

RESOLUTION NO. 2021-37

AMENDING SECTION 640.06 "CHARITABLE ACTIVITY" OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY AND MOVING IT TO THE PERSONNEL POLICIES

WHEREAS, pursuant to Resolution No. 1989-176, the Board of Trustees of the Authority codified the resolutions establishing its policies and procedures; and

WHEREAS, the Authority has conducted a review and determined that Section 640.06 should be updated.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That Section 640.06, Charitable Activity: Employee Use of Authority Time and Resources, is hereby amended to read as specified in Attachment A hereto.

Section 2. That Section 640.06, as amended, is hereby removed from the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority. Section 640.06 shall be placed in the Authority's personnel policies and shall remain effective continuously from the date of this resolution.

Section 3. That the Board of Trustees hereby waives the fourteen-day period provided for in Article XI, Section 2 of the Bylaws.

Section 4. That this resolution shall become effective immediately upon its adoption.

Attachment: A. Section 640.06

Adopted: April 20, 2021



\_\_\_\_\_  
President

Attest:



\_\_\_\_\_  
Interim Secretary-Treasurer

# Attachment A to Resolution

## 640.06 CHARITABLE ACTIVITY: EMPLOYEE USE OF AUTHORITY TIME AND RESOURCES.

(a) Charitable Activity on Authority Time. The Greater Cleveland Regional Transit Authority ("Authority") encourages its employees to engage in charitable activities in support of worthy causes. At the same time, the Authority firmly believes that the taxpayers expect the Authority's employees, while on the clock, to do the jobs they are being paid to do. This policy seeks to balance these two important objectives.

- (1) Limited activity permissible on Authority time.
  - A. During "on the clock" hours, Authority employees should, with very limited exception, be engaging in the work for which they have been hired. The General Manager, Chief Executive Officer is authorized to permit de minimis (small or insignificant) expenditures of Authority time in support of charitable activities. An employee who wishes to engage in limited charitable activity on work time must have the permission of the employee's supervisor.
  - B. Authority employees desiring to provide substantial, ongoing or regular volunteer services to charitable entities will need to do so before or after work, during lunch, or other authorized break periods, on weekends or during other non-Authority time. Employees may also use vacation, personal or compensatory time for volunteer activities during normal work hours if such leave usage does not interfere with the Authority's operations and is approved by an employee's supervisor.
- (2) General Manager, Chief Executive Officer discretion. This policy is not intended to interfere with the discretion of the General Manager, Chief Executive Officer to permit limited, non-recurring, episodic expenditures of Authority time in support of charitable activity. For example, the General Manager, Chief Executive Officer's determination that employees may be excused to give blood at an on-site blood donation drive would be appropriate. In addition, this policy does not preclude employee activity on behalf of the Employee Giving Campaign or other charitable activities that the General Manager, Chief Executive Officer or designee has expressly approved. Such activity shall be permitted so long as it does not interfere with the operational needs of the Authority.
- (3) Employee use of flexible schedule opportunities. Employees are permitted to take advantage of Authority-authorized flex time or other flexible scheduling arrangements to accommodate their volunteer activity if it does not interfere with the Authority's operations and is approved by an employee's supervisor. This policy

is not intended to require the Authority to modify policies, procedures or contractual arrangements to accommodate employee volunteer activity.

(b) Fundraising on Authority Property. Within the context of the above parameters, Authority employees may engage in fundraising activity on Authority property. This activity may include fundraising events like bake sales, dress-down days and contests and must comply with all applicable law and regulations (e.g. health safety regulations related to the serving of food).

(1) Impermissible fundraising activity. Fundraising activities may not involve the service of alcoholic beverages. Fundraising activities, whether on Authority property or not, by Authority employees may not involve any solicitation of food, cash or other items from a contractor, vendor, retail store, restaurant or other private person or entity with whom the Authority does business or a contractor, vendor, retail store, restaurant or other private person or entity that is seeking to do business with the Authority. Fundraising activities, whether on Authority property or not, may not result in the commingling of Authority funds with the funds raised for charity. Because only certain types of entities are permitted to conduct raffles under Ohio law and GCRTA is not one of those entities, GCRTA employees may not conduct raffles such as 50/50 raffles, raffles for prizes or "bingo board" raffles. However, an event such as a chili cook-off that awards a prize is permissible.

