

CITY OF DANIELSVILLE, GEORGIA

EMPLOYEE HANDBOOK

Revised December 12, 2016

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PERSONNEL RESPONSIBILITIES

WELCOME TO THE CITY OF DANIELSVILLE

Starting a new job is sometimes unsettling and a little confusing. This employee handbook has been developed to help you get acquainted and answer many of your questions.

As an employee of the City of Danielsville, the importance of your contribution cannot be overstated. Our goal is to provide the finest quality services to the people and businesses in the City of Danielsville and to do this efficiently and effectively.

You are an important part of this process because your work directly influences the City's reputation and how the City is perceived by its residents, taxpayers, and other branches and levels of government.

This employee handbook explains our personnel policies and benefits and is subject to modification by the City Council from time to time. To be responsive to the City's needs, changes or additions to this handbook may be made from time to time. You will be informed when these changes are made.

We are glad you have joined us and hope you will find your work to be both challenging and rewarding.

Sincerely,

Todd Higdon

Mayor

RECEIPT OF PERSONNEL POLICIES

All employees should read the following, and then sign, date and return the form to the City Clerk. The form will be placed in the employee's personnel file. Enclosed are the City of Danielsville's personnel policies. It is your responsibility to read these policies, as they will acquaint you with your employee benefits, our personnel practices and rules, and organizational philosophy.

It is important to understand that these policies do not create an employment contract or a guarantee of employment of any specific duration between the City and its employees. These policies are general guidelines and do not constitute promises of specific treatment in specific circumstances. Although we hope that your employment relationship with us will be long term, we recognize that at times things do not always work out as hoped, and either of us may decide to terminate the employment relationship.

As the City grows and changes, personnel policies may change. The City, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy when deemed appropriate by the Mayor. You will be notified of any such changes.

If you have any questions about these policies or any other policies of the City, please feel free to ask your supervisor, department head, City Clerk or the Mayor.

I have read and understand the statement above.

Employee Signature

Date

Employee Printed Name

Functions Of This Manual

This Manual should be used as an outline of the basic personnel policies, practices, and procedures for the organization. This Manual contains general statements of City of Danielsville policy and should not be read as including the details of each policy. However, in many cases details are provided and appropriate cross-references are made. This Manual should not be interpreted as forming an express or implied contract or promise that the policies discussed in it will be applied in all cases. The City of Danielsville may add to the policies in the manual, revoke, or modify them from time to time. It will try to keep the Manual current, but there may be times when policy will change before this material can be revised. These personnel policies shall apply to all City employees. They shall not apply to elected officials, the Mayor, or independent contractors.

Ethics Policy

The City of Danielsville conducts its business fairly, impartially, in an ethical and proper manner, and in compliance with all laws and regulations.

(1) The City of Danielsville is committed to conducting its business with integrity underlying all relationships, including those with citizens, customers, suppliers, and communities, and among employees. The highest standards of ethical business conduct are required of City of Danielsville employees in performance of their responsibilities. Employees will not engage in conduct or activity that may raise questions as to the City's honesty, impartiality, or reputation, or otherwise cause embarrassment to the City. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:

- (a) Using public office or public position for private gain;
- (b) Giving preferential treatment to any person or entity;
- (c) Losing impartiality; or
- (d) Adversely affecting the confidence of the public in the integrity of the City

(2) Every employee has the responsibility to ask questions, seek guidance, report suspected violations, and express concerns regarding compliance with this policy. The City of Danielsville will maintain a program to communicate to employees its commitment to integrity and uncompromising values. The program will inform employees of City policies and procedures regarding ethical business conduct and assist them in resolving questions and in reporting suspected violations. Retaliation against employees who use City reporting mechanisms to raise concerns in good faith will not be tolerated.

(3) The City Council is responsible for providing policy guidance and issuing procedures to assist employees in complying with the City of Danielsville's expectations of ethical business conduct and uncompromising values. This policy constitutes the standards of ethical business conduct required of all employees. Managers are responsible for supporting their implementation and monitoring compliance.

