

5122-26-06 Human resources management.

(A) The purpose of this rule is to ensure that each agency has a human resources management program, and develops written personnel policies and procedures which include the provisions of this rule.

(B) In addition to the definitions in rule 5122-24-01 of the Administrative Code, the following definition shall apply to this rule:

"Personnel" means any paid or unpaid person, volunteer, contract worker, student intern or other person who is a part of an agency's workforce, including but not limited to those who perform management, clinical, operations, clerical, or other functions in support of the agency's mission, vision and goals. Contract worker does not include an individual or company with whom the agency contracts to perform occasional maintenance such as lawn care, snow removal, painting, etc. Staff shall have the same meaning as personnel.

(C) Each agency shall ensure that it has the necessary staff to support the agency's mission, vision and goals, and to provide services to persons served

(D) Each agency shall ensure that its personnel policies and procedures include the following provisions:

(1) Prohibit discrimination in employment, training, job duties, compensation, evaluation, promotion, and any other term or condition of employment based on race, ethnicity, age, color, religion, gender, national origin, sexual orientation, physical or mental handicap, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws;

(2) Describe a formal process to express and process employee grievances;

(3) Establish recruitment and hiring practices;

(4) Establish skills, qualifications and competencies required for each position, based on mission of organization, services provided and characteristics and needs of population(s) served. The agency shall maintain a written job description for each position.

All personnel for whom licensure is required by law shall maintain current licensure by the appropriate body in the state of Ohio, and shall practice only within the scope of their license.

(5) Verify staff credentials, including licensure, certification or registration, education, and experience;

(6) Develop and maintain a staff orientation program, which shall include training on:

(a) Employee and client safety;

(b) Agency's mission, vision and goals;

(c) Characteristics of the population served;

(d) Sensitivity to cultural diversity;

(e) Agency policies and procedures, including personnel policies, and those specific to individual job duties;

(f) Confidentiality;

(g) Reporting abuse and neglect; and

(h) Client rights.

(7) Ensure direct service and supervisory staff participate in education and training. Training may be provided by direct supervision, attendance at conferences and workshops internal and external to the agency, on-line training, educational coursework, etc. Training shall:

(a) Maintain or increase competency;

(b) Include topics specific to population served; and

(c) Ensure culturally competent provision of service.

(8) Ensure each staff providing direct services receives documented supervision appropriate to his/her skill level and job duties, and in accordance with the requirements of his/her license, certificate or registration, if applicable.

Supervision may be provided in individual and group sessions, including supervisor participation in treatment plan meetings.

(9) Evaluate staff performance at a frequency required by its accrediting body, if applicable, or for an agency without behavioral health accreditation, annually.

The agency shall establish a system and frequency for evaluating volunteers, based on job duties, scope of responsibility, and frequency of service.

(E) A copy of the written personnel policies and procedures shall be available to each employee. Employees shall be notified of changes in personnel policies and procedures.

(F) Personnel files.

(1) The agency shall maintain a person file on each staff person, who shall have access to his/her own personnel file.

(2) Personnel files shall be stored in such a manner as to maintain the privacy of each staff person. Agency policies shall describe who shall have access to the various information contained within the file.

(3) Each personnel file shall include the following content:

(a) Identifying information and emergency contacts;

(b) Application for employment or resume;

(c) Verification of credentials, if applicable;

(d) Documentation of education, experience and training;

(e) Verification of references, if required for position;

(f) Job description;

(g) Compensation documentation, if applicable;

(h) Performance evaluations;

(i) Documentation of orientation;

(j) Documentation of on-going training, as required by position, state law and agency policy;

(k) Commendations or awards, if applicable; and

(l) Disciplinary actions, if applicable.

(G) The agency shall have policies and written procedures for handling cases of staff neglect and abuse of persons served, and documentation that each employee has received a copy of these policies and procedures.

(H) The agency shall have a policy that appropriate disciplinary action, up to and including dismissal from employment, shall be taken regarding any employee misconduct or criminal conviction that bears a direct and substantial relationship to that employee's position.

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