**DISCLAIMER**

**This document is provided for general informational purposes, may not apply to your city’s specific situation and should not be considered a comprehensive policy/procedure. It should be used for comparative purposes only. The policy/procedure should be tailored to reflect the actual context of your city. You should consult with your city attorney before taking any action based on this document.**

**Personnel Policies and Procedures**

**Effective July 25, 2015**

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# SECTION 1. INTRODUCTION

1. Purpose - This manual represents the personnel policies and procedures of the City of \_\_\_\_\_\_\_\_. Personnel policies and procedures express what the City of \_\_\_\_\_\_\_\_ expects from you as an employee. The personnel policies and procedures shall provide a means to recruit, select, develop, and maintain an effective and responsive work force, and shall include policies and procedures for hiring and advancement, training and career development, job classification, salary administration, retirement, benefits, discipline, and discharge. Any and all references in this policies and procedures manual to individuals of the male or female gender are used for convenience only and shall be construed to include both male and female persons.

Three general principles that guide City officials and management in making personnel decisions are:

* 1. Employees are individuals worthy of trust, dignity and respect.

* 1. Employees will do their best if their rewards are based on individual merit and group achievement and if they have the opportunity for constructive employment and personal security.

* 1. The City of \_\_\_\_\_\_\_\_’s success and long-term effectiveness depends on the efforts, achievements, and teamwork of all its employees.

1. Administration - These policies shall be administered by the Human Resources Director under the direction of the City Manager and in conformity with the City Charter. Throughout these rules, powers and duties, implied or expressed, as pertaining to the City Manager, may be delegated by the City Manager to Department Heads, who may further delegate such authority to subordinates with the approval of the City Manager. The Department Heads, with the prior approval of the City Manager, may establish departmental operating policies not in conflict with these rules. Such approved rules shall have the same force and effect as these rules, shall be posted in a prominent place in the department, and shall be subject to appeal under the Grievance and Appeal Procedures.

1. Employees Covered - These personnel policies and procedures shall apply to all employees of the City of \_\_\_\_\_\_\_\_, unless specifically excluded by these policies and procedures or by other City Ordinances.

# SECTION 2. POSITION CLASSIFICATION AND PAY PLAN

1. Establishment

* 1. The Human Resources Director shall be responsible for establishing, maintaining, and administering a uniform classification and pay plan applicable to all employees and positions in the classified service of the City of \_\_\_\_\_\_\_\_, Georgia. Such plan shall be approved and amended by recommendation of the City Council and shall constitute the official approved system of grouping positions into appropriate classes and pay scales.
	2. The Human Resources Department shall also be responsible for the overall coordination, review, and maintenance of the plan.
	3. Each established job classification in the City of \_\_\_\_\_\_\_\_ shall have a written job description consisting of examples of duties and responsibilities performed for that position, minimum knowledge, skills, abilities, and experience requirements for that position.
	4. While the exact duties and responsibilities of positions assigned to a class may differ, all positions included in a particular class shall be grouped as to the kind or similarity of work, level of difficulty and responsibility, and minimum knowledge and experience requirements.
	5. When a new classification is established or when an existing class is reviewed, the Human Resources Department shall be responsible for recommending the pay plan and pay grade assignment of the class. The Human Resources Department shall assist the Department Head in writing a new job description or update the existing job description for the class.
	6. When the classification is approved, the Human Resources Department will then determine the appropriate class code, EEO-4, and overtime eligibility for the classification.
	7. Positions may not be assigned to a job classification that has not been approved as part of the City of \_\_\_\_\_\_\_\_’s official classification and pay plan.
	8. Vacant positions may be advertised on a Job Opportunity Announcement as “Pending Classification Action”, but no action may be taken to fill a vacant position until the position has been classified in accordance with the official classification and pay plan.
	9. The Human Resources Department shall be responsible for periodically reviewing the classification and pay plan to ensure the appropriateness of the City of \_\_\_\_\_\_\_\_’s job classifications and to ensure the competitiveness of the City of \_\_\_\_\_\_\_\_’s salaries with the available labor market.

1. Definitions - For the purpose of this section, the following words shall have the meanings respectively ascribed to them below.

* 1. To “allocate” a position shall mean assigning the position to an appropriate class based on similarity of work and level of responsibility.

* 1. An “authorized position” shall mean a position funded in the City of \_\_\_\_\_\_\_\_’s approved budget.

* 1. A “class” shall mean a group of positions (or one position) that:

* + 1. Has similar duties and responsibilities;

* + 1. Requires like qualifications; and

* + 1. Is reasonably compensated by the same salary range.

* 1. The “class title” shall be the official designation or name of the class as stated in the job description. It shall be used on all personnel records and actions.
	2. A “class title change” shall mean a change in the official classification title of an established classification that does not affect employees occupying positions assigned to the class in any way except for a new job title.
	3. The “essential duties” shall mean the core responsibilities of a position which must be performed with or without a reasonable accommodation under the Americans with Disabilities Act (ADA).
	4. An “established position” shall mean an authorized position that has been classified in accordance with the city’s classification and pay plan.
	5. A “pay grade” shall mean the numerical designation, having a stated minimum and a maximum salary range, to which a class of positions may be assigned.
	6. A “pay plan” is a salary structure consisting of ascending pay grades with overlapping salary ranges.
	7. The “minimum knowledge and experience requirements” shall mean statements regarding the education, training, work experience, and other qualifications that are normally required of applicants for positions within a particular class.
	8. The term “overtime eligibility” shall refer to the requirement for paying one and one half (1 ½) times an employee’s regular hourly wage for all hours physically worked beyond 40 hours in a work week or extra hours in an extended work period, unless the position qualifies for an exemption under the Fair Labor Standards Act (FLSA).
	9. A “position” shall mean a group of currently assigned duties and responsibilities requiring the full or part-time employment of one person. A position may be occupied or vacant.
	10. The “position number” shall mean the unique identification number assigned to each position when it is established.
	11. “Reclassification” shall mean an action taken to change the classification of an established filled or unfilled position to another new or existing classification having a higher, lower, or the same numerical pay grade assigned. Reclassification actions may result in a promotion, demotion, or reassignment for employees occupying positions within the affected class. Employees occupying positions that are reclassified may be promoted or demoted with or without an increase or decrease in salary. Employees must, however, be paid at least the minimum of the new salary range and may not exceed the maximum of the new salary range assigned to the new classification.

1. Reclassification Procedure

* 1. Reclassifications shall only occur as part of the budget process, unless the reclassification is deemed an emergency or is being conducted to meet a critical need. If conducted outside of the budgetary process, the reclassification must be approved by the City Manager.
	2. Department Heads may request the reclassification of a filled or unfilled position within their departments when it can be clearly demonstrated that there has been a significant change in the duties and responsibilities assigned to a position. Reclassification actions

should not be initiated for the sole purpose of granting salary increase(s) to employees. Valid pay increases and merit salary advancements are the most appropriate mechanisms for granting salary increases. Reclassification actions should be more concerned with the proper classification of the position. The documents that are required to initiate a reclassification request include the following:

* + 1. A completed Request for Reclassification of Position Form.
		2. An updated job description signed by the incumbent, the immediate supervisor/manager and Department Head.

* 1. The Department Head shall submit a request for reclassification to the Human Resources Director and the Finance Department for their review.

* 1. Following the Human Resources Director review and Finance Department review, requests may be submitted to the University of Georgia’s Carl Vinson Institute of Government, or a similar outside review source, for review using the Factor Evaluation System (FES) standards and procedures for comparable standards and recommended changes**.**

* 1. The Human Resources Director obtains pay comparisons of the position(s) comparing \_\_\_\_\_\_\_\_ with other cities, including cities of comparable size, and/or the market.

* 1. Recommendations are then forwarded to the City Manager for consideration and approval, if justified.

1. Allocation of Positions

* 1. Initial Allocation - The Human Resources Director shall be responsible for the initial allocation of the position of every employee of the City to one of the grades in the plan.
	2. New Positions - When a new position is established and approved by the City Council, the Department Head involved shall complete a position description identifying the duties and responsibilities of the new position. The Human Resources Director shall allocate the position within the classification plan, unless a suitable grade does not exist, in which case the Human Resources Director in consultation with the City Manager shall recommend a new grade.
1. Organizational Charts
	1. The Human Resources Department shall be responsible for preparing and maintaining the City of \_\_\_\_\_\_\_\_’s organizational charts. The City of \_\_\_\_\_\_\_\_ organizational charts shall show the overall organizational structure of the city, the supervisory/subordinate relationships that exist within each work unit, as well as the class code, class title, position number, pay plan, and pay grade assignments for each authorized position.
		1. It shall be the responsibility of each Department Head to notify the Human Resources Department of any change in a position that will affect a change to the organizational charts.
		2. The Human Resources Department shall ensure on a fiscal year basis,

that organizational charts are current and accurate. No change shall occur in the City of \_\_\_\_\_\_\_\_ organizational structure without the prior approval of the City Manager.

1. Maintenance of Plan

* 1. Vacancies - In the event a vacancy occurs, the Department Head shall submit a description of the vacant position to the Human Resources Director for a review of the allocation of the position, if changes are necessary. This requirement shall be waived where no material changes in the vacant position have occurred. However, the Department Head will still have an obligation to forward a written statement to the Human Resources Director, outlining the fact that no material changes have occurred in the vacant position and the requirement of providing a job description should be waived.
	2. Agency Reorganization - The City Manager may direct or approve changes in the organizational structure or may direct or approve the transfer of positions from one organizational unit to another organizational unit within the agency. The Human Resources Department shall be responsible for assisting in the preparation of necessary documents and coordinating with the City Finance Department to affect such changes in the organization.

* 1. Departmental Reorganization - Each time a department or division under the jurisdiction of a Department Head is significantly reorganized, such Department Head shall submit to the Human Resources Director new position descriptions for all affected positions for approval by the City Manager.

* 1. Changes in Duties of Position - The Human Resources Director may require departments or employees to submit position descriptions at any time the Human Resources Director has reason to believe that there has been a change in the duties and responsibilities of one or more positions.

* 1. New and Abolished Positions - Each time a new position is established, a position description shall be written and incorporated into the existing plan. Likewise, an abolished position shall be deleted from the classification plan.

1. Interpretation of Job Description

* 1. The job descriptions are descriptive and not restrictive, and serve as the primary document for establishing and classifying positions by providing information regarding supervisory responsibilities, work schedule, essential duties, other duties, and the entrylevel knowledge, skills and abilities necessary to perform the duties assigned to a particular position successfully. The use of a particular job description to outline the duties, qualifications, or other factors shall be a guideline only and not to be held to exclude others of similar kind or quality.

* 1. The Human Resources Department shall maintain an electronic version of the official City of \_\_\_\_\_\_\_\_ job description forms. Supervisors and managers are encouraged to use the official electronic form to prepare and/or update job descriptions for their respective

work units.

* 1. Supervisors are responsible for keeping the job descriptions for their respective work unit (s) up-to-date and accurate at all times. When a position is filled, the supervisor is responsible for working with the employee occupying the positions in this effort.

* 1. Job descriptions may be updated anytime there is:

* + - 1. A change in the classification of the position;
			2. A change in supervisory relationships affecting the position;
			3. A change in the approved work schedule, or
			4. A significant change to the duties and responsibilities assigned to a position.

* 1. Job descriptions must be reviewed and may require updates whenever a request for classification action or recruitment assistance is submitted to the Human Resources Department and/or Finance Department. Job descriptions should be reviewed annually in conjunction with the performance management program and updated when appropriate to be considered current.

1. Official Copy of the Plan - The Human Resources Director shall be responsible for maintaining an official copy of the position classification and pay plan. The official copy shall include a list of grade titles and job descriptions.

1. Amendments to the Plan - When there is a need for the establishment of new positions or the abolishment of current positions, the City Manager shall submit findings and recommendations to the City Council, who shall take such action as deemed appropriate.

# SECTION 3. RATE OF PAY

1. New Appointee - New employees shall be paid the minimum rate of pay for the grade to which they are assigned, except for the following special condition: Department Heads may request a higher rate of pay within the grade based on exceptional qualifications and experience pertinent to the position the applicant is being considered for and their current salary. All such requests and those above the minimum of the pay grade must be reviewed by the Human Resources Director and approved by the City Manager.

1. Promotion

* 1. An employee shall be promoted when the employee is transferred to a position classified in a higher pay grade.

* 1. Promotions may occur within a department or between departments.

* 1. At the time an employee is promoted to a previously established position in a classification with a higher pay grade, a salary increase may be granted up to 5 percent for each grade classification not to exceed 20%.

* 1. Employees being promoted shall be placed in the corresponding step of the new salary grade and will retain any longevity sub-steps. In the case where such movement exceeds 20%, the employee shall be placed in Step A of the new salary grade or in the closest corresponding step.

1. Demotion

* 1. A demotion shall be defined as:

* + 1. The employee is placed in a different classification resulting in a lower salary;
		2. The employee voluntarily request to move to a position and/or classification at a lower pay grade, salary range or;
		3. The employee’s position is reclassified to a classification having a lower pay grade, which results in the employee having a lower salary and/or a reduction in responsibility.