(2) Permissible fundraising activity. Fundraising activities may take place in the following circumstances:

A. Modest non-profit fundraising.

1. Authority employees may engage in limited fundraising activities for non-profit organizations on Authority property with their supervisor's permission. Such activity should not disrupt work place activities and should never involve a supervisor directly soliciting an employee. Accordingly, all such solicitations should either be entirely passive (e.g. - a box on a desk corner noting the purpose for which contributions are being solicited) or entirely non-coercive. No employee should ever feel pressured by a co-worker to make any sort of donation to a charitable organization.
2. Examples of the types of fundraising that would be appropriate under this portion of the policy are sales of candy or gift wrap for a child's school, seeking sponsors for walk-a-thons or other similar events, or circulation of a Girl Scout cookie sale sheet.

B. Fundraising for the benefit of Authority employees. With a supervisor's permission, fundraising also may occur to benefit fellow Authority employees. Examples of the types of fundraising that would be appropriate under this portion of the policy are the collection of funds for a retirement gift or funeral flowers or for donations to assist a fellow employee with a medical or other family hardship. Any such solicitations should conform to the restrictions above aimed at minimizing workplace disruption.

(c) Use of Authority Time for Non-Authority Business or Events.

- (1) Non-Authority business or events may include, but are not limited to, activities such as charitable events, golf outings, and receptions. Employees may attend such events before or after work, during lunch or other authorized break periods, on weekends or during other non-Authority time. Employees may also use vacation, personal or compensatory time for non-Authority business or events during normal work hours if such leave usage does not interfere with the Authority's operations and is approved by the employee's supervisor.
- (2) The General Manager, Chief Executive Officer is authorized to permit de minimis expenditures of Authority time in support of non-business events, such as planning an Authority-related holiday party that will take place after work hours. An employee who wishes to engage in non-business activity on work time must have the permission of the employee's supervisor.
- (3) If an express determination is made by an employee's supervisor that attendance at a non-Authority business or charitable event is for the Authority's business purposes, the employee may attend the event on work time and the Authority may pay for the employee's attendance.

(d) Use of Authority Resources for non-Authority Business.

- (1) The use of Authority resources such as money, property, computer equipment, e-mail accounts, paper or staff time for non-Authority business of any kind, including charity, is strictly prohibited.
- (2) The General Manager, Chief Executive Officer is authorized to permit expenditures of Authority time and use of Authority facilities in support of the Employee Giving Campaign, a "Stuff the Bus" campaign, quality and district council activities (that use discretionary funds generated from vending machines) or other charitable activities that the General Manager, Chief Executive Officer or designee has expressly approved. The General Manager, Chief Executive Officer is authorized to permit de minimis use of

Authority property for an employee news site or barter board or other such uses that the General Manager, Chief Executive Officer has expressly approved.

(e) Donation of Fare Media. Donations of fare media to local non-profit agencies are permitted in accordance with Section 846.04 of the Code.

(f) Implementing Procedures. The General Manager, Chief Executive Officer is authorized to establish procedures to carry out this policy.

(g) Effective Date and Interpretation. This policy is effective January 21, 2020, and questions about its application should be addressed to the Authority's Deputy General Manager for Legal Affairs.

(Res. 2020-10. Passed 1-21-20. Res. 2021-XXX. Passed XX-XX-21)



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

TITLE/DESCRIPTION:  AMENDING SECTION 640.06 "CHARITABLE ACTIVITY" OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY AND MOVING IT TO THE PERSONNEL POLICIES	Resolution No.: 2021-37
	Date: April 15, 2021
	Initiator: Human Resources
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE/SCOPE: This resolution will amend Section 640.06, Charitable Activity: Employee Use of Authority Time and Resources, of the Codified Rules and Regulations ("Code") of the Greater Cleveland Regional Transit Authority.
- 2.0 DESCRIPTION/JUSTIFICATION: This section describes the Authority's policy regarding employee participation in charitable activities, including fundraising. The proposed amendment will clarify the types of raffles that are prohibited under Section 2915.092 of the Ohio Revised Code. The amendment will also move Section 640.06 to the Authority's personnel policies.
- 3.0 PROCUREMENT BACKGROUND: Does not apply.
- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: Does not apply.
- 5.0 POLICY IMPACT: Adoption of the resolution will clarify the Authority's policy regarding charitable activities to be consistent with Ohio law.
- 6.0 ECONOMIC IMPACT: Does not apply.
- 7.0 ALTERNATIVES: Not adopting this resolution. Not adopting this resolution would result in a policy that does not provide specific guidance to Authority employees regarding the types of raffles that are permitted and prohibited under Ohio law.
- 8.0 RECOMMENDATION: This resolution was discussed at the April 6, 2021 Committee of the Whole meeting and recommended for consideration by the full Board of Trustees. It is recommended that this resolution be adopted.
- 9.0 ATTACHMENTS: A. Red-line of proposed amendments to Section 640.06

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

*J. M. Land, Ph.D., Acting*

General Manager, Chief Executive Officer

## Attachment A to Staff Summary

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