forfeiting the provisions of this agreement. Participants in unauthorized work stoppages shall be subject to immediate suspension or discharge.

The parties, in all provisions hereto, recognize the County Engineer cannot delegate his rights and duties as provided by the laws of the State of Ohio, to make the final decisions and exercise his legal discretion.

The terms and conditions of this agreement in all instances shall be subject to and subservient to legal duties of the County Engineer, legal duties of the County Commissioners and all applicable existing and future local and state laws which govern the operation of County Government.

SECTION 11 - WAGE SCHEDULE

The wage schedule, attachment of #1 of Section 11, shall constitute the hourly rates of pay for each employee in that job classification.

If a Highway worker runs a mower full time, they will be paid Equipment Operator I base rate for the mowing season up to four (4) months maximum.

Only employees of the bargaining unit filling in at a higher pay rate bid job for more than a two week pay period will be paid at the base rate for the time in that position. This will be in effect where the employee is filling in for another employee holding a bid job who is absent for more than a two (2) week pay period due to sickness, vacation, or other extended absence. The Foreman will be responsible for notifying the Payroll Clerk in advance for this change in pay position.

The attached rates of pay for individual employees due to promotion or demotion may be made by the County Engineer from time to time, however, no change in the overall classifications will be made during the term of this agreement without prior mutual consent by both parties to this agreement.

SEE THE FOLLOWING WAGE SCHEDULE

2012 WAGE SCALE

HIGHWAY DEPARTMENT CLASSIFICATIONS

<u>CLASSIFICATION</u>	<u>TERM</u>	<u>4-1-12 RATE</u>
Highway Clerk I	Probationary	\$ 9.59
	6 months	\$ 9.65
	1 year	\$ 9.83
Highway Clerk II	Probationary	\$10.22
	6 months	\$10.95
	1 year	\$11.67
Highway Clerk III	Probationary	\$13.08
	6 months	\$13.47
	1 year	\$13.84
Custodial	Probationary	\$13.83
	6 months	\$14.20
	1 year	\$14.58
Labor (Hired after 4-1-90)	Probationary	\$11.77
	6 months	\$13.67
	1 year	\$15.10
	18 months	\$16.52
Labor (Hired before 4-1-90)	2 years	\$17.99
	Probationary	\$17.99
	6 months	\$18.37
	1 year	\$18.71
Highway Worker	Probationary	\$18.71
	6 months	\$19.08
	1 year	\$19.57
Bridge Labor	Probationary	\$19.57
	6 months	\$19.76
	1 year	\$19.95
Bodyman	Probationary	\$20.10
	6 months	\$20.28
	1 year	\$20.52
Equipment Operator I	Probationary	\$20.10
	6 months	\$20.28
	1 year	\$20.52
Equipment Operator II	Probationary	\$20.52
	6 months	\$20.76
	1 year	\$21.07
Foreman I	As Appointed	\$21.70
Foreman II	As Appointed	\$22.25
General Foreman	As Appointed	\$22.89
Sign Manager	Probationary	\$20.41
	6 months	\$20.74
	1 year	\$21.07
Mechanic Helper	Probationary	\$20.50
	6 months	\$20.76
	1 year	\$21.07
Mechanic	Probationary	\$21.07
	6 months	\$21.37
	1 year	\$21.67

Master Mechanic	Probationary	\$21.70
	6 months	\$21.94
	1 year	\$22.25
Erector	Probationary	\$21.70
	6 months	\$21.94
	1 year	\$22.25
Carpenter	Probationary	\$21.70
	6 months	\$21.94
	1 year	\$22.25

ENGINEERING DEPARTMENT CLASSIFICATIONS

<u>CLASSIFICATION</u>	<u>TERM</u>	<u>4-1-12 RATE</u>
Engineering Clerk I	Probationary	\$ 9.59
	6 months	\$ 9.65
	1 year	\$ 9.83
Engineering Clerk II	Probationary	\$10.22
	6 months	\$10.95
	1 year	\$11.67
Engineering Clerk III	Probationary	\$13.08
	6 months	\$13.47
	1 year	\$13.84
Engineering Clerk IV	Probationary	\$13.84
	6 months	\$14.38
	1 year	<u>\$14.92</u>
Draftsperson	Probationary	\$15.87
	6 months	\$15.95
	1 year	<u>\$16.68</u>
Engineering Tech I	Probationary	\$15.95
	6 months	\$16.57
	1 year	\$17.25
Engineering Tech II	Probationary	\$17.25
	6 months	\$17.89
	1 year	\$18.53
Engineering Tech III	Probationary	\$18.53
	6 months	\$19.17
	1 year	\$19.83
Engineering Tech IV	Probationary	\$21.24
	6 months	\$21.56
	1 year	\$21.94
Engineering Tech V	Probationary	\$22.04
	6 months	\$22.19
	1 year	\$22.35
Engineering Tech VI	Probationary	\$22.35
	6 months	\$22.67
	1 year	\$23.08

2/17

***** BASE RATES ONLY - THESE RATES DO NOT REFLECT ANY APPLICABLE LONGEVITY*****

SECTION 12 – CONTRACT WAGE DETERMINATION

On April 1, 2012 employees will be granted a 1% wage increase. The wage increase for the 2nd and 3rd years of this contract will also be 1% each year. This increase will be **based on individual hourly rates** for members of the COLUMBIANA COUNTY HIGHWAY AND ENGINEERING DEPARTMENT EMPLOYEES ASSOCIATION.

