

Subject: Manual Update

From: Andrew Esposito <AEsposito@ClemansNelson.com>

Date: 2/27/2018 2:35 PM

To: Chuck Walder - Russell Township FO <cwald@russelltownship.us>

Chuck,

Attached is the updated manual. Also take a look at 8.02(F). This is new. It states:

Employees are not permitted to perform work while off duty without prior authorization from the employee's supervisor. If an employee performs work while off duty, the employee shall be required to keep a time entry log listing the date, time, and description of the work performed. All work completed and recorded must be turned in to the employee's direct supervisor at the end of each workweek in order to be compensated.

Work that has been completed while off duty, that is not approved but is turned in for compensation, shall be paid at the applicable rate of pay and that employee will be subject to discipline up to and including termination for the unauthorized work.

This is a safe harbor provision. This will reduce liability if an employee ever makes a claim with the Department of Labor that they have performed a bunch of work (e.g. reading and responding to emails on their smart phones) while off duty. By having this policy it puts the burden on the employee to document and if they fail to do so the township will be safe from any future claims.

Drew

— Attachments: —

PL, Russell Township PPM - Updated 2-27-18 (00209144xA768F).doc

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