

INCAPACITY OF THE TREASURER

A treasurer pro tempore shall be appointed by a majority of the members of the Board upon determining that the Treasurer is incapacitated in such a manner that he/she is unable to perform the duties of that office. Such incapacity is determined:

1. by request of the Treasurer, if the Treasurer is absent with pay by reason of personal illness, injury or exposure to contagious disease which could be communicated to others or is absent without pay in accordance with the Family and Medical Leave Act;
2. upon certification of the attending physician that the Treasurer is unable to perform the duties of the office of Treasurer;
3. upon the determination of a referee, pursuant to the Ohio Revised Code, that the Treasurer is unable to perform the duties of the office of Treasurer;
4. upon the granting of a leave of absence, without pay, requested by the Treasurer by reason of illness, injury or other disability of the Treasurer or
5. upon the placing of the Treasurer on an unrequested leave of absence, without pay, by reason of illness or other disability pursuant to the Ohio Revised Code.

During the period of incapacity, the Treasurer shall:

1. at his/her request, be placed on sick leave with pay, not to exceed the extent of his/her accumulated but unused sick leave and any advancement of such sick leave which may be authorized by Board policy;
2. at his/her request, or without such request, pursuant to the Family and Medical Leave Act, be placed on unpaid FMLA leave for up to 12 weeks per year or
3. at his/her request, or without such request, pursuant to the Ohio Revised Code, be placed on a leave of absence without pay.

The leave provided during the period of incapacity (described above) shall not extend beyond the contract or term of office of the Treasurer.

The Treasurer shall, upon request to the Board, be returned to active-duty status, unless the Board denies the request within 10 days of receipt of the request. The Board may require the Treasurer to establish to its satisfaction that the Treasurer is capable of resuming such duties and, further, that the duties may be resumed on a full-time basis.

The Board may demand that the Treasurer return to active service; upon the determination that the Treasurer is able to resume his/her duties, the Treasurer shall return to active service.

The Treasurer may request a hearing before the Board on actions as indicated above taken under this policy and shall have the same rights in such hearing as are granted under ORC 3319.16.

The Treasurer Pro Tempore shall perform all of the duties and functions of the Treasurer and may be removed at any time by a two-thirds majority vote of the members of the Board.

The Board shall fix the compensation of the Treasurer Pro Tempore in accordance with the Ohio Revised Code and he/she shall serve until the Treasurer's incapacity is removed or until the expiration of the Treasurer's contract or term of office, whichever is earlier.

(Approval date: August 14, 2001)