LONGEVITY PAY

Longevity pay is on a per hour basis and will be paid *after the completion* of the first five (5) years of service. Each employee will receive an initial \$0.40/per hour increase at that time. Thereafter completing each additional five years of service each employee will receive an increase of \$ 0.05/per hour.

4 - 1 - 00

YEARS OF SERVICE	LONGEVITY INCREASE PER HOUR	TOTAL ACCUMULATED EARNINGS WILL BE:
5	\$.40	\$.40
10	Add \$.05	\$.45
15	Add \$.05	\$.50
20	Add \$.05	\$.55
25	Add \$.05	\$.60
30	Add \$.05	\$.65
35	Add \$.05	\$.70
40	Add \$.05	\$.75

**** It will be the employee's responsibility to inform the Administrative Assistant of any upcoming changes in Longevity Pay.**

SECTION 13 - RIGHT TO NEGOTIATE

There will also be in effect a Wage Opener that can be used to re-open negotiations, by either the ENGINEER or the COLUMBIANA COUNTY HIGHWAY AND ENGINEERING DEPARTMENT EMPLOYEES ASSOCIATION if the Engineer's Income increases or decreases by at least \$100,000.

SECTION 14 - PART-TIME, TEMPORARY AND/OR SEASONAL EMPLOYMENT

Part-time, temporary and/or seasonal employments are no part of this agreement and are employed at the sole discretion of the County Engineer.

SECTION 15 - SIGNATURES

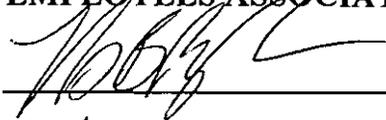
It is agreed by the parties hereto signed that this agreement represents the mutual desire for the operation of the Columbiana County Highway and Engineering Departments. The parties further agree that no part of this agreement which is in violation of any law or the State of Ohio or the United States of America shall be honored.

This agreement shall be in full force and effective from April 1, 2012 until March 31, 2015, and shall continue in force there after until such time as it is mutually agreeable to modify same.

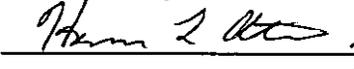
IN WITNESS WHEREOF, the parties have set their hands and seals this 26th day of March, 2012.

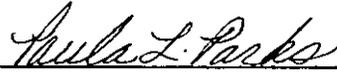
**COLUMBIANA COUNTY HIGHWAY
AND ENGINEERING DEPARTMENT
EMPLOYEES ASSOCIATION**

**COLUMBIANA COUNTY
ENGINEER**


Thomas McKenzie


BERT DAWSON, P.E.

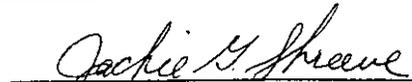
 Homer L. Altouse, Jr.

 Paula L. Parks

**STATE OF OHIO
COLUMBIANA COUNTY**

Before us, a Notary Public, in and for said County and State, personally appeared the above named persons, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Lisbon, Ohio this 26th day of March, 2012.


Notary Public

My commission expires Oct. 24, 2012.

**Jackie G. Shreeve, Notary Public
STATE OF OHIO
My Commission Expires Oct. 24, 2012**

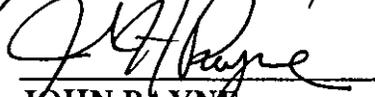
RATIFIED BY : COLUMBIANA COUNTY COMMISSIONERS



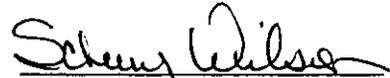
MIKE HALLECK



JIM HOPPEL



JOHN PAYNE

ATTEST:  VOL. J81 PG. 131
SCHERRY WILSON, CLERK

DATE: 3-28-12

ADDENDUM TO COLLECTIVE BARGAINING AGREEMENT

This Addendum is entered into this 25th day of September, 2000 by and between Columbiana County Engineer and Columbiana County Highway and Engineering Department Employees Association.

Whereas, the Columbiana County Engineer's Department has inadvertently allowed certain bargaining unit employees to accumulate vacation in excess of three (3) years: and

Whereas, it is the policy and practice of the County Engineer to limit vacation accumulation pursuant to Section 4:3 of the County Engineer's Policy Manual and ORV 325.19 to a maximum of three (3) years which does not include the current year's accumulation: and

Whereas, the parties hereto are desirous of mutually resolving this inadvertent error.