* 1. When an employee receives a demotion of the type stated in 1 (a) above, such employee’s pay may remain unchanged, or may be reduced at the discretion of the City Manager.
	2. When an employee voluntarily requests to be moved to a position at a lower pay grade or at a lower salary, such employee shall receive a reduction in pay comparable to similar employees in the same classification or with comparable duties and responsibilities.
	3. The employee’s base rate of pay shall not exceed the maximum, nor fall below the minimum of the salary range for the class to which the employee is demoted.
	4. An employee who is given a demotion appointment shall not be granted an increase in base rate of pay as a result of being demoted.
	5. The City of \_\_\_\_\_\_\_\_ is authorized to make wage deductions and payments as requested by the employee and as required by law. The Human Resources Department, as applicable, shall keep records of all such transactions.
1. Part-time/Temporary Employment - Pay for part-time/temporary employment in a position shall be equivalent to the minimum hourly rate of the Minimum Wage Act unless approved by the City Manager for a higher hourly rate.

1. Standby Pay

* 1. It is the policy of the City of \_\_\_\_\_\_\_\_ that based on business needs; key city personnel shall be designated and placed in an on-call or standby status in anticipation of returning to duty on short notice for anticipated emergencies or during emergency situations.

* 1. Employees assigned to be on standby, who during such times are otherwise free to engage in normal personal activities subject to call to duty, will be paid for all hours actually worked at either the employee’s regular hourly base rate of pay or overtime rate

as applicable.

* 1. Employees required to be on standby who do not respond to a standby call may be subject to disciplinary action.

1. Increases in Salaries

* 1. Increases in pay for City employees shall be governed by the following principles:

* + 1. Upon the completion of a probationary Period. Any employee shall be initially employed for a probationary period not exceeding six (6) months or twelve (12) months or as determined by the department standard operating procedures prior to receiving any increase in salary for merit, if approved and budgeted.
		2. Employees achieving satisfactory or above on their annual performance evaluations are eligible for a merit increase, when applicable and funds are available and budgeted to support the increases. Each supervisor shall file an annual performance evaluation report on each employee. The annual performance evaluation shall be reviewed and approved by the Department Head. The original shall be filed with the Human Resources Department and shall become a permanent part of each employee’s personnel file. Ratings received on the annual performance appraisal are not eligible for appeal beyond the Department Head level. Performance evaluations with ratings below standard should be discussed with Human Resources to determine if a Performance Improvement Plan (PIP) is needed.
		3. In order to move to a higher grade, an employee must apply for a new position within a higher pay grade. The City of \_\_\_\_\_\_\_\_ strives to promote from within whenever possible. All vacancies are posted internally if a sufficient pool of qualified applicants already exist within the City of \_\_\_\_\_\_\_\_ employment, or internal/externally concurrently.
		4. Annually, the Mayor and Council may, at their discretion, consider increasing the salaries within all pay grades on an equal percentage basis. During the budget hearings, the Mayor and Council may determine what percentage increase, if any, will be allocated for cost of living increases to employee’s salaries. These pay increases will modify the steps and maximum rates for each pay grade of the salary schedule. In order to preserve internal equity within the pay plan, the City may not increase or decrease salaries for distinct classes of employees over those of other classes (i.e.)
		5. All career employees, in addition to the increases from the pay plan, shall be eligible for longevity increases at the rate of three (3) percent for each five (5) five years of service.
		6. The continuation of the longevity increase additive is subject to available funding.

# SECTION 4. APPLICATIONS AND EXAMINATIONS

1. Announcement of Vacant Positions - Except as otherwise provided below, all vacancies in the classified service shall be publicized by posting announcements on the City of \_\_\_\_\_\_\_\_’s website and by other means as the Human Resources Director deems advisable. The announcements shall specify the classification, titles, salary ranges of the vacant positions, qualification requirements, manner of making application and other pertinent information, and shall specify the state, time and place of examinations (if required) for the position. Applications will be accepted as prescribed by the Human Resources Director.

1. Application Forms - In addition, all applicants for positions in the classified service of the City of \_\_\_\_\_\_\_\_ shall submit an application to the Human Resources Department on forms provided by the Human Resources Department. The applicants shall provide proof of citizenship, as required by federal law. The application and/or any supplemental hiring documents shall require disclosure of information concerning training, experience, work history and other pertinent information, and shall be signed and dated by the applicant.

1. Employment Requirements - All positions in the classified service shall be open only to persons who meet such requirements as listed on the public announcement. Such requirements may include but are not limited to the following factors: experience, education, and training. As a requirement when seeking employment with the City of \_\_\_\_\_\_\_\_, applicants must minimally possess a minimum of a high school diploma or equivalent (GED) from an accredited educational institution, a valid driver’s license, and a Satisfactory Motor Vehicle Record (MVR) is required.

1. Receipt and Duration of Application - Upon advertisement of vacant positions, applications from qualified persons desiring employment shall be accepted during regular business hours or as identified on the vacancy announcement. All applications shall remain active for six (6) months and be retained for a period of one (1) year following the selection of an incumbent for the vacancy. Applicants must complete a new application for each announced position vacancy or update expired applications.

1. Rejection of Application - The City Manager or designated representative may reject an application which indicates that the applicant is deficient in any or all of the requirements as specified in the public announcement of the vacancy. An applicant will also be rejected for fraud or deception in the completion of the application, or if the applicant is deemed to be unsatisfactory for City service by the City Manager.

1. Open Competitive Appointments

Positions to be filled by recruitment from outside the classified service shall be filled through a competitive process open to the public. This process may include, but shall not be limited to, ratings of training and experience; written, oral, physical or performance tests; or any combination of these as determined by the City Manager. Factors such as education, background, job-related qualifications, and experience may be taken into consideration in making employment decisions. The City Manager shall require the applicant to submit proof of education and military service or any other such documentation as deemed necessary.

1. Promotional Appointments - Promotional appointments shall be open to all employees who meet the training and experience requirements included in the position description or who have an equivalent combination of experience and training, which provides the required knowledge, skills, and abilities.

# SECTION 5. APPOINTMENTS

1. Initial Appointments - Following a review and background check by the Human Resources Department, all employees of the city shall be appointed upon the recommendation of the appropriate Department Head and Human Resources Director with the approval of the City Manager.

1. Types of Appointments - When initially hired, persons employed by the City shall be given one of the following types of appointment by the Human Resources Director and subsequent approval of the City Manager.

* 1. Probationary - A probationary appointment is an appointment to a position in the classified service. An employee serving a probationary appointment may be discharged or returned to his or her previous position at the discretion of the Department Head and the employee shall not have the right to utilize the grievance and appeal procedure concerning the issue of discharge or return to the previous position if available.

* 1. Temporary Acting - Temporary acting appointments may be made as follows:

* + 1. When there is need to fill a vacancy and no qualified applicant is available, a temporary appointment may be made.

* + 1. No temporary appointment shall be continued for more than three (3) consecutive calendar months from the date of appointment unless the City Manager, in his discretion, determines due to extenuating circumstances an extension is needed, under which circumstances the City Manager may extend the appointment for an additional period of time. Temporary appointments exceeding three (3) consecutive calendar months in length shall be paid at the appropriate pay rate for the position filled.

* + 1. An employee may not obtain “career service” status while serving on temporary acting appointment. Temporary acting appointments do not satisfy probationary requirements for the higher position.

* 1. Temporary - Temporary appointments may be made to fill positions, which are authorized and established for a specified period of time, or in cases of emergency.
	2. Career Appointment – A classified employee given an initial probationary appointment shall be given a regular appointment upon successful completion of the probationary period established for that position. The Department Head shall notify the Human Resources Department in writing of the completion of the probationary period.
	3. Retirement Requirements – Retirement requirements shall be set forth in the City of \_\_\_\_\_\_\_\_’s retirement plan. A copy shall be made available to all employees by the Human Resources Department.
	4. Re-employment of Retired Employees – The City of \_\_\_\_\_\_\_\_ recognizes the valuable service provided by long tenured employees and provides a retirement program for employees who have reached the end of their career with the City. As such, it is the City’s policy that employees who have retired can be re-employed by the City. It is also recognized that under special circumstances, it may be in the best interest of the City to re- employ a retiree. Such actions must be based upon a clearly delineated business need, such as when the retiree possesses a unique skill set, serves in a specialized field, serves in a professional occupation that is difficult to recruit high quality replacements for, one that involves an extended search process, or if it is in the best financial interest of the City.

As such, retirees who are re-employed may be hired into a temporary unclassified status. Additionally, they shall not be entitled to service credit as a new hire. The reemployed retiree will continue to receive only those health benefits or other benefits available to retirees for which they qualified at the time of retirement. An example of this would be health coverage for 25 years of service or a continuation of limited life insurance benefits under a conversion option. Re-employment of a retiree who is receiving health benefits will not qualify the retiree’s spouse or dependents for participation in the City’s health or benefit plan.

The City may not make any representations as to the tax implications for retirees who are subsequently re-employed and advises these individuals to obtain their own tax advice.

Compensation rates for retirees who are re-employed shall be set using the appropriate pay grade of the position into which they are hired as a guideline. In no case shall the re- employed retiree receive a salary equal to or higher than the salary paid during fulltime pre- retirement employment nor shall the retiree be eligible for the use of a take home vehicle or car allowance. Final compensation rates will require the review and approval of the City Manager and Human Resources Director.

* 1. Employment Agreements – Based on a specific business need, the City of \_\_\_\_\_\_\_\_ may employ retired individuals under the specifics of an employment agreement. The employment agreement shall govern all aspects of employment to include such items as the term of employment, compensation rate and any other items deemed appropriate as agreed upon by the employee and City.

# SECTION 6. PROBATIONARY PERIOD

1. Career employees shall be required to serve a probationary period of six (6) months or twelve (12) months according to standard departmental operating procedures following a career appointment or promotion. No employee shall be considered a career employee during the probationary period. During the employee’s probationary period, the employee may be discharged or returned to his/her previous position without right of appeal.
2. Duration - The probationary period shall be six (6) months or twelve (12) months in duration as determined by the department’s standard operating procedure. If a Department Head is not satisfied that a probationary status employee’s work record or attitude is at an acceptable level of competence to warrant his/her recommendation that the employee be granted career status, the Department Head may recommend an extension of that employee’s probationary period for a specified period of time not to exceed an additional six (6) months. The Department Head may exceed the 6-month extension of the probationary employee if approved by the City Manager. This recommendation shall be in writing, shall be submitted to the Human Resources Department for review by the Human Resources Director before the date the employee is eligible for consideration for career status, and shall contain the documentation and reasons for recommending the extension. This recommendation shall be reviewed by the Human

Resources Director and approved by the City Manager before it can become effective. The provisions of this paragraph shall also be applicable to the extension of the probationary period of a promoted employee. If a probationary status employee fails to qualify for career status at the end of such extension, his/her appointment shall be discharged and he/she shall be removed from City service without the right of appeal.

1. Promotional Appointments - The probationary period shall be used in connection with promotional appointments in the same manner as it is used for initial appointments. If a person is removed from city service during the probationary period following a promotion, such person shall be entitled to general re-employment rights in his or her former pay grade or a comparable position in an appropriate grade, if available and/or funded or may be separated from City service.
2. Interruption of Probationary Period - If an employee is laid-off, due to a reduction in force (RIF), during a probationary period and such person is subsequently reappointed in the same classification within the same department within twelve (12) months, he or she may be given credit for the portion of the probationary period completed before the layoff, with the approval of the Human Resources Director and City Manager.
3. Demotion during Probationary Period - A Department Head may demote an employee during the probation period through consultation with the Human Resources Director and/or City Manager. A written report of such demotion must be filed with the Human Resources Department within three (3) days after the effective date of the demotion. In the event that an employee is demoted during the probationary period, the probationary period will commence again with the effective date of demotion.
4. Probationary Period Reports - Prior to the expiration of the employee’s probationary period, the Department Head shall notify the Human Resources Director in writing of whether or not the employee has successfully completed the probationary period. If the employee is not on track to successfully complete the probationary period, the employee must be informed prior to or on the expiration date of the probationary period.

# SECTION 7. PROMOTIONS AND TRANSFERS

1. Objective - All vacant positions for which the City is recruiting shall be posted, either by internal or internal/external announcement. It shall be the policy of the City to fill vacancies, as far as practicable, by promotion. To this end, examinations may be held at the call and under the direction of the Human Resources Director.
2. Political or Partisan Endorsement Prohibited - Promotions to positions in the classified service shall be based upon merit and fitness for promotion only. No consideration shall be given to political or partisan endorsement.
3. Promotional Examinations - The Human Resources Director or designee shall oversee competitive promotional examinations in accordance with these regulations. In competitive promotional examinations, the Human Resources Director or designee shall admit all employees who meet the published qualification requirements to the examination.
4. Intra-Departmental Transfers - The appropriate Department Head may, at any time, transfer an employee in the classified service under his or her jurisdiction from one position to another in the same class in the same department. An intra-departmental transfer of an employee to a position in another class shall be made only with the approval of the Human Resources Director and the City Manager.
5. Inter-Departmental Transfers - A transfer of an employee from one department to another shall require the approval of both Department Heads concerned and the Human Resources Director. If the inter-departmental transfer results in a reduction in pay grade, the employee’s salary will be reviewed and adjusted as deemed necessary for the new grade.
6. Pay Grade after Transfer - An employee who has been laterally transferred into a classification of the same title and/or pay grade shall continue at the same rate of pay.

