

CHAPTER 6 - EMPLOYMENT AND MANAGEMENT OF PERSONNEL

The ability of SWCD boards to hire employees is authorized under Chapter 1515.09 of the Ohio Revised Code. This employer role is as important a responsibility as setting the direction and priorities of the SWCD. SWCD employees carry out the SWCD mission to achieve the strategic vision of the board. Hiring effective personnel and managing them to get the best possible performance are essential. In this chapter, you will find guidance on hiring, managing and evaluating personnel. The following guidance should not be construed or depended upon as legal advice but only guidance as to matters board members should consider. For legal opinions contact the SWCD legal advisor.

PERSONNEL MANAGEMENT ESSENTIALS

SWCD board should have the following documents and or processes in place for effective employee management:

- Strategic Plan
- Annual Plan of Work
- Staffing Plan
- Job Descriptions for all staff positions
- Employment Policy
- Performance Standards for all staff positions
- Employee Evaluation forms and procedures
- Employment Manual

Guidance for developing and maintaining SWCD strategic plans and annual plans of work can be found in Chapter 4 of this guide. Guidance on developing an Employment Policy, job descriptions, performance standards and employee evaluations are discussed later in this chapter.

SWCD Employment

As independent political subdivisions of the state of Ohio, SWCDs are “at will” employers, allowing them to hire staff at any time and without a competitive process and to terminate them at anytime without cause. Employees of SWCDs are public employees, but they are neither “classified” nor “unclassified” as other county, township and state workers and therefore have no appeal rights with the [Ohio Personnel Board of Review](#). Employees of SWCDs do not participate in collective bargaining as some other public employees do in Ohio.

However, SWCD boards should be mindful that a competitive hiring process not only fosters a culture of openness and accountability but widens the pool of potential candidates to ensure the best person for the job is hired. Similarly, terminations without cause do not necessarily absolve the board from all litigation; therefore establishing good performance standards as well as effective feedback and evaluation tools and procedures will help minimize employee turnover and provide necessary documentation should the need arise.

SWCD boards and employees are also subject to the federal Fair Labor Standards Act (FLSA), the Civil Rights Act of 1964, Equal Employment Opportunity; Americans with Disabilities Act; the

Family and Medical Leave Act and unemployment compensation requirements as it applies to state of Ohio public employees. The following may be of assistance to boards and employees understanding their obligations and rights, respectively under these mandates:

[Ohio Revised Code and the federal Fair Labor Standards Act](#) - link to the portion of the Ohio Revised Code describing Ohio's adherence to the FLSA for public employment

[US Department of Labor](#) – link to the Wage and Hour division webpage offering employers and employees current information, fact sheets and tutorials on several employment related issues.

[Ohio Department of Administrative Services Resources](#): As an Ohio employer SWCDs are required by the state and federal government to provide notice to employees as to their rights on certain issues. This page includes a list and as well as download links to many of the required federal and state posters required for employee notification. This page also includes a “Policy Library” SWCDs may use as a reference for developing SWCD policies.

[Unemployment - Ohio Revised Code](#) – link to the portion of the Ohio Revised Code describing unemployment for Ohio employers.

[Unemployment – Ohio Job and Family Services](#) – link to the Office of Unemployment providing information for both employers and employees as to their benefits and obligations, respectively.

[New Hire Checklist](#)

Staffing Plans

For SWCD boards, the most important hiring decision will be the one selecting the Administrator for your SWCD. The District Administrator or Executive Director is the person in the SWCD office primarily responsible for implementing the SWCD strategic and annual plans and carrying out its mission as well as communicating progress. Administrators/Executives are day to day supervisors for staff and day to day liaisons for the board with other agencies and officials. Developing a staffing plan with the help of your Administrator will aid in determining how many staff and the needed credentials necessary to reach your goals

Here's a step by step approach to developing a staffing plan.*

Step 1 – Gather information

Gather all of the statistics you can regarding the productivity of your current workforce. Keeping accurate statistics is a vital part of business management as those statistics can be used to reward your best workers, develop effective training plans and identify when process changes need to occur. SWCDs can use the reporting capabilities of the Soil and Water Information Management System (see Chapter 3) to help with gathering and analyzing the data. Also review your Strategic Plan with staffing in mind; do you have the right people, spending the right amount of time on your strategic goals and priorities?

Step 2 – Determine Average Workload

Use the statistics you gather to determine how much the average worker can do in each working hour or day. For technicians this may be the number of inspections or number of plans created. Or

for administration assistants it may be the number of hours it takes to prepare board packets or how much of the day is spent answering the phone. Be sure to use the average.

Step 3 – Determine Your Busiest Season for Each Position

Examine the statistics for your SWCD to determine your needs during the busiest periods. Many SWCDs have a slow season in the winter months and a busy season in the spring - be sure to factor in the needs you have during the busiest time of year. This may be different for different goals. If you plan to do classroom education programs, that position's busiest time may be during the winter when kids are in school.