EMPLOYMENT

Equal Employment Opportunity Policy

The City of Danielsville is an equal opportunity employer. The City of Danielsville does not discriminate in employment decisions or policies in violation of law on the basis of race, color, national origin, creed, religion, sex, age (over 40), marital status, physical or mental disability, genetic information, gender identification, or status as an honorably discharged veteran, or any other class protected by federal, state, or local law. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, reduction in force, recall, transfer, leaves of absence, compensation, and training.

Non-Harassment Policy

The City of Danielsville promotes a productive work environment and does not tolerate unlawful discrimination, harassment, or retaliation.

- (1) The City of Danielsville is committed to providing a workplace that is free from unlawful discrimination. Unlawful discrimination occurs when an employee is disciplined, terminated, demoted, or suffers some other adverse consequence in their employment due to their race, sex, religion, or any other status protected by law.
- (2) The City of Danielsville is committed to providing a work environment which is free from unlawful harassment. The City expressly prohibits any form of unlawful harassment by or against its employees based on race, color, sex, gender identification, religion, age, marital status, national origin, the presence of sensory, mental or physical disability, veteran status, or status in any other legally protect group.
- (3) Sexual harassment is conduct that is directed at an employee because of his or her sex, is unwelcome, and is offensive. Each supervisor and manager has a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor or manager is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.
- (4) Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees, or non-employees, is also prohibited. Prohibited conduct includes, but is not limited to:
 - (a) Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
 - (b) Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;

(c) Demeaning, insulting, intimidating, or sexually suggestive comments about an Individual;

(d) The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs;

(e) Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages. Any of the above conduct, or other offensive conduct, directed at individuals because of their sex, race, color, religion, national origin, pregnancy, age, marital status, gender identification, disability, genetic information, military status or any other characteristic protected by law is also prohibited.

(5) The City of Danielsville is committed to providing a work place that is free from unlawful retaliation. The City of Danielsville prohibits any form of retaliation against any employee for good faith actions in filing a complaint under the City's discrimination and harassment policies, and for participating in the investigation of any complaint of discrimination or harassment. Improper retaliation may include, but is not limited to, discipline, termination, transfers, assignment of unfavorable duties, or treating the employee who made the complaint in a hostile manner when such action or behavior is motivated in substantial part by the employee's participation in protected activity. Employees who bring complaints may be subject to discipline if the investigation reveals that the complaint was made in bad faith.

(6) Any employee who believes that a supervisor's, manager's, other employee's, or nonemployee's actions or words constitute unlawful discrimination, harassment, or retaliation has a responsibility to report the situation as soon as possible. The report should be made to the supervisor or City Clerk. If the complaint involves the supervisor or City Clerk, the complaint should be made to the Mayor.

(7) All reports will be investigated promptly and in as impartial and confidential a manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to the parties involved. Reports of discrimination, harassment, or retaliation will be handled and investigated using the following steps, unless special procedures are considered appropriate:

(a) Step One - The supervisor, if authorized should investigate the complaint, attempt to resolve it, and give a decision to the employee within a reasonable time or refer it to the City Clerk for handling. The supervisor should prepare a written and dated summary of the dispute and proposed resolution. If the dispute involves the supervisor, then the employee may proceed directly to step two.

(b) Step Two - Appeal the decision to the Mayor, if dissatisfied with the supervisor's decision, or initiate the procedure with the Mayor, if Step One has been bypassed. This appeal or initial dispute notification must be made in a timely fashion using a written form provided for this purpose. The supervisor's version of the dispute and decision will then be submitted using a

similar written form. The Mayor will, in a timely fashion, confer with the employee, the supervisor, and any other members of management considered appropriate; investigate the issues; and will then issue a written, final, and binding decision.

(8) Any employee, supervisor, or manager who is found to have violated the antidiscrimination, harassment, or retaliation policy will be subject to appropriate disciplinary action, up to and including termination.

Hiring Policy

The City of Danielsville is an equal opportunity employer and hires individuals solely based on their qualifications and ability to do the job to be filled.