# SECTION 8. EMPLOYEE PERFORMANCE EVALUATION

1. Objective

* 1. An employee performance evaluation has several purposes. The primary purpose is to communicate with the employees what is expected from them in the performance of their duties and responsibilities, as well as to show how their supervisors rate their performance. The second is to position the employees so they can manage their performance and capabilities.
	2. The performance evaluation system will be the basis for determining merit-based pay increases, if applicable. It may also determine the order of layoff, basis for training, improvement, promotion, transfer, demotion or dismissal.

1. Process of Evaluation

* 1. All employees shall be evaluated annually based on the anniversary of their hire date. More frequent evaluations may be initiated by the respective Department Head as a mechanism for feedback regarding performance of duties and responsibilities, with the approval of the Human Resources Director.
	2. If the employee is not on track to successfully complete the probationary period, the employee should be informed prior to or on the expiration date of the probationary period. The Department Head should consult with the Human Resources Director prior to informing the employee to determine if a Performance Improvement Plan (PIP) is necessary.
	3. Employees can earn eligibility for merit increase as a result of meeting or exceeding the performance criteria outlined in the “Employee Performance Evaluation Report.” Only career employees are eligible for a merit increase. Merit increases are contingent upon the administrative approval of the City Manager and the budgetary approval of the Mayor and City Council.

1. Records Maintenance - At the conclusion of the annual performance review, the evaluation will be discussed with the employee. The supervisor, Department Head, and employee shall sign the original copy. The employee must be provided an opportunity to make comments in the

“employee comments” section and then t h e o r i g i n a l c o p y o f t h e p e r f o r m a n c e d o c u m e n t a n d a n y c o m m e n t s s h o u l d b e forwarded to the Human Resources Department immediately to become a part of the employee’s personnel file. If applicable, to receive a merit increase, an employee must sign the completed appraisal.

# SECTION 9. SEPARATIONS

Separations and/or dismissals from positions in the classified service shall be designated as one of the following:

1. Resignation - An employee shall submit to the Department Head written notice of their resignation at least fourteen (14) calendar days in advance of the date of resignation. Immediately upon receipt of such notice of resignation, the Department Head shall forward the same to the Human Resources Department with a Personnel Action Form. Employees may work a maximum of four (4) weeks following a resignation notice, unless additional time is requested by the Department Head, Human Resources Director or City Manager.
2. Abandonment of Job - An employee not on authorized leave of absence who fails to report to work for three (3) consecutive 8 to 12 hour work shifts, or in the case of employees working 24hour shifts, failure to report to two (2) consecutive work shifts, may be discharged from the service of the City for job abandonment.

1. Layoff or Reduction in Force

* 1. Any permanent involuntary separation not related to an employee’s job performance shall constitute a layoff or reduction in force.
	2. Any employee may be laid-off because of shortage of funds or work, abolishment of the position, material changes in the duties or organization, outsourcing, privatization, third party contracting or related reasons beyond the employer’s or employee’s control, which do not reflect dissatisfaction with the service of the employee. The duties previously performed by any laid-off employee may be reassigned to other employees holding positions in appropriate classes.
	3. Whenever the layoff of any employee shall become necessary, the City Manager shall notify the Department Head at least thirty (30) calendar days in advance of the intended action of the necessity for such layoff and the reasons thereof. The Department Head shall thereupon furnish to the City Manager the names and job titles of the employees to be laid-off and the order in which such layoff shall be affected.
	4. Should it become necessary to reduce the number of employees within a given class in any department, such employees shall be laid-off on the basis of the following factors: length of service in class, length of service with the City, and performance evaluations for the last three (3) years. In cases where similarity exists, then overall job performance shall be the deciding issue or factor.
	5. Should a Department Head determine that the retention of a certain employee is essential to the effective operation of the department because such employee possesses special skills or ability, and should the Department Head wish to retain such employee in preference to another with a higher order of layoff, then the Department Head shall submit a written request to the Human Resources Director and City Manager. Such notification shall set forth in detail the specific skills and abilities possessed by the employee and the reason why such employee is essential to the effective operation of the department. With the approval of the City Manager, the individual may be retained, but must be assigned to an open, vacant position.
	6. Career employees to be permanently laid-off shall be notified in writing by the City Manager at least fourteen (14) calendar days prior to the effective date of the layoff.
	7. Any regular employee scheduled to be laid-off shall have the right to be demoted to a lower classification, provided that a vacancy exists and such employee is qualified to fill the position in the lower classification.

1. Disability - A Department Head, with the approval of the Human Resources Director, shall have the right to request and require any employee in the department to be examined by a physician designated by the City if there is question as to the ability of the employee to perform the job related functions, or if there are job related issues concerning the extent of a disability. Any employee that is diagnosed with a disability may be accommodated in their job without undue hardship to the City and every attempt shall be made to do so. Specific questions concerning this shall be directed to the Human Resources Director.

1. Loss of Job Requirements

* 1. Any employee who is unable to do his or her job adequately due to the loss of necessary licensing or certification or other requirements may be separated by layoff, demotion or dismissal from such position.

* 1. Employees experiencing a change/loss in necessary job requirements shall report it to their supervisor within 24 hours.
	2. The supervisor/manager must notify the Department Head and the Human Resources Department of the loss in job requirements in writing upon notification from the employee.
1. Dismissals - Dismissals shall constitute discharges or separations for just cause, and shall be governed by the procedures as hereinafter set forth.

1. Retirement - The retirement of an employee shall consist of the voluntary separation of an employee who has met the requirements of age and length of service under the laws governing any applicable City of \_\_\_\_\_\_\_\_ Pension Fund of which such employee may be a member.

1. Death – Separation shall be effective as of the date of the death of the employee. All compensations, including vacation leave pay, due to such employee, as of the date of separation, shall be paid to the beneficiary or as determined by law or by the applicable executed documents in the Human Resources Office.

1. Disability Retirement - A participant may retire under the provisions of the City Of \_\_\_\_\_\_\_\_ Retirement Plan on the first day of the first calendar month in which a participant becomes entitled to receive disability benefits, and approved for Social Security Disability benefits.

# SECTION 10. DISCIPLINARY ACTIONS

1. Intent - Effective supervision, training and good employee relations should reduce to a minimum those instances necessitating disciplinary action. The establishment of rules and regulations and the imposition of disciplinary action are not intended to restrict the rights of any employee, but are for the purpose of insuring effectiveness and orderliness throughout the classified service. A department disciplinary advisory team shall be established by Department Heads for the purpose of recommending disciplinary action in certain situations.
2. Disciplinary Action Team Approach (DATA)
	* 1. The purpose of the Disciplinary Action Team Approach is to help ensure the fair and equitable treatment of all employees by weighing in on possible disciplinary action and providing recommendations to their Department Head.
		2. The teams will review formal disciplinary actions, which result in an adverse action against an employee, such as a reduction in pay, suspension, or recommendation for dismissal. Disciplinary actions, which include informal and lower-level action to include verbal and written counseling and reprimand or those that do not result in an adverse action are not subject to team review. Other items not subject to team review are the contents or scores of performance appraisals, allocation of bonus awards or transfers. Teams shall not serve as a review body for the determination of discipline regarding any alleged Title VII violations or violations of City Ordinance 99-55 Drug Testing.
		3. Departmental Participation – Disciplinary Action Teams will be established in the Fire Department, Police Department, Public Works and Water and Sewer. The following departments shall combine to form one committee: (1) Community

Development/Engineering (2) Finance/Inspections/City Manager/Human Resources.

* + 1. Disciplinary Action Team Membership

Each team will have a chairperson appointed by the Department Heads and four members. Two (2) alternates shall also be selected.

The chairpersons may recommend, with approval of the Department Heads, the committee members and alternates from among a list of eligible employees provided by the Human Resources Director. To qualify for selection, employees must have:

 i. Obtained career status, except for members of the police

department who must have completed one year of service past the date of achieving career status; ii. Have obtained a score of 2.00 or higher on the last performance evaluation and;

iii. Have not received a formal disciplinary action within the past 12 months.

* + - * 1. Members shall serve a two (2) year term.
				2. Each committee member shall cast one (1) vote.
		1. Chairperson

The Chairperson will be selected by the Department Head following the same eligibility criteria set forth for selection of all other team members. The Chairperson’s responsibilities will be to record all minutes and votes of any meeting and send those directly and in a confidential manner to the Department Head and Human Resources Director.

* + 1. Function of the Disciplinary Action Team
			- 1. Allegations of inappropriate conduct will be referred to the Department Head to initiate an incident review. The Department Head will insure that an incident review report is compiled detailing the facts surrounding the alleged inappropriate conduct. If the findings contained in the report determine a violation of city or department policy which warrants a formal disciplinary action above a written reprimand, the Department Head will convene the Disciplinary Action Team within seven (7) working days of the completed incident review report.
				2. The Department Head (or assigned representative) will prepare an investigation report, which will specify allegations and contain any supporting documentation. It shall also list which city and/or department policy was allegedly violated and any supporting documentation. The disciplinary team shall review the report and supporting documentation and provide, by majority vote, the formal disciplinary action from established disciplinary guidelines for the department, which must be consistent with overall City department and City policies and procedures.

The final decision shall be made by the Department Head. The Department Head may recommend mediation in an attempt to resolve the dispute. No employee may be discharged before consultation with the Human Resources Director. Career employees may exercise their right of appeal after receiving the Department Head’s decision.

* + - * 1. The following provisions shall govern disciplinary action affecting career employees.
				2. A department Disciplinary Action Team, when asked to review a matter by the Department Head, may recommend counseling, written reprimand, suspension, demotion and/or dismissal. The action of the department Disciplinary Action Team shall be advisory only, and shall not be mandatory or binding on the Department Head. All final decisions shall remain with the Department Head.
1. Types of Disciplinary Action
	1. Counseling - Counseling is a progressive disciplinary measure which may be issued as the result of an incident, action or behavior which does not warrant more severe disciplinary action. Counseling will explain to the employee that he or she is being disciplined, will describe the problem, and indicate what must be done to correct the problem. A copy shall be submitted to the Human Resources Department to be placed in their personnel file. Documentation of counseling will remain in employee’s personnel file for 1 (one) year. The documentation of counseling may be moved after 1

(one) year at employee’s written request if no additional disciplinary action has been taken regarding that incident.

* 1. Written Reprimand - When the incident, action or behavior of the employee is such as not to initially warrant a more severe type of disciplinary action, a written reprimand may be issued by the supervisor to the affected employee, and a copy of same shall be forwarded to the Human Resources Department and filed in the personnel folder of such employee. Written reprimands may remain in the employee’s active file. A written reprimand cannot be appealed, but a written employee response to the reprimand, if received, will be attached to the reprimand on file.
	2. Suspension for Disciplinary Reasons - When the incident, action or behavior of an employee is such as not to warrant dismissal but does merit disciplinary action greater than a written reprimand, a suspension without pay of any employee for a period of not less than eight (8) hours or a maximum of forty (40) hours may be imposed. The Department Head will have final authority as to the length with the employee having a right to appeal. Repeated written reprimands for the same offense may constitute grounds for suspension at Department Head’s discretion after a review by the department’s disciplinary committee.
	3. Suspension Pending a Court Decision - Any employee charged with a criminal offense shall be indefinitely suspended without pay, at the discretion of the City Manager, when it is determined to be in the best interest of the City. Upon disposition of charges, the City Manager will recommend reinstatement or further disciplinary action, including dismissal. If reinstated, the employee may receive retroactive pay and accrued time as determined by the City Manager.
	4. Suspension During Investigation of Charges - When an employee has acted or is alleged to have acted in a manner which would subject him to dismissal from the City service, he may be suspended by the Department Head for a period not in excess of one (1) month while the Department Head is investigating charges before making a final determination as to whether the employee would be dismissed from the City service. An employee who is exonerated of charges following an investigation shall be reinstated without the loss of pay, privileges, benefits, or status. If reinstated, the employee may receive retroactive pay and accrued time as determined by the City Manager.
	5. Demotion - A Department Head may demote an employee when his/her job performance does not meet the standard of acceptability for his/her current pay level or grade or for other violations of department and/or City policies and procedures.
	6. Dismissal - When circumstances so warrant and it is determined to be appropriate and in the best interest of the City, a Department Head may dismiss a career employee. A written statement specifically setting forth the reasons for dismissal shall be furnished by the Department Head proposing the dismissal to the affected employee and a copy to the Human Resources Department within one (1) working day of the effective date of the action. The career employee shall also be advised by the Department Head that he/she has seven (7) calendar days within which to appeal the decision by filing the Notice of Appeal Form with the Human Resources Office. Failure to file a written appeal within seven (7) calendar days will result in forfeiture of all

further rights of appeal. Probationary employees do not have the right of appeal.