Step 4 - Determine the Numbers

Determine how many workers you will need during your heaviest periods by dividing the number from Step 3 by the average productivity number you found in Step 2. Keep in mind that you might need to round that number up to account for the training of new workers. Until they get up to speed and gain some experience, your new hires will probably be less productive than the average veteran worker. Also consider the cost of each position including, salaries, benefits and any revenue generated by the position or program with which the position is associated.

Step 5 – Create a Balanced Plan with contingencies

Create a plan to staff your SWCD during the peak times without leaving you with too many staff when business goes back to its normal levels. One of the most effective ways to ramp up quickly during peak periods of activity is to use temporary/contract/intern employees or to find volunteers. Developing a sound volunteer program or a good relationship with a quality staffing agency or university can help you get the workers you need when those spikes in activity occur. Another advantage of using volunteer, temporary or intern workers is that they can be an excellent source of full-time employees when the need arises.

*** Adapted from How to Develop a Staffing Plan for a Business Organization
by Bonnie Conrad, Demand Media. [Huston Chronicle](#).**

Job Descriptions

Establishing and creating the most effective position(s) to meet the conservation goals of the SWCD start with a well developed strategic plan and a clear mission. Job descriptions should express the knowledge, skills and abilities necessary to accomplish district goals and also define primary and secondary areas of responsibility as well as general performance levels.

Job descriptions should be reviewed annually, along with correlating standards of performance. The board should approve all job description at a board meeting and a representative of the board or the district administrator/executive should provide a signature for approval. Employees should received a copy and be asked to provide written acknowledgement of receipt and understanding of the job descriptions when they are created or updated.

[Click here to view a sample job description. \(District Technician\)](#)

Standards of Performance and Employee Performance Evaluations

Once completed, a strategic plan should layout in chronological order the actions necessary to complete each of the plans goals. Those items with the soonest time frame should be the basis for

developing the annual plan of work. Annual standards of performance should be established for each employee to communicate their role in helping reach the annual and strategic plan goals and how to measure success.

A good evaluation process is dependent upon many things but a key part to the process is completion of a performance standard for each duty or area of responsibility described in each employee's job description. Corresponding elements are color coded similarly in the sample Job Description and Standard of Performance documents provided in this chapter. The elements of the standards of performance should be specific and measurable and should be used as part of any employee evaluation and feedback process. It is this document that is essential to a performance based evaluation system. A performance standard removes the 'guesswork' out of the evaluation process and allows both the evaluator and employee to understand at what level tasks are expected to be completed

[Click here for a sample Standards of Performance Document. \(District Technician\)](#)

Performance Evaluation

The Performance Evaluation should take place during the Introductory Period and on an Annual basis thereafter.

Introductory Period Ratings: All employees in the introductory period should be rated at least twice during the period. Introductory periods are usually four to six months in length. The first rating is to be made at the end of the first half of the period. The final rating is to be made prior to the completion of the period. If the employee is terminated before these two dates, the final rating should be made at the time of termination. The rating form should indicate the reasons the employee's service did not meet the required standards.

Annual Ratings: All employees who are not in introductory status should be evaluated once a year. The rating should cover the employee's performance during the entire year preceding the date of rating or during the time since completion of the employee's introductory period.

Evaluation Form. It is recommended that each SWCD board choose their own evaluation tool. However, SWCDs boards have frequently requested a sample evaluation tool for the District Administrator Position, so one is being provide below and can also be used along with the Standards of Performance document as the basis for evaluation tools for other positions.

[Sample SWCD District Administrator Performance Analysis](#)

Completing the performance review and interview. The District Administrator or Program manager should conduct performance reviews and interviews for all employees they supervise on a day to day basis. The District Administrator should review the results with SWCD board and recommend any actions based on the review. In turn, the SWCD board should conduct performance reviews and interviews for the District Administrator/Executive. Below is a checklist outlining a sample process and item for consideration for an effective evaluation of all employees

Formal Performance Interview Planning Checklist

Be prepared – know the objectives and goals of the meeting

Time and Place – choose a quiet, private spot with as few interruptions as possible

Conducting the interview

- Create a positive environment and help the employee feel at ease
- Give balanced feedback, both positive and negative, but start with the positive
- Focus on the job, not the person
- Ask questions and allow the employee to provide feedback. When discussing areas for improvement, discuss methods and objectives for improving
- Discuss possibilities for advancement, the employee's aspirations and professional development necessary to be a candidate for such future positions (See Professional Development Section)

Conclusion

- Summarize and review the important points of the discussion
- Restate the action steps that have been recommended and provide a time frame for completion
- Make sure employee reviews the appraisal and provides comments
- Have employee sign it to acknowledge that he or she has read it (does not signify agreement with the content)

Follow-up

- Follow-up with the employee to see how plans are proceeding within the given time frames
- Offer the employee assistance in achieving objectives and encourage discussion of successes and obstacles.