(1) The City of Danielsville will consider a member of an employee's immediate family for employment if the applicant possesses all the qualifications for employment. An immediate family member may not be hired, however, if the employment would:

(a) Create either a direct or indirect supervisor/subordinate relationship with a family member; or

(b) Create an actual conflict of interest or the appearance of a conflict of interest.

These criteria will also be considered when assigning, transferring, or promoting an employee. For purposes of this policy, "immediate family" includes: the employee's spouse, brother, sister, mother, father, stepmother, stepfather, children, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee's household.

(2) Employees who marry or become members of the same household may continue employment as long as there is not:

(a) A direct or indirect supervisor/subordinate relationship between the employees; or

(b) An actual conflict of interest or the appearance of a conflict of interest.

Should one of the above situations occur, the City of Danielsville would attempt to find a suitable position within the City of Danielsville to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will first be permitted to determine which of them will resign. If no agreement between the employees can be reached, the City of Danielsville will decide which of the employees will be terminated.

(3) Former employees who left the City of Danielsville in good standing may be considered for re-employment. Former employees who resigned without advance notice or who were dismissed for disciplinary reasons may not be considered for re-employment.

(4) A former employee who is re-employed will be considered a new employee from the date of re-employment, unless the break in service is less than 3 months or council deems otherwise, in which case the employee will retain accumulated seniority. Length of service for the purposes of benefits is governed by the terms of each benefit plan.

(5) Employees who retire may be eligible, in certain circumstances, to be considered for rehire.

Probationary Period Policy

The City of Danielsville carefully monitors and evaluates all new employees and all present employees promoted to a new job during an initial probationary period. After satisfactory completion of the probationary period, those employees will be evaluated as provided for in the PERFORMANCE APPRAISALS policy.

(1) New Employees

The first six months of employment are a period of evaluation for the city and the employee. This probationary period allows time for the employee to determine if his or her duties are interesting and rewarding. This period also allows the city ample time to evaluate the employee's ability to perform the duties assigned to him or her. If an employee's performance is deemed less than adequate he/she will be notified; if the city determines at any time said employment should be terminated the employee will be notified of the same and may be terminated at that time.

(2) Promoted Employees

At the discretion of management, promoted employees who are unable to perform satisfactorily in their new jobs may be returned to their original jobs, if a vacancy exists, or may be terminated.

Promotion/Internal Job Openings Policy

The City of Danielsville may offer employees promotions to higher-level positions when appropriate. Management prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is considered to be in the City's best interest.

(1) All employees are encouraged to seek advancement opportunities and to obtain promotion and career guidance from their supervisor, City Clerk, and the Mayor.

(2) Employee eligibility for promotion will be determined by the requirements of the new job. In addition, to be considered, employees must have held their current position for at least twelve months, have a satisfactory performance record, and have no disciplinary actions during the same period. Management retains the discretion to make exceptions to the policy.

(3) Job openings and promotions for which management solicits candidates from within the City normally will be posted on the employee bulletin board and announced on the City's website. When job openings or promotion opportunities are posted:

(a) Interested employees must complete an internal application form and cover letter and forward it to the City Clerk prior to the cut-off date specified in the posting;

(b) Department heads may initiate the procedure within the same time period and propose employees for the position; and

(c) The Council may, at its discretion, solicit outside candidates during or after the posting period.

(4) Promoted employees will be subject to the provisions of the Probationary Period policy in their new positions. (See PROBATIONARY PERIOD –Page 10)

Hours Of Work Policy

The City of Danielsville establishes the time and duration of working hours as required by workload and workflow, customer service needs, the efficient management of employees, and any applicable law or bargaining agreement.

(1) For administrative and public works personnel, the normal workweek is Monday through Friday, and consists of forty hours. The normal workday will consist of eight hours of work within a 24-hour period with an unpaid meal period. Non-exempt administrative and public works personnel will receive overtime pay for hours worked over 40 hours in a work week.