1. Conduct Subject to Disciplinary Action

1. The following actions are among those which shall constitute just cause for disciplinary action, including counseling, written reprimand, suspension with or without pay, demotion, or dismissal. The imposition of disciplinary action shall not be limited to the offenses set forth herein, but shall include anything detrimental to the City of \_\_\_\_\_\_\_\_.

* + - 1. Absence without leave, or failure to report after the expiration of a leave of absence. Abandoning the job or unauthorized absence for three (3) consecutive eight (8) to twelve (12) hour work shifts or for employees working 24 hours shifts, failure to report to two (2) consecutive work shifts.
			2. Abuse of sick leave - Abuse of sick leave is defined as the repeated use of sick leave without proper documentation or where it can be shown that a pattern is established where the employee repeatedly misses work at certain intervals and on certain days on a repetitive type basis which are not documented by a doctors excuse or verification of illness. The city may establish a method for calculating the use of sick leave to establish a standard as to the number of hours that warrants an abuse of leave. This may include the use of accrued vacation leave in lieu of sick leave in instances where the accrued sick leave balance has been depleted.
			3. Incompetence or repeated inefficiency in the performance of assigned duties in his/her position, or in the failure to correct poor performance within the specified time limits. This includes wanton and willful neglect in the performance of assigned duties.
			4. The loss of job requirements, such as the loss of a necessary license which prevents the adequate performance of assigned duties.
			5. The consumption, sale, distribution or possession of alcoholic beverages and/or illegal or non-prescribed legal prescription drugs and/or substances while on the job, or any substance which impairs the employee’s ability to perform his/her duties; or being otherwise affected on the job because of the prior use, on or off the job, of any substance which impairs the ability of the employee to perform his/her duties.
			6. Engaging in offensive conduct or using offensive language toward the public, supervisory personnel, or fellow employees. Such conduct or language shall include but not limited to conduct or language which a reasonable person would consider offensive and includes the use of profanity, shouting at another without justification, or any other conduct or language which would bring discredit upon the City.
			7. Failure to adhere to the Drug Free Policy to include a refusal to submit to a City-directed drug testing.
			8. Violation of safety practices which could have dangerous consequences.
			9. Failure to work assigned hours, including overtime.
			10. Sleeping during working hours, unless otherwise provided in the fire services.
			11. Leaving a continuous operating duty station, at the end of a schedule shift, without being relieved by the employee on the incoming shift, or without the permission of the supervisor.
			12. Having knowledge of and failure to notify the supervisor of any employee who possesses unauthorized weapons, drugs, or alcohol.
			13. Having knowledge of and failure to notify the supervisor of any employee who is removing or taking City employee’s property without authorization.
			14. Deliberate misuse, distribution, or damaging of any City property without authorization.
			15. Falsification of personnel or City records, including employment applications, accident reports, purchase orders, time sheets, work records or other reports.
			16. Making false claims or misrepresentations in an attempt to obtain sick leave or accident benefits, workers compensation benefits or other personal gain (such as compensatory item, overtime pay, additional leave, etc.)
			17. Insubordination by the refusal to perform work assigned or refusal to comply with written or verbal instruction of the supervisory force. Instructions may include submitting to fingerprinting, polygraph, voice stress analysis testing or other tests when needed in conjunction with an internal investigation, involving alleged violations of these policies and/or department rules and regulations.
			18. Unauthorized possession of firearms, explosives or other weapons on City property or on work assignments. Regarding firearms, this policy prohibits possession of firearms within city facilities, with the following exceptions:
		1. Pursuant to O.C.G.A. 16-11-135, employees may keep a weapon(s) in a locked compartment of a personal motor vehicle or one which is in a locked container or in a locked firearms rack, which is in a personal vehicle and such vehicle is parked in a city parking lot or parking facility.
		2. Authorized police, law enforcement and hired security personnel while in the performance of their official duties.
		3. Employees may possess licensed weapons for personal protection while traveling out of town in a personal or city vehicle for business purposes, when allowed by law.
1. Theft or conversion of City revenues, materials, equipment or tangible assets for personal use or gain. This includes unauthorized use or removal of both City owned property as well as the property of others.
2. Conviction of a felony or misdemeanor as defined by Federal or State of Georgia Criminal Codes, except violation for minor traffic offenses, not including driving under the influence of alcohol or drugs, or vehicular homicide.
3. Violations of the City’s Technology Policy.
4. Making false accusations against City employees or officials.
5. Verified repeated complaints of poor, non-responsive or less than acceptable customer service or failure to meet acceptable customer service standards.

# SECTION 11. EQUAL OPPORTUNITY AND NON-DISCRIMINATION

1. Policy - All applicants for positions and employees of the City shall be assured of reasonable treatment in all aspects of personnel administration, compensation, classification, and advancement, including training, promotion, and disciplinary action, without regard to political affiliations, race, color, national origin, sex, age, gender identification, handicap or religious creed.

1. Publicity - The Human Resources Director shall see that information about job opportunities and the equal employment policy of the City is readily available to all citizens of the City and especially to all potential job applicants.

1. Appeals Based on Alleged Discrimination - Any applicant or employee who believes that he or she has been illegally discriminated against shall absolutely have the right to communicate with the Department Head, Human Resources Director and then the City Manager. This provision shall be construed to enhance and not diminish all First Amendment rights of employees.

1. While applicants to positions under the jurisdiction of City elected officials and employees of City elected officials are not specifically covered under this section, they are covered under any applicable State or Federal laws governing equal opportunity and non-discrimination.

# SECTION 12. NO HARASSMENT AND OTHER UNLAWFUL ACTS OF DISCRIMINATION POLICY

1. Purpose
	1. To provide a policy that prohibits harassment and procedures to enforce the policy that is consistent with the guidelines established by the Federal and State law.
	2. To apprise interested persons of the policies and procedures of the City of \_\_\_\_\_\_\_\_ relating to discrimination and harassment;
	3. To provide job applicants, employee of the City and persons or entities doing business with the City of \_\_\_\_\_\_\_\_ the proper mechanisms for filing complaints involving discrimination or harassment.
2. Scope – This policy applies to job applicants, all City of \_\_\_\_\_\_\_\_ employees and employees or persons of entities doing business with the City of \_\_\_\_\_\_\_\_.
3. Definitions:
	1. Complainant: The individual or individuals who have filed a discrimination or sexual harassment complaint with the City of \_\_\_\_\_\_\_\_.
	2. Discrimination: The difference of treatment of a job applicant, employee, person or entity doing business with the City of \_\_\_\_\_\_\_\_, during the course of business because of their age, race, color, sex, religion, national origin, sexual preferences, marital status, disability, genetic information and/or other categories protected by law.
	3. Harassment: Unwelcomed conduct that has a basis on color, race, sex (including pregnancy), religion, age, national origin, disability and genetic information. A form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA) of 1990, and the Age Discrimination in Employment Act (ADEA) of 1967. Unlawful harassment occurs where enduring the offensive behavior/conduct becomes a condition of continued employment, or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider hostile, intimidating, or abusive. Slight annoyances and incidents that are isolated, unless they are extremely serious, will not meet the level of illegality. Conduct is unlawful when it creates a work environment that would be hostile, offensive or intimidating to reasonable people.
	4. Respondent: The individual or individuals identified by a complainant as having committed an alleged act of discrimination or sexual harassment.
	5. Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature from any person directed towards or in the presence of an employee or applicant when:
		1. Submission to such conduct is either explicitly or implicitly a term or condition of an individual's employment.
		2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
		3. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.
		4. Examples of inappropriate behavior may include, but are not limited to:
			1. Conditioning a job benefit on sexual favors;
			2. Threatening a job detriment for the failure to submit to sexual advances;
			3. Negative or offensive comments, jokes or suggestions about another employee’s gender or sexuality; iv. Obscene or lewd sexual comments, jokes, suggestions or innuendoes;
			4. Slang, names or labels (such as “sweetie,” “sweetheart,” “baby,”

“honey,” “girl,” “boy”) that others find offensive;

* + - 1. Talking about or calling attention to an employee’s body or sexual characteristics in a negative or embarrassing way;
			2. Ignoring or not taking seriously an employee who experiences sexual harassment;
			3. Blaming the victims of sexual harassment for causing the problem;
			4. Continuing certain behavior after an individual has objected to that behavior;
			5. Displaying nude or sexual pictures, books, objects, cartoons, or

sexually suggestive calendars or media on City of \_\_\_\_\_\_\_\_’s property.

* 1. Supervisor: Any employee who has the authority and responsibility of supervising other employees. D. Statement of Policy:
	2. It is the policy of the City of \_\_\_\_\_\_\_\_ to assure each job applicant and employee equal employment opportunities without regard to that person’s age, race, color, sex, religion, national origin, sexual preferences, marital status, disability, genetic information and/or other categories protected by law, except when there exists a bona fide occupational qualification necessary to perform the tasks associated with the position, and/or other categories protected by law.
	3. It is the policy of the City of \_\_\_\_\_\_\_\_ to allow each employee to work in an environment free from any form of unlawful discrimination. Sexual harassment is a form of sex discrimination under Title VII of the 1964 Civil Rights Act, State of Georgia laws, and applicable rules of conduct. The City of \_\_\_\_\_\_\_\_ has zero tolerance for sexual harassment or any other form of unlawful discrimination. This policy applies anywhere employees are functioning on behalf of the City, regardless of whether it is at a City of \_\_\_\_\_\_\_\_ facility or in a different location.
	4. The City of \_\_\_\_\_\_\_\_ will take prompt and remedial action to resolve all complaints of sexual harassment; and employees found to have sexually harassed another person will be subject to disciplinary action according to the City of \_\_\_\_\_\_\_\_'s disciplinary policy. E. Human Resources Department Responsibility:

 1. The Human Resources Department shall:

* + 1. Provide each employee with a copy of the Policy concerning Sexual Harassment and Other Unlawful Acts of Discrimination;
		2. Require new employees to acknowledge receipt of a copy of this Policy in writing, as a part of the new employee intake process; and
		3. Maintain documentation of each employee’s acknowledgement of receipt of this Policy in his or her official personnel file. F. Notice to Employees:
	1. Each employee shall be furnished with a copy of this policy and shall sign a written statement acknowledging receipt. This statement shall be placed in the employee’s personnel file. If the employee refuses to sign a receipt, the immediate supervisor or, when appropriate, the Human Resources Director shall prepare a brief, dated, and sign memorandum in the employee’s personnel file along with an attached copy of the unsigned acknowledgement form. A witness shall also sign the receipt of the employee’s refusal to sign the acknowledgement of the policy.
	2. Each employee shall be given an opportunity to discuss this policy and the issues of sexual harassment and discrimination with their immediate supervisor, Department Head, or Human Resources Director.
	3. The City of \_\_\_\_\_\_\_\_ shall take reasonable measures to inform employees of any changes in the provisions of this policy. However, all employees are responsible for keeping informed of any amendments to this policy. Current copies of this policy may be obtained from the Human Resources Office