Employee Manual

An employee handbook is an important communication tool between you and your employees. A well-written handbook sets forth SWCD employment protocols and expectations for employees. It also should describe your legal obligations as an employer, and your employees' rights. All employees should be familiar with the employee manual, given a chance to ask questions for clarification, be advised of changes and know where to find the most up-to-date version.

Copies of past employment policies and or manuals should be retained along with employment records, so any future questions about past employee benefits or other matters can be reviewed with the employment manual or policy in place at the time in question.

SWCD boards and administrators should be reviewing employment manuals and policies annually and record that review process in meeting minutes. Employees should be given a copy and asked to submit a signed acknowledgement of receipt.

Checklist

Below is a sample of some of the policies that may be contained in the Manual. Some items are hyperlinked to provide direct links to related state or federal laws or more detailed guidance. Still need more help? Review a generic Employee Handbook Template or view the National Conservation District Employees Association sample Employee Handbook

Employment Manual Checklist

Section One: Employment

- Notice to Employees
- Receipt and Acknowledgement of Employee Manual
- [Employment-At-Will](#)
- Termination of Your Employment
- [Equal Employment Opportunity/Affirmative Action](#)
- [Americans with Disabilities Act](#)
- Standards of Conduct

Document your expectations of how you want your employees to conduct themselves including dress code and ethics.

Ethics /Conflict of Interest Statements

- [Ohio Ethics Law \(.pdf\)/Ethics Law Outline](#)
 - [Ethics Is Everybody's Business](#)
 - Conflict of Interest: [Ohio Ethics Commission Fact Sheets](#)
 - Dress Code
 - Unacceptable Activities
 - Disciplinary Actions
 - Discipline Procedures
 - Crisis Suspension
 - Introductory Period
 - Work Schedule
- Describe your SWCD policies regarding work hours and schedules, attendance, punctuality and reporting absences, along with guidelines for flexible schedules and telecommuting.
- Business Hours
 - Attendance
 - Absence or Lateness
 - [Meal and Break Periods](#)
 - Severe Weather and Emergency Conditions
- Employment Classifications
 - Personnel Records and Administration
 - Access to Medical Records
 - Employment of Former Employees/Retirees
 - Employment of Relatives
 - Employee domestic partnership/co-habitation; dating
 - Interviewing and Selection
 - Orientation

Section Two: Compensation

- Wage and Salary Administration
- Pay Period and Hours

- Mandatory Deductions From Paycheck
- Direct Payroll Deposit
- [Overtime Pay](#)
- Call-In Pay
- On-Call Pay
- Loans and Pay Advances
- Garnishments
- Bonus Pay
- Training Wage
- Travel Pay
- [Time Records/SWIMs](#)

Section Three: Performance and Compensation Reviews

- Performance Reviews
- Compensation Reviews

Section Four: Benefits

- Health Insurance
- Eligibility for Benefits
- Health Insurance Coverage
- Worker's Compensation
- Short-Term/Long-Term Disability
- 125 Flexible Benefit Plan
- Educational Assistance
- Unemployment Compensation
- Employee Assistance Program
- [Deferred Compensation](#)

Section Five: Leaves

- [Holidays](#)
- [Vacation](#)
- Personal Leave
- Paid Time Off
- [Sick Leave](#)
- [Family Medical Leave](#)
- Disability (Including Pregnancy) Leave of Absence
- Military Leave of Absence
- Military Reserves or National Guard Leave of Absence
- Bereavement (Funeral) Leave
- Jury Duty
- Leave Without Pay
- Return To Work

[Catastrophic Leave Program Participation](#)

Section Six: Safety

Describe your company's policy for creating a safe and secure workplace, including compliance with the [Occupational Safety and Health Administration's](#) laws that require employees to report all accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues to management. Safety policies should also include your company's policy regarding bad weather encountered on the job and hazardous community conditions.

- General Employee Safety
- Reporting Safety Issues
- Safety Programs/Rules
- Personal Protective Equipment
- Accident Reports
- Emergencies
- Fire Prevention
- Motor Vehicle Safety
- Severe Weather

Section Seven: Workplace Policies

- [Harassment Policy](#)
- Drug-free Workplace
- Violence in the Workplace
- Solicitation
- Smoking
- Telephone Use
- Cellular Phones/Pagers/Two-way Radios
- Visitors
- Bulletin Boards
- Parking
- Educational Assistance Program
- Driver's License and Driving Record
- Computers/Software/Internet/E-Mail/ Messaging
- Employee Lockers /Travel

Section Eight: Separation of Employment

- Voluntary vs. Involuntary Termination
- Severance Pay
- [Retirement](#)
- Insurance Conversion Privileges (COBRA)
- Exit Interviews
- Return of Company Property