For sworn law enforcement personnel, the normal work period is based on a consecutive 14-day cycle and consists of “up to” eighty-six hours (based on FLSA 207(k) exemption). The normal workday will consist of eight hours of work within a 24-hour period with a paid meal period. Non-exempt sworn law enforcement personnel will receive overtime pay for hours worked over 86 hours in a work period.

Different work schedules, such as in the case of police, fire, water and wastewater employees, may be established by the City to meet job assignments and provide necessary City services. Rest or coffee breaks are considered as time worked and are provided in accordance with the guidelines shown below:

Amended 12/12/16 Ordinance# 236

Rest Breaks Policy

The City of Danielsville provides rest breaks during the course of each workday.

(A) Nonexempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) should receive, unless job conditions do not permit, a rest break of fifteen minutes at approximately the middle of every four hours of work not interrupted by a meal period.

Meal Breaks Policy

The City of Danielsville provides meal breaks during the course of each workday.

(a) Full-time employees are allowed a meal break near the middle of the workday. Office personnel the break will be sixty minutes. Maintenance personnel, the meal break will be thirty minutes.

(b) Part-time employees scheduled to work more than five consecutive hours during any workday will receive a meal break of the same duration as full-time employees in their department.

(c) Supervisors are responsible for balancing workloads and scheduling meal breaks and should take into consideration the workload and the nature of the job performed. Whenever necessary, the duration and time of meal periods may be changed.

(d) Employees required to work more than ten hours in any workday will be allowed a second meal break no later than six hours after returning from their first meal break.

(e) Nonexempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for their meal breaks unless they are required to work during their breaks.

(f) Employees on meal breaks are not permitted to interfere with other employees who are continuing to work.

(2) Each employee's scheduled work hours will be determined by his or her department head. The department head will inform employees of their daily schedule of hours of work, including meal periods and rest or coffee breaks, and of any changes that are considered necessary or desirable by the City.

(3) Over-Time/Extra Shifts

Department heads may schedule overtime or extra shifts only to the extent such overtime or extra shifts are pre-approved by City Council within the annual City Budget. Department heads will assign overtime to nonexempt employees (those employees who are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act) as needed, subject to availability of budgeted funds to pay for such overtime or extra shifts. Employees are not permitted to work overtime without the prior approval of their supervisor or department head.

Holiday Shifts

The Maintenance Department Head will assign (1) one employee per weekend and holidays to oversee the maintenance of the wells. This employee will be required to clock in and out and drive the city's vehicle to perform the well maintenance checks. This employee will receive a set minimum amount of 3 hours each weekend day or holiday for the purpose of well maintenance checks.

The Police Chief and the Mayor will discuss each holiday in advance to access what needs the police department should oversee. Some holidays may require assigning (1) one employee per shift per holiday to oversee the needs of the police department. Other holidays may require assigning (1) one employee per holiday to oversee the needs of the police department. This employee will take his/her holiday the working day before or the working day after the holiday.

Emergency Calls/Warrant Service/Court Summons

Non-exempt employees (ie. Administrative and Maintenance Personnel, Police Officers) who are required to perform their job duties during their off-duty time to attend to emergency calls for water, sewer, street, cemetery, or police officers who are required to handle warrant service related activities will receive a set minimum amount of 1 hour or the total amount actually worked; whichever is greater. Non-exempt police officers, working 2nd or 3rd shifts, who are required to answer court summons relating to City of Danielsville Municipal Court or Grand Jury business during their off-duty time will receive a set minimum amount of 2 hours or the total amount actually worked; whichever is greater. All sworn police personnel who are required to answer court summons not relating to City of Danielsville business during their scheduled work time shall follow the guidelines shown under section “Employee Benefits – Court Duty.”

For the purposes of overtime compensation, only hours physically worked in excess of forty during a workweek will be counted. All employees reporting to attend to emergency calls or court summons will be required to clock in and out and drive the city’s vehicle to perform such duties.

Amended 12/12/16 Ordinance# 236

(4) Employee attendance at the minimum basic training programs required for certification to perform job duties for the City will be considered hours of work, and therefore will be compensated time, if management requires and pre-authorizes attendance