G. Discrimination and Sexual Harassment Complaint Filing Procedures

1. The City of \_\_\_\_\_\_\_\_ takes matters of sexual harassment very seriously and conducts prompt investigations of all complaints. The employee’s immediate supervisor and/or the Department Head are designated as the complaint intake officers to receive all complaints of discrimination and sexual harassment. If the Department Head is the subject of, or involved in the complaint, the complaint intake officer shall be the Human Resources Director.
2. Any applicant for a position, contractor, or any person or entity doing business with the City of \_\_\_\_\_\_\_\_ claiming to be aggrieved by discrimination or sexual harassment, as defined in this policy may file a complaint with the Department Head or Human Resources Director.
3. Any employee who has been harassed in violation of this policy by another employee or by any person in the course of employment as a City employee shall notify his/her supervisor or Department Head immediately. The matter will be thoroughly investigated and where appropriate, disciplinary action will be taken. If the complaint concerns a supervisor or Department Head, the complaint shall be made to the appropriate Deputy City Manager or to the Human Resources Director.
4. The complaints must be filed in writing and should contain the following information:
	1. The name and work telephone number of the person filing the complaint.
	2. The name(s) of the person(s) who allegedly participated in or committed the discriminatory practice, or the sexual harassment, and the alleged victim(s).
	3. A clear and concise statement of the facts, including pertinent dates, potential witnesses and any other documentation in support of the complaint which, in total, alleges a violation in accordance with this policy.
5. Notwithstanding the foregoing requirements, a complaint is sufficient if it is in writing and sufficiently precise to identify the parties and to describe generally the allegation of discrimination or sexual harassment.
6. Notwithstanding the foregoing requirements, if information is received from any source in writing, indicating sexual harassment or other discrimination has occurred, an investigation shall be conducted.
7. If the complaint is initially filed with the supervisor, the recipient of the complaint should forward a copy of the filed complaint to the Department Head and the Department Head will notify the Human Resources Director.
8. A compliant may be amended to cure technical defects, omissions, or to clarify or amplify allegations made. An amendment may be filed at any time before the investigation is completed.
9. Businesses or other entities doing business with the City of \_\_\_\_\_\_\_\_ will be notified of all complaints of discrimination or sexual harassment filed by a city employee against one of their employees or representatives.
10. The filing of a complaint pursuant to this policy, whether the complaint is dismissed or not, does not preclude the complainant from also filing a complaint with the Federal Equal Employment Opportunity Commission (EEOC). When a complaint has been filed with the EEOC and the commission procedure results in an investigation by the City of \_\_\_\_\_\_\_\_ in order to furnish information to the commission, it is not necessary that the City of \_\_\_\_\_\_\_\_ also conduct the investigation otherwise required by this policy. However, an employee who has been found to have committed an act(s) of sexual harassment or discrimination will be subject to discipline regardless of the type of investigation.
11. An employee who feels that his/her complaint has not been handled in a satisfactory manner shall contact the Human Resources Director immediately.
12. Any employee whose supervisor or member of management has acted inconsistently with this policy should contact the Human Resources Director.
13. An employee will not be penalized in any way for reporting conduct he/she feels may be in violation of this policy, unless that report is found to have been filed falsely purposefully.
14. Employees must not assume the City is aware of harassment problems. It is the employee’s responsibility to promptly bring any complaints or concerns to the attention of the supervisor, Department Head, Deputy City Manager or Human Resources Director so they may be resolved. Failure to promptly report instances of unlawful harassment will result in disciplinary action including dismissal.
15. Sexual Harassment and Other Unlawful Acts of Discrimination Complaints Disposition
	1. The Department Head shall issue a report with findings to the Human Resources Director and City Manager’s offices, if appropriate, and recommended corrective action including any proposed disciplinary action, if applicable.
	2. If the complaint involves a Department Head, the Human Resources Director or designee shall issue a report with findings to the City Manager’s office and recommended corrective action.
	3. In cases involving a Department Head, the City Manager or designee shall issue a written decision either dismissing the complaint or taking corrective action, including the approval of any proposed disciplinary action, if applicable.
16. Disciplinary Action
	1. Any employee of the City of \_\_\_\_\_\_\_\_ who is found to have committed a prohibited act of sexual harassment or discrimination shall be subject to disciplinary action according to City of \_\_\_\_\_\_\_\_ disciplinary policy.
	2. Any supervisory or managerial employee who has knowledge of, or has been advised of sexual harassment, shall immediately report the matter directly to the Department Head, who will inform the Deputy City Manager, if applicable, and the Human Resources Director or designee and present their course of action. Failure of the supervisor or manager to immediately report the complaint shall subject the employee to disciplinary action according to City of \_\_\_\_\_\_\_\_ disciplinary policy.
	3. Any employee who knowingly files a false complaint of sexual harassment against another employee shall be subject to disciplinary action according to the City of \_\_\_\_\_\_\_\_ disciplinary policy.
17. Maintenance and Disposition of Records
	1. No information regarding the investigation of a complaint of unlawful discrimination or sexual harassment shall be placed in the Respondent’s personnel file until a decision is made by the City Manager or designee that discipline is warranted and disciplinary action is taken.
18. Prohibition Against Retaliation
	1. The City of \_\_\_\_\_\_\_\_ does not tolerate any retaliatory action against an individual because such person has in good faith opposed an offense involving a violation of this policy, made a charge or testified, assisted or participated in any manner in an investigation, proceeding, or hearing involving an alleged offense involving a violation of this policy.
	2. Complaints will be kept as confidential as possible within the confines of a reasonable investigation. No one shall retaliate against any employee making a complaint under this section, and complaints of retaliation shall be subject to disciplinary action up to and including dismissal. Employees making substantiated false accusations may be subject to disciplinary action.
	3. Any employee who discriminates or takes any type of retaliatory action against an individual that files a complaint of sexual harassment or other acts of unlawful discrimination against another employee, or participates in the investigation of such complaint, shall be subject to discipline up to and including dismissal.
	4. An individual against whom such retaliatory action has allegedly been taken may file a complaint in the manner provided in this policy.

# SECTION 13. GRIEVANCE AND APPEAL PROCEDURES

A. Procedure for Grievance Resolution

1. Any career employee in the classified service who has been suspended, demoted, dismissed, or subjected to any other type of disciplinary action (except counseling and written reprimand), or who is aggrieved as a result of the interpretation and application of these rules and regulations, or who has been subjected to any alleged discriminatory

action that is prohibited by Federal or State law, or this policy, shall have the right to utilize the Grievance and Appeal procedure hereinafter set forth below. The grievance procedure is for individual employees and multi- employee or “class” grievances are not recognized.

1. Grievances should be filed within seven (7) calendar days of incident and must be submitted in writing. Should the career employee not have a satisfactory decision from the Department Head, the employee, within seven (7) calendar days, shall file an appeal with the City Manager, setting forth in writing the grounds and reasons for the appeal. The City Manager shall initiate appropriate inquiries, consider all facts surrounding the action, and make every effort to resolve the grievance.
2. The City Manager shall, after the receipt of an appeal, hold a hearing upon same and give consideration to the complaint in the grievance.
3. Hearings shall be scheduled by the Human Resources Department. Employees, their representatives, supervisors and witnesses may appear before the City Manager, City Attorney, Human Resources Director, Department Head, and any pertinent witnesses for the sole purpose of presenting appropriate facts and relevant evidence. All hearings and participants shall be subject to the procedural limitations as determined by the City Manager. Hearings can only be continued or rescheduled by the City Manager for good cause.
4. All employee appeals shall be scheduled and heard before the City Manager within twenty-one (21) calendar days of the filing of the appeal. If the appeal is not heard within the twenty-one (21) day limitation the appeal may be dismissed at the discretion of the City Manager. It shall be the responsibility of the employee and their counsel to contact the office of the City Manager in the event of a conflict with a scheduled hearing in order that it may be rescheduled if needed as soon as possible. The City Manager will issue a written notification of his decision within seven (7) calendar days of the hearing.
5. No retaliatory action of any kind shall be taken against any employee for the filing of a grievance or an appeal.
6. Findings of retaliatory action against any employee because of filing a grievance or an appeal will result in disciplinary action.

# SECTION 14. EMPLOYEE DEVELOPMENT

In Service Training - The Human Resources Director shall be responsible for monitoring department in-service training efforts for the purpose of improving the quality of service, and to assist employees in preparing themselves for advancement.

# SECTION 15. RECORDS AND REPORTS

1. Personnel Transaction - All appointments, separations, and other personnel transactions shall be recorded on forms provided by the Human Resources Department. A separate file folder shall be prepared and maintained for each employee and shall contain the original or a copy of all pertinent documents. A separate file will be maintained containing medical records of each employee. All personnel records shall be retained in the Human Resources Department. Release

of information shall be governed by existing privacy laws such as HIPAA and the Georgia Open Records Act.

1. Confidentiality - All personnel records of employees covered under these regulations and all other records and materials relating to the administration of the personnel system shall be considered confidential and property of the City. Information which is obtained in the course of official duties shall not be released by an employee charged with this responsibility as part of official duties except as required by the Georgia Open Records Act.
2. Destruction of Records - Employee service records shall be kept in accordance with State and Federal regulations after dismissal of employment. Such records may be kept in their original form or in any other duplicate form the Human Resources Director deems appropriate. All other records, including correspondence, applications, and examinations may pursuant to the most current version of the Georgia Records Retention Schedule.

# SECTION 16. PAYROLL

1. Initial Appointments - Upon the recommended appointment of any applicant to classified service, the Human Resources Director shall submit to the City Manager such information as is necessary to certify the employment status.
2. Payroll Adjustments - Each Department Head shall be responsible for immediately notifying the Human Resources Director and submitting any necessary documentation to support any occurrences or actions taken which require an adjustment in the salary or wage of any employee or all employees under the supervisor of such Department Head for the City Manager’s approval.
3. Recovery of Salaries Improperly Paid - Employees are liable for the return of any compensation improperly, accidentally or illegally paid.
4. Deductions - The City shall be authorized to provide for automatic payroll deductions for employees’ contributions as approved by the City Manager.
5. Overtime - It is the intent of the City of \_\_\_\_\_\_\_\_ to comply with all Federal and State regulations regarding the payment of overtime with respect to non-exempt employees. Employees who believe they have not been properly compensated for earned overtime should contact their supervisor immediately. It is the intent of the City Of \_\_\_\_\_\_\_\_ to immediately correct and act in good faith to resolve overtime issues in dispute. Non-exempt employees may be compensated for overtime with compensatory time off. Compensatory time off must be taken in the equivalent of 1 ½ hours for each compensated hour of overtime.

## SECTION 17. ATTENDANCE AND LEAVE

1. Hours of Work - The established workweek and hours of work shall be determined in accordance with the needs of the City and the reasonable needs of the public who may be required to do business with various City departments. The work schedule for each department shall be established by the Department Head with the advice of the Human Resources Director and approval of the City Manager.
2. Attendance - Each Department Head shall be responsible for the attendance of all persons in his or her department. The Department Head shall keep and furnish the Human Resources Department with complete attendance and other records on each employee, including vacation leave, sick leave, and overtime.
3. Leave used and time worked should be used in the following quarter hour increments (i.e. .25 (15 minutes), .50 (30 minutes), .75 (45 minutes, 1.00 (1 hour)) when denoting leave for attendance purposes.
4. Holidays:
	1. All full-time employees shall be eligible for holiday leave for the following days and other days as designated by specific action of the City Council:

 New Year’s Day Labor Day

 Martin Luther King Jr. Day Thanksgiving Day

 Memorial Day One-half Day Christmas Eve

 Independence Day Christmas Day

 Friday before Easter (Good Friday)

* 1. Whenever a holiday falls on a Saturday, the preceding Friday shall be designated a substitute holiday and observed as the official holiday for that year. When the holiday falls on Sunday, the following Monday shall be designated as the official holiday for that year. An employee who is not on approved leave and fails to report on his or her scheduled workday, before or after a holiday, shall not be paid for the holiday.
	2. It shall be the policy of the City to insure that all career-status employees enjoy the same number of holidays each year. The standard shall be the number of holidays in a particular year which will be celebrated by career-status employees working for a forty- hour (40) week, Monday through Friday. For career-status employees on a work-week other than Monday through Friday, the City Manager or his designated representative shall designate the work day that shall be observed. Career-status employees working less than full-time shall also be eligible to receive the above holidays with pay for their regular number of hours at their regular rate of pay.
	3. Employees of the \_\_\_\_\_\_\_\_ Fire Department, designated as certified firefighters, shall be provided 96 holiday hours each July 1, which must be utilized by June 30 of the same fiscal year. Hours not used by June 30 shall be forfeited.
1. Vacation Leave

* 1. Vacation Leave Defined - Vacation leave is paid leave that is granted to each eligible employee for vacations and other personal uses. Such leave is to be taken on days which an employee would otherwise work and receive pay (exclusive of holidays, all non- work days, and sick days, unless approved in the case where accrued sick leave balances have been depleted due to a serious illness and/or injury).
	2. Eligibility - All career-status employees in the classified service shall be entitled to earn and accrue vacation leave. Temporary, seasonal, and other part-time or substitute employees, are not eligible for vacation leave. Probationary employees are eligible to accrue vacation leave. The scheduling of vacation leave during the probationary period is subject to approval by the Department Head.
	3. Use of Vacation Leave:
		1. Vacation leave may be used only upon approval of the employee’s immediate supervisor, or in their absence a higher-level supervisor in the employee’s chain of command. An employee may request vacation leave for any purpose without explanation of its intended use, except as sick leave - unless its usage is approved upon the depletion of accrued sick leave balances in the case of serious illness and/or injury.
		2. Vacation leave should be scheduled and submitted for approval, as far in advance as possible; the longer the desired leave, the further in advance it should be requested. Leave of a week or more should be requested at least thirty days in advance of its commencement. The shorter advance notice given to the supervisor, the greater the chance the leave may not be approved.
		3. Supervisors should take into account the needs of the section, and overall City of \_\_\_\_\_\_\_\_ operations, when determining whether individual vacation leave requests will be approved. Where approval of the requests of two or more employees would substantially interfere with any function of the work unit, department, section or the City of \_\_\_\_\_\_\_\_, the supervisor should take into consideration such factors as the relative timeliness of the employees requests, the employees relative length of employment with the City of \_\_\_\_\_\_\_\_, and any explanation offered by the employees concerning their reason(s) for requesting the specific days/hours of leave.
		4. A supervisor may refuse to approve the use of accrued vacation leave to cover reportable periods of time that an employee is absent due to tardiness, late return from lunch or early departure from work for which prior approval was not obtained. The supervisor may instead, place the employee in leave without pay status for such periods. Patterns of approved or unapproved vacation leave due to an employee’s tardiness, late return from lunch or early departure from work may indicate an abuse of leave situation that may subject the employee to disciplinary action.
		5. In extreme situations, the City of \_\_\_\_\_\_\_\_ reserves the right to cancel an employee’s previously approved leave if urgent City of \_\_\_\_\_\_\_\_ business requires the presence of that employee.
	4. Rate of Leave Accrual - Vacation leave time shall accrue from the date of employment. Eligible employees will not accrue leave time while on suspension or layoff if off fifteen (15) days or more. Time will accrue while the employee is out on sick leave or Workers’ Compensation disability providing the employee returns to work within a twelve (12) month period. If off over twelve (12) months, no time will be accumulated for the period of time off from work.

# Schedule of Vacation Leave Accrual

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|

|  |
| --- |
|   |
| Accumulated Length Of Service  |
| Less than 5 years of Service 5 or More Years of Service  |
| Less Than 5 years of Service 5 or More Years of Service  |
| Less Than 5 Years of Service 5 or More Years of Service  |

 |

|  |
| --- |
| **Hours Worked** **Per 28 Days**   |
| Work Period  |
| 212 212  |
| 163.5 163.5  |
| 160 160  |

 |

|  |
| --- |
|  **Leave** **Time** **Accrued**  |
| Per 28 Days  |
| 9.8 12.3  |
| 8.0 9.8  |
| 7.4 9.2  |

 |

|  |
| --- |
|  **Leave** **Time** **Accrued**  |
| Per Year  |
| 128 160  |
| 104 128  |
| 96 120  |

 |

|  |
| --- |
| **Maximum**  |
| Hours  |
| 371 477  |
| 283 363  |
| 280 360  |

 |

1. Maximum Allowable Accumulation – See the schedule of vacation leave accrual. Any accumulation above the maximum at the beginning of each fiscal year (July 1) will be transferred to the eligible employees’ sick leave.
2. Notice of Leave - A Department Head shall establish his or her own procedure for notice of vacation leave within the department.
3. Payment of Unused Leave - When a career employee is separated from the City service, such employee shall be paid for all unused vacation leave, up to the maximum amount allowed on the Schedule of Vacation Leave Accrual table under Maximum Hours, unless he or she fails to give a proper two weeks’ (14 calendar days) notice of resignation as provided in Section 9 (A.), is terminated from employment, or resigns in lieu of termination. The employee must resign from the city in good standing to receive payment for accrued vacation leave.
4. Employees may not be advanced vacation leave beyond their existing accrual.
5. For leave related to participation in political activities when holding a part-time elective political office, please refer to Section 22 – Political Activities.

F. Sick Leave

1. General - Sick leave may be requested by an eligible employee provided that the employee reports their illness prior to normal shift start time.
2. Treatment in the case of actual sickness or disability of the employee or for medical, dental, or eye examinations shall be arranged outside of normal working hours. Only when this is not feasible shall treatment be scheduled during working hours.
3. See Family Medical Leave Section 17-H and I.
4. With exception of emergencies, employees shall report any absence due to illness to their first-line supervisor at least 30 minutes prior to his or her scheduled work time.
5. An employee may use sick leave for the first seven (7) calendar days of disability due to a workers’ compensation-covered injury.
6. No employee shall receive sick leave pay while gainfully employed in another occupation, profession or with another employer.
7. Employees may not be advanced sick leave beyond their existing accrual.
8. Eligibility - Those employees entitled to earn vacation leave shall also be eligible to earn sick leave.
9. Rate of Leave Accrual:

# Schedule of Sick Leave Accrual

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|

|  |
| --- |
| **Hours Worked Per 28 Day Work Period**  |
| 212  |
| 163.5  |

 |

|  |
| --- |
| **Leave Time Accrued Per 28** **Days**  |
| 9.8  |
| 8.0  |

 |

|  |
| --- |
| **Leave Time Accrued Per Year**  |
| 128  |
| 104  |

 |

160

7.4

96

1. Certification by Physician - Sick leave with pay of three (3) consecutive working days or two (2) 24 hour shifts whichever is applicable for reasons of personal illness or physical incapacity shall be granted only after presentation of a written statement by a licensed physician, or dentist, certifying that the employee’s condition prevented him/her from performing the duties of the position, if the supervisor requests the documentation. (See also Family Medical Leave Section 17-H and I)
2. Maximum Allowable Accumulation - No limit.
3. No Payment of Unused Sick Leave - When an employee is separated from City service, no payment shall be made for any unused sick leave.
4. Sick Leave Buy Back - Pending approved funding in the budget, employees with less than five (5) years of service may sell back to the City a maximum of forty (40) hours of sick leave per year, and employees with five years or more of service may sell up to a maximum of eighty (80) hours sick leave per year, provided one hundred twenty (120) hours remain in the employee’s sick leave account following the hours designated for payout and prior to the next accrual.

G. Other Types of Leave

 1. Military Leave:

1. Any career employee who leaves the classified service to join the military forces of the United States during time of war or other national emergency, or is inducted by Selective Service, may, upon written request, prior to induction into the military, be placed on military leave without pay; such leave is to extend through a date ninety (90) days after which such service terminates.
2. The returning employee shall be entitled to any increases in salary (including cost of living increases) or any advancement in grade which would normally be accorded to the incumbent of the position, with the exception of any increases or advancement in grade which would normally be depended on meritorious performance of the duties of the position.
3. In the event a position vacated by a person entering the military service

as stated above no longer exists at the time he or she qualifies to return to work, such person shall be entitled to be employed in another position of the same status, class and pay in the classified service.

1. Any career employee who is a member of the National Guard or an organized military reserve of the United States will be allowed leave of absence with pay not to exceed eighteen (18) eight (8) hour days (or in compliance with State law) during any calendar year to attend training camps upon presentation of orders concerning such training. Such leave shall not be charged to vacation leave. Any additional training hours in excess of eighteen (18) eight (8) hour days shall be charged to vacation leave, holiday, or compensation time.
2. Funeral Leave - Funeral leave will be charged against sick leave. Funeral leave of up to twenty-four (24) working hours annually will be granted with pay for absence from duty of employees in the event of a death in the immediate family. Immediate family shall mean spouse, child, father, mother, father-in-law, mother-in-law, sister, brother, sister-in-law, brother-in-law, grandparents, grandchildren, or any relative who is domiciled in the employee’s household.
3. Workers’ Compensation - An employee who is temporarily disabled because of injury or illness sustained directly in the performance of his or her work may be covered by the provisions of the State Workers’ Compensation Act. Employees may not work another job while on Workers’ Compensation Leave.
4. Temporary Disabilities Not Covered by Workers Compensation - An employee who becomes temporarily disabled shall be allowed to exhaust his or her accrued sick and vacation leave. After all sick and vacation leave have been used, further extension of leave (either with or without pay) must be specifically authorized by the City Manager upon recommendation of the Department Head.
5. Maternity Leave -See Family Medical Leave Section 17-H and I.
6. Leave of Absence (Without Pay) - A Department Head, with the approval of the City Manager, may grant a career employee a leave of absence without pay for a period not to exceed six months. All departments are required to adhere to the following regulations:
	1. Leave without pay shall be granted only when it will not adversely affect the interest of the City service.
	2. Failure of an employee to return to work at the expiration of approved leave shall be considered as an absence without leave and grounds for disciplinary action.
	3. Any employee who has been granted a leave of absence and who wishes to return before the leave period has expired shall be required to give his or her Department Head at least a one-week notice before the employee shall be permitted to return to work.
	4. No sick leave or vacation leave will be earned by an employee for the time that such employee is on leave without pay.
	5. An employee shall return from leave without pay to the same salary

grade as at time of the commencement of leave.

* 1. An employee returning from a leave of absence without pay shall be entitled, when possible, to employment in the same department in the same or equivalent class wherein employed when said leave commenced.
1. Absence Without Leave - The absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these regulations shall be deemed to be an absence without leave. Any such absence shall be without pay and shall be cause for disciplinary action.
2. Administrative Leave - An employee may be placed on administrative leave with pay at the discretion of the Department Head with notification to the Human Resources Director and approval of the City Manager when such action is deemed to be in the best interest of the City.
3. Family and Medical Leave Act (FMLA)
	1. General Overview - Federal law provides that employees be given up to twelve (12) weeks of unpaid leave per year for the birth or adoption of a child, to care for a family member with a serious illness, or to take care of their own health condition if it renders them unable to work. The City policy set forth below shall be interpreted and applied consistent with the pertinent Federal and State laws at all times.
	2. Eligible Employee - Employees who have been employed for at least twelve (12) months by the City of \_\_\_\_\_\_\_\_ and who have provided at least 1,250 hours of service during the twelve (12) months before the leave is requested are considered eligible for such leave. The Act includes “spouse”, “parent” and “son or daughter”. Son or daughter is defined as “biological”, adopted, foster child, stepc h i l d , legal ward, or a child of a person standing in loco parentis. Employees who actually have day-today responsibility for a child are entitled to leave if that employee does not have a biological or legal relationship to the child.
	3. Leave Rights - Eligible employees are entitled to take up to twelve (12) weeks of leave per calendar year (January 1 through December 31), either paid with accrued sick leave or unpaid per below for reasons specified by the FMLA Act:
		1. Birth of a child or placement, adoption or foster care of a child;
		2. Serious health conditions of a spouse, child or parent; or
		3. The employee’s own serious health condition.
	4. Leave may be taken for the birth or placement of a child only within twelve (12) months of the birth or placement.
4. FMLA and Military Service
	1. Eligible employees are entitled to up to 12 weeks of leave because of “any qualifying exigency” arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status in support of a contingency operation. By the terms of the statute, this provision requires the Secretary of Labor to issue regulations defining “any qualifying exigency”. In the interim, employers are encouraged to provide this type

of leave to qualifying employees.

* 1. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12month period to care for the service member. This provision became effective immediately upon enactment. This military caregiver leave is available during “a single” 12-month period” during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.
	2. The right to take leave applies equally to male and female employees.
	3. The Act provided that the City of \_\_\_\_\_\_\_\_ may mandate that an employee substitute any available paid leave before utilizing unpaid leave. When the City has required, or an employee has elected to use, paid leave for such absence and the amount of such available paid leave is less than twelve weeks in duration, the City will provide an additional period of unpaid leave for such absence provided the total of paid and unpaid leave will not exceed twelve (12) weeks.
	4. The City may also require the employee to substitute any unused paid vacation leave.
	5. Health Benefits - Employees taking leave are entitled to receive health benefits while they are on unpaid leave under the same terms and conditions as when they are on the job. If the employee fails to return to work following such leave, the City may recover health coverage benefits paid on behalf of the employee. Premiums for dependent coverage must be paid by the employee monthly.
	6. Reinstatement Rights - The City will upon return place that employee in the

“same position” or “a position equivalent” in pay, benefits, and conditions of comparable job requirements.

* 1. Intermittent or Reduced Leave - If an employee requests intermittent or reduced leave due to particular medical circumstances, both the City and the employee must agree to the arrangement. The Department Head shall have authority to approve such arrangement.
	2. Notification and Certification - The City of \_\_\_\_\_\_\_\_ will require at least thirty (30) days’ notice for leave of birth, adoption, or planned medical treatment when the need for such leave is foreseeable.
	3. The City will also require the employee to provide a certificate of a serious health condition for herself or himself or that of a family member. Certification must be given to the Department Head who will forward it to the Human Resources Department within thirty (30) days of the beginning of the leave. Other certifications may be required as are allowed by Federal Law.
	4. Conclusion - Any employee who needs clarification of the Family and Medical Leave Act should talk to the Human Resources Department. Any complaints about the administration of the Family Leave Policy should be discussed with the Human Resources Department.

## SECTION 18. SICK LEAVE TRANSFER PROGRAM

1. Scope - The Sick Leave Transfer Program shall be available to all City of \_\_\_\_\_\_\_\_ employees subject to the conditions and procedures set forth in this policy.
2. Purpose - The purpose of this document is to establish a program pursuant to which an employee of the City of \_\_\_\_\_\_\_\_ may donate his or her sick leave credits to an employee of the City of \_\_\_\_\_\_\_\_; and pursuant to which an employee may be credited with sick leave donated by another employee of the City of \_\_\_\_\_\_\_\_.
3. Definitions
	1. Documented illness, accident or injury - An illness, injury, or exposure to a contagious disease that would endanger others. Personal illness shall include disability caused by or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery there from.
	2. Immediate Family - Employee, employee’s spouse; the children and parents of the employee or the employee’s spouse; and a person for whose care and well-being the employee or the employee’s spouse has a legal responsibility.
4. Administration - The Sick Leave Transfer Program shall be administered by the Human Resources Director, or designee, who shall be responsible for the following:
	1. Reviewing and recommending approval or denial of requests for the donation and usage of leave under the Sick Leave Transfer Program.
	2. Investigating complaints of alleged abuse of the Sick Leave Transfer Program.
	3. The City Manager, or designee, shall retain authority for the final approval of all requests for the donation and usage of leave under this program
5. Employee Participation - Participation in the Sick Leave Transfer Program shall be in accordance with the following provisions:
	1. Participation in the Sick Leave Transfer Program, at all times, shall be voluntary.
	2. Managers, supervisors, and employees shall not coerce or pressure other employees into donating their personal sick leave credits. Donors of sick leave shall receive no compensation or other consideration for agreeing to donate personal sick leave credits. Violations of these conditions shall be cause for disciplinary action.
	3. An employee who transfers sick leave credits cannot cancel the donation once the transfer is completed by the city.
	4. Upon documented cessation of the qualifying illness, accident or injury, any unused transferred sick leave credits shall be returned to those employees whose donated sick leave credits have not yet been drawn upon under the first-in, first-out method.
	5. Employees who are investigated, and determined to have abused the Sick Leave Transfer Program, shall be required to reimburse on an hour-for-hour basis all donated sick leave when there is a finding of wrongdoing. This may also include a refund of any salary earned or benefits paid to the employee due to the transferred hours that are returned.
	6. Under no circumstances may a requesting employee be allowed to keep unused sick leave credits or receive compensation for unused sick leave credits donated under the Sick Leave Transfer Program.
6. Eligibility for the Transfer of Sick Leave - To be eligible to receive sick leave credits under the program, an employee must meet the following requirements:

* 1. The employee or a member of the employee’s immediate family must have suffered a documented illness, accident or injury, w h i c h requires, as certified by the treating physician, for an absence from the workplace for more than five (5) consecutive workdays.
	2. The employee must have exhausted all sick, annual, holiday and compensatory leave credits accumulated in his or her personal leave account.
	3. The employee must not be eligible for or receiving disability leave.
	4. The employee must not qualify for or be receiving Long-Term Disability benefits under the city’s supplemental insurance plan.
	5. Except as provided below, the employee must not use more than 480 hours of transferred sick leave credits within a consecutive twelve-month period, beginning with the month transferred credits are first used. Requests for sick leave credits in excess of 480 hours may be submitted, will be considered, and may be approved based on the following factors:
		1. The illness, accident or injury is terminal in nature.
		2. The number of additional hours being requested is not excessive in view of the circumstances involved.
1. Procedures
	1. The employee must complete a Sick Leave Transfer Program Employee Request Form and have it reviewed and approved by his or her immediate supervisor and Department Head. If the employee is incapacitated, the employee may designate a representative or co-worker to complete the request on his or her behalf. If the request involves the provision of care to an immediate family member, the designated section on the Form should be used to provide a statement from the employee describing why the care must be personally provided and why reasonable alternatives for the provision of the needed care are not readily available.
	2. Requests should be submitted to the Human Resources Director 30 days in advance of the anticipated need for sick leave. When a medical emergency arises, however, the employee or his or her representative shall submit the request on the earliest date possible.
	3. Requests must be accompanied by the appropriate Medical Certification Statement form for employee illness, accident, or injury; or Medical Certification Statement form for illness, accident, or injury of employee’s family member. The Medical Certification Statement form shall indicate the nature of the serious medical condition, the treatment being received, and the approximate duration of the employee’s or immediate family member’s illness. The Medical Certification Statement form must be signed by the employee, patient (or designated representative), and health care provider.
	4. The Department Head and Human Resources Director or designee(s) shall expeditiously review the request. The employee’s Attendance and Leave records with the city shall be an important factor considered when reviewing the request. During the review of the request, additional information may be requested from the employee or supervisory chain as necessary. The Human Resources Director shall conduct a final review of the request

and consider any findings in the background review when recommending approval or disapproval.

* 1. Employees who are initially denied a request for the transfer of sick leave credits may request a review of the decision by the City Manager. The City Manager’s decision on all matters pertaining to the Sick Leave Transfer Program shall be final.
	2. If the request is approved, the Human Resources Director, or designee, will assign a case number and solicit voluntary transfers of sick leave. The employee’s or family member’s medical condition identified in his or her request and the name of the employee receiving and donating leave shall be kept confidential by the Human Resources Department.
	3. Sick leave donations shall be transferred to the requesting employee’s account in the order in which they were received. When a sufficient number of donated leave credits have been received, the request for donations shall be withdrawn and no further pledges will be accepted. The requesting employee will be credited with only the amount of sick leave needed to bring the employee’s total number of compensable hours up to the minimum number of hours for the pay period. The requesting employee shall be notified by Human Resources of the total number of sick leave hours donated and credited to his or her sick leave account and the time period (starting and ending date) covered by the sick leave credits.
	4. A request for sick leave donations may be re-announced if the donations initially received were insufficient to cover the employee’s request.
1. Sick Leave Donors
	1. City of \_\_\_\_\_\_\_\_ employees who volunteer to donate sick leave credits in response to a call for donations may do so by completing a Sick Leave Transfer Program Donation Form in accordance with the instructions on the form. Employees transferring sick leave credits must meet the following requirements:
		* 1. The employee must have at least 64 hours of sick leave credits remaining in his or her personal leave account after the donated sick leave credits have been transferred.
			2. The minimum transfer amount for each transaction shall be 8 hours.
			3. Sick leave can only be transferred intra-agency in response to an approved request.
			4. Sick leave cannot be transferred in conjunction with separation from employment with the City of \_\_\_\_\_\_\_\_.

**SECTION 19. NEPOTISM, POLYGRAPH TEST, JURY DUTY/COURT**

## SUBPOENA, FAILURE TO COMPLY

1. Nepotism - The City of \_\_\_\_\_\_\_\_ shall not employ or assign within the same department of the City or if the department has separate divisions within the same division of a department of the City, any person related to a member of that department who is of closer relation by blood or marriage than first cousin. “Relation” as used herein shall include spouse, child, step-child, grandchild, parent, grandparent, brother, sister, half-brother, half-sister, uncle, aunt, niece, nephew, or the spouse of any of them. These relationships shall also include those arising from adoption. Persons who are common-law married, or who are living together without the benefit of matrimony, are also considered as relatives and spouses under the intent of this provision.

1. Polygraph or Voice Stress Analysis Test - As a condition of employment, all employees of the City of \_\_\_\_\_\_\_\_ may be required to submit to a polygraph or voice stress analysis test, consistent with Federal or State law, as part of the hiring process or as part of any investigation by the City or a law enforcement agency. Failure to comply is reason for dismissal.
2. Jury Duty/Court Subpoena
	1. Employees are to notify supervisors immediately upon receipt of a Jury Summons or Court Subpoena and notice of selection to serve. If selected, employees will receive full pay providing the employee returns to work promptly upon release. Any employee who fails to promptly return to work upon release shall not be paid for time lost.

* 1. At the completion of your jury duty assignment, you will be required to contact your immediate supervisor regarding your return to work status.

* 1. Paid leave shall be granted for time spent on jury duty, provided the requirements of this section are complied with. To qualify for such leave, the employee must:

* + 1. Provide his/her supervisor with a copy of the jury summons in advance of the jury duty.

* + 1. Acknowledge to the court under whose jurisdiction the jury was convened that he/she is being compensated by his/her employer (the City) while serving on jury duty.

* + 1. If the employee is paid any fees to compensate them for lost work time, the employee shall NOT be eligible for paid leave from the City.

1. Failure to Comply with Provisions of the City Drug and Alcohol Policy or Accident/Loss Prevention Policy - Failure to comply with any provisions of the City Drug and Alcohol Policy and/or the City Accident/Loss Prevention Policy shall be grounds for dismissal.

## SECTION 20. OUTSIDE EMPLOYMENT

A. Regulations:

1. The work of the City shall have precedence over the other occupational interests of employees. No employee, including employees of the Police and Fire Departments, shall engage in any outside employment which might result in a conflict or apparent conflict between the private interests of the employee and his/her official duties and responsibilities. All outside employment for salary, wages or commission and all selfemployment must be reported to and approved by an employee’s Department Head in writing in advance of undertaking such employment, and a copy must be submitted to the Human Resources Department.

1. Employees seeking outside employment must notify the supervisor/manager and Department Head of any change in the status of the outside employment in writing. In

turn, the Department Head or his/her designee must provide the Human Resources Department with the change. Human Resources will conduct a review of the status change and in consultation with the Department Head; the Department Head will determine if the outside employment should continue, if applicable.

1. Approvals for outside employment will expire each December 31, unless otherwise approved by the Department Head with review by the Human Resources Department. Request for outside employment must be submitted prior to each January 1 and must include all pertinent data.

1. Employees with outside employment may not work in that capacity during any period in which the employee has been placed on a workers’ compensation leave of absence or receiving workers’ compensation benefits.

1. Failure to comply with the provisions of the outside employment policy may result in disciplinary action up to and including dismissal from employment.

## SECTION 21. USE OF CITY VEHICLES

1. Control of City-Owned Vehicles – The City Manager or his designated representative may authorize Department Heads, supervisors, and other personnel who, due to the nature of their position, duties, or the emergency nature of their work, to take city-owned vehicles to their residence during off-duty hours. Vehicles so assigned should be used for official business purposes only and should never be used in such manner as to bring discredit upon the City. All employees driving City vehicles or their personal vehicles for city business and any passengers must adhere to the Vehicle Use Policy.

1. Driver’s License Required - Employees driving City vehicles are required to have such drivers’ license required for the vehicle being driven as is required by state law, regardless of whether the employee drives the vehicle on a regular, occasional or other basis, and whether or not this requirement is included or omitted in the description of the classification to which the employee was appointed.

1. Disciplinary Action for Violation - Anyone misusing or abusing City vehicles, using a City vehicle for other than approved purposes, or taking a vehicle home when not approved by the City Manager, shall be subject to appropriate disciplinary action, including dismissal.

## SECTION 22. POLITICAL ACTIVITIES

A. It is the policy of the City of \_\_\_\_\_\_\_\_ that:

1. Any employee seeking public elective municipal office for the City of \_\_\_\_\_\_\_\_, shall upon filing, declaring candidacy and/or campaigning, either resign or submit a written request to the City Manager for a leave of absence without pay from the date of his or her announcement through the duration of the campaign or the assumption of office whichever is later.

1. If elected to a public elective city municipal office for the City of \_\_\_\_\_\_\_\_, and a leave of absence has been requested, the employee shall immediately resign or be separated

from employment. If the employee is not elected to the office, he or she may be reinstated with the City of \_\_\_\_\_\_\_\_, upon written request and approval by the City Manager.

1. Nothing contained herein shall be construed as giving an employee a right to return to work after the election.

1. No employee shall take any active part in a political campaign while on duty or within any period during which he or she is expected to perform services for which he or she receives compensation from the City of \_\_\_\_\_\_\_\_.
2. No employee of the City Of \_\_\_\_\_\_\_\_ shall directly or indirectly solicit, receive or be in any manner concerned in soliciting or receiving any assessment, subscription or contribution for any candidate for municipal office within the City of \_\_\_\_\_\_\_\_. No employee of the City shall actively campaign for any political candidate or do any action in support of any political campaign during working hours or in City uniform, if a uniform is required or provided to the employee. No employee shall orally or by letter solicit, or in any manner concerned in soliciting any assessment, subscription or contribution for any political purpose from any person holding a position in the administrative and/or classified service. No employee shall use or promise to use his or her influence or official authority to keep any appointment or prospective appointment to any position in service to the City as a reward in return for the personal and partisan political service.
3. Candidacy for or holding any public elective office shall be presumed to involve activities which interfere with an employee's employment with the City of \_\_\_\_\_\_\_\_ in each of the following instances:
	1. The office is a full-time office;
	2. The campaign or, if elected, office activities are performed during the employee's assigned work hours with the City of \_\_\_\_\_\_\_\_; or
	3. The campaign or, if elected, office activities will involve the use of the City of \_\_\_\_\_\_\_\_'s properties, personnel, time, equipment, funds or supplies.
	4. If a conflict of interest exists.
4. It is improper for any employee of the City of \_\_\_\_\_\_\_\_ to file, declare candidacy and/or campaign for any public elective office without first notifying the City Manager in writing. The notification shall advise the City Manager of your current job title, duties and hours of work with the City of \_\_\_\_\_\_\_\_, the title of office being sought, date of filing, declaration of candidacy, commencement of campaign and the election date and submitted as far in advance as necessary. The original of the notification and a copy of the determination of the City Manager, if applicable, shall be retained in the employee's personnel records.
5. Nothing in this policy shall be construed to prohibit any employee from expressing his or her opinions regarding any candidate or issue, or, except as otherwise provided herein, from participating in, or contributing to, any political campaign, during his or her off-duty hours. Under no circumstances shall an employee give the appearance of being a representative of the City of \_\_\_\_\_\_\_\_ when engaged in personal political activities.
6. Any leave requested and/or taken for participating in duties of a part-time elective office should be taken in intervals of one regular workday. Requests for participation in the aforementioned activities shall include one of the following accrued leave types only: vacation, holiday or compensatory.
7. Anyone found in violation of this policy may be subject to disciplinary action up to and including termination.

## SECTION 23. POLICY CHANGES

These policies or amendments shall reflect, and be superseded by, any changes mandated by State or Federal legislation.

## SECTION 24. EMPLOYEE HEALTH & SAFETY POLICY

1. It is the policy of the City Of \_\_\_\_\_\_\_\_ to provide for the continuous development, implementation, and maintenance of an ongoing program that assures a healthy and safe work environment for all employees. Employees will be held responsible at all times to observe and practice the highest possible standards of health and safety in carrying out assigned duties.
2. It will be the responsibility of the Human Resources Director to manage the City Of \_\_\_\_\_\_\_\_’s safety program, including record keeping and processing of injury reports, safety records, and safety training. Such responsibility may be conducted independently or through the cooperative efforts of others.
3. The City Of \_\_\_\_\_\_\_\_ will make every effort to provide working conditions that are as healthy and safe as feasible, and employees are expected to be equally conscientious about workplace safety, including proper work methods, reporting potential hazards, and abating known hazards. Unsafe work conditions in any work areas that might result in an accident should be reported immediately to the supervisor. The supervisor/manager should report the matter to the Department Head to ensure compliance with all applicable rules, policies, procedures and laws. The City Of \_\_\_\_\_\_\_\_’s safety policy and practices will be strictly enforced, including possible dismissal of employees found to be willfully negligent in the safe performance of their job.

## SECTION 25. ELECTRONIC COMMUNICATIONS

1. Employees should not expect any privacy while utilizing City owned computers or communication systems. The City reserves the right to monitor these systems at any time and take appropriate disciplinary actions for violations as detailed in the Technology Policy.
2. Employees are not permitted to write blog postings or other similar internet based web postings while at work regardless of subject matter. Such an action may be viewed as an abuse of City time and an inappropriate use of City equipment.
3. Employees are prohibited from using blog postings or other similar internet based web

postings to harass, defame or attack any employee, contractor or citizen or to divulge confidential information protected by law.

1. Employees may be subject to disciplinary action up to and including dismissal for violation of the communication policy.

## SECTION 26. DRESS CODE

1. Statement of Policy
	1. It is the policy of the City of \_\_\_\_\_\_\_\_ that the personal appearance of employees while on duty be reflective of a professional work environment and consistent with their work responsibilities. Employees are expected to present a clean and professional business image. This business image is particularly vital when employees’ work assignments involve personal contact with city officials, elected officials, contractors, the media, and/or members of the public.
	2. As there is flexibility in this policy for different work areas, questions regarding appropriate attire should be directed to supervisors for clarification in advance. All provisions of this policy should be tempered with common sense and good judgment befitting the professional business image of the City of \_\_\_\_\_\_\_\_.
	3. Employees are expected to present a professional image consistent with their assigned duties and work environment.
	4. The dress code will be in effect during business hours (less other specified days) or at any other time the employee acts in an official capacity. At the expressed direction of the City Manager or his designee, the dress code may be relaxed to allow appropriate clothing for special days, events or other occasions. Employees shall ensure that their dress and personal appearance is appropriate for the occasion and will bring credit to themselves and the City of \_\_\_\_\_\_\_\_. In every case, clothing shall be clean, pressed, well-fitting, and in good condition.
2. Appropriate Attire
	1. Office Personnel
		1. Suits, trousers with shirt and tie, conservative turtleneck/mock turtleneck, banded collar dress shirts, sports shirts, polo shirts, belts (when wearing pants with belt loops), suspenders, appropriate shoes and socks, dresses, skirts, pantsuits, coordinated separates (e.g. skirt, slacks, or dress shorts with blouse, sweater, or knit shell), jackets, blazers, cardigan sweaters worn as optional accessories, and city issued assigned uniforms for designated departments/units.
	2. Field Personnel
		1. Jeans, work pants, walking shorts no shorter than three inches above the knee (when standing) during the warmer months, rubber sole shoes with a closed toe, steel toe boots/shoes, staff shirts, sport shirts, polo shirts, and city issued assigned uniforms for designated departments/units.
	3. The wearing of hosiery is recommended with dress shorts and with skirts or dresses that do not extend to the top of the knee. The length of skirts, dresses and shorts should be no shorter than three inches above the top of the knee.
	4. All personnel shall wear appropriate shoes.
	5. All forms of pants shall have a proper fit and be worn at the wearer’s natural waistline.
3. Excluded Attire
	1. Except as otherwise permitted, types of attire to be avoided are extremes of any kind, faddish clothing, any eccentricity of clothing clearly unsuitable for wear in an office area, or other unsuitable clothing such as see-through clothing or lack of proper undergarments, jerseys, sweatshirts, T-shirts, leggings, stretch pants, athletic footwear (including tennis shoes), flip-flops, scuffs, jeans or denim pants (regardless of color), bib overalls, strapless or spaghetti strap dresses, halters, wind suits, low neckline front or back, tank tops, extremely tight fitting clothing, clothing with vulgar language or graphics, extremely tight fitting clothing, denim shorts and baggy/sagging pants that are not worn at the natural waistline and/or exposes underwear or body parts in a way that is indecent or vulgar.. D. Special Event Attire

1. The City Manager, or designee, shall prescribe the appropriate attire for each special event. As appropriate, for example, employees may dress in a more casual fashion associated with special events such as city-sponsored events for which casual dress is necessary. On such occasions, an employee's Special Event Attire will be expected to present a clean and neat appearance.

E. Supervisors' Responsibilities and Enforcement of Policy

1. Supervisors are responsible for ensuring their employees meet the standard set forth in this policy and should take appropriate corrective action for those employees who do not. In the event that an employee’s personal appearance is not in compliance with this policy, supervisory personnel must promptly contact the appropriate department head for instructions or discussion as to how the employee’s non-compliance will be addressed.
2. To ensure conformity, should the employee come to work in inappropriate clothing, the supervisor will discuss the dress code with that employee. The supervisor will ask the employee to observe the dress code in the future.
	1. During the first instance of non-compliance, the department head, or his/her designee, shall counsel the employee regarding the dress code policy and the particular violation of the policy.
	2. Should the employee come to work in inappropriate clothing a second time, the employee will be asked to return home on leave without pay, change into appropriate clothing and report back to duty within a specified timeframe.
	3. A third act would be considered insubordination and the supervisor will take appropriate action per the City of \_\_\_\_\_\_\_\_ Disciplinary Policy.

## SECTION 27. AMENDMENT

These polices may be amended at regular or special meetings of the City Council by adoption of an appropriate amendment by resolution. Proposed changes may be initiated by the Mayor and Council, or the City Manager and notice of such changes shall be posted in a prominent place in City Hall at least one week prior to their consideration by City Council. If requested in writing within three days after such posting, any affected party may be granted a public hearing on such proposed change, and such changes shall not be considered by the City Council until after the public hearing has been held. The City Manager shall, following the public hearing, make any changes in previously posted amendment proposals he deems to be in the best interest of the City and its employees. If time is insufficient prior to the scheduled Council Meeting, he may request the Council delay its consideration until a later date.

### SECTION 28. EFFECTIVE DATES

These policies were approved by the Mayor and City Council of the City of \_\_\_\_\_\_\_\_ on June 25, 2015 to become effective July 25, 2015.

### SECTION 29. OFFICIAL COPY

The official copy of these Policies shall be attested by and placed upon file with the Clerk of Council.

### SECTION 30. DEFINITIONS

For the purpose of these policies and procedures the following terms shall have the meanings respectively ascribed to them below, unless another meaning is specifically indicated.

Appeal - The right of an employee to appear before the grievance committee to be heard on alleged matters of illegal discrimination, or other grievances of such person in the manner described in these policies and procedures.

Career Employee - An employee who has performed work satisfactorily and completed the probationary period.

Classified Service - The classified service consists of all positions included in the classification and pay plan with the exception of those positions specifically excluded by the City Council.

Classification & Pay Plan - The system of assigning jobs to classes and to appropriate pay grades based on the similarities of positions.

Continuous Service - Continuous service of the City is employment which is uninterrupted except for authorized leaves of absence, suspension or separation due to a reduction in work force.

Demotion - Demotion means a reduction in the job classification of an employee from a position in one class to a position in another class resulting in a reduction in job classification, a reduction in salary and/or a reduction in responsibility.

Department Head - The position with overall administrative responsibility for a department.

Dismissal - The discharge or separation of employment for just cause as governed by the City Personnel Policies and Procedures.

Eligible - An applicant who has made a passing score on any examination required under these regulations and who has met all other qualifications, statutory, or otherwise to be employed by the City.

Employee - A person appointed to a position in the city government for which he or she is compensated on a full-time or part-time basis.

Grievance - Any dispute of a career employee concerning the interpretation or application of these personnel policies and procedures or any decision relative to any disciplinary action, dismissal, demotion or charge of discrimination as it relates to the grievance.

Layoff - The separation of an employee from the classified service due to lack of work, lack of funds, abolishment of position, or other changes in duties or organizations.

Merit Increase - An increase in pay based on an employee’s job performance.

Overtime - Time worked in accordance with the Fair Labor Standards Act as amended.

Part-time - Any employee who regularly works less than 29 hours per week, and whose position or employment is not designated as a permanent position of employment, or is hired for a definite temporary period of time, not to exceed one year.

Performance Evaluation - A method of evaluating each employee on a periodic basis (minimum annually) basis as to his or her performance on the job.

Probationary Employee - Each new employee appointed to a position with the City Of \_\_\_\_\_\_\_\_ shall be designated as a probationary employee. An employee filling a career position shall be eligible for consideration for regular employment after serving a probationary period of a minimum of six (6) months or twelve (12) months if state certification is required, or as determined by the department’s standard operating procedure.

Promotion - A change in job classification of an employee from a position in one class to a position in another class having a higher minimum salary and carrying a greater scope of discretion and responsibility.

Promotion Roster - A list of persons who have been found qualified for appointment to a higher position. They may be qualified either by a written examination or other evaluation techniques.

Public Hearing - A meeting of the City Council or a Council committee advertised and open to the public, at which any interested party may appear and be heard concerning matters under consideration.

Reprimand - A reprimand is a formal means of communicating to the employee that a problem exists and that it must be corrected.

Resignation - The separation of an employee at the employee’s written request. The employee must provide written notification.

Salary Increase - An increase in salary within the classification and pay plan.

Suspension - A leave of absence authorized for either a disciplinary purpose or in conjunction with a pending investigation of charges against an employee.

Temporary Acting - An employee appointed to a position without competition pending the establishment of an eligibility list. Such employee may serve for a limited time only and must compete with other applicants to qualify for any regular appointment.

**SECTION 31. CODE OF ETHICS FOR GOVERNMENT SERVICE**

## O.C.G.A. § 45-10-1 (2011)

**§ 45-10-1**. Establishment and text of code of ethics for government service generally. There is established for and within the state and for in all governments therein a code of ethics for government service which shall read as follows:

## CODE OF ETHICS FOR GOVERNMENT SERVICE

Any person in government service should:

1. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or government department.

1. Uphold the Constitution, laws, and legal regulations of the United States and the State of Georgia and of all governments therein and never be a party to their evasion.

1. Give a full day’s labor for a full day’s pay and give to the performance of his duties his earnest effort and best thought.

1. Seek to find and employ more efficient and economical ways of getting tasks accomplished.

1. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not, and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable person as influencing the performance of his governmental duties.

1. Make no private promises of any kind binding upon the duties of office, since a government employee has no private word which can be binding on public duty.

1. Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.

1. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.

1. Expose corruption wherever discovered.

1. Uphold these principles, ever conscious that public office is a public trust.

In addition, the City of \_\_\_\_\_\_\_\_ code of ethics prohibits the following:

1. No city employee may participate in in any manner in the bidding, awarding or administering of contracts in which they, or a member of their immediate family, their business partner, or any organization in which they serve as an officer, director, trustee, or employee, have a financial interest.

1. No city employee or officer involved in any manner in the designation, handling or disposition of city surplus property, or who maintains custody, control or possession of city surplus property shall bid upon city surplus property. This prohibition extends to any member of the employee’s or officer’s immediate family, business partner, or any organization in which either the employee or the immediate family member serves as an officer, director, trustee or employee. This prohibition also extends to any individual, business or organization that places a bid upon city surplus property in order to sell or with the intent to sell the property to a city employee or officer to circumvent the prohibition against city employees and officers bidding on city surplus property. This provision applies regardless of the method of sale utilized by the City.

1. Failure to comply with the provisions of the Code of Ethics policy may result in disciplinary action up to and including dismissal from employment

**SECTION 32. CORE VALUES AND BELIEFS**

# CORE VALUES AND BELIEFS

We respect the individual, and believe that individuals who are treated with respect and given responsibility respond by giving their best.

We require complete honesty and integrity in everything we do. We do the right thing.

We make commitments with care, and then live up to them. In all things, we do what we say we are going to do.

Work is an important part of life, and it should be fun and meaningful. Being a good employee does not mean stuffy and boring.

We love to compete and we believe that competition brings out the best in us.

We are frugal. We guard and conserve the company’s Resources with at least the same vigilance that we would use to guard and conserve our personal Resources.

We insist on giving our best effort in everything we undertake. Furthermore, we see a huge difference between “good mistakes” (best effort, bad result) and “bad mistakes” (sloppiness or lack of effort).

Clarity in understanding our mission, our goals, and what we expect from each other is critical to our success.

We are believers in the Golden Rule. In all our dealings, we will strive to be friendly and courteous, as well as fair and compassionate.

We feel a sense of urgency on all matters related to our customers. We own problems and we are always responsive. We are customer-driven.

**SECTION 33. OUR SLOGAN, MISSION AND PURPOSE STATEMENTS**

OUR SLOGAN

Quality Service by Quality People

OUR MISSION

To Be Known By Our Customers and Others For High Quality Municipal Services

# OUR PURPOSE

To provide public services that meets or exceeds the expectations of citizens.

To improve the quality of life in the community by a sincere commitment to the ideals of public service.

To be creative and innovative in our approach to the needs of citizens, recognizing the trust and confidence that our citizens place in us as caretakers of governmental services.

To be efficient and effective and use wisely the public Resources we are entrusted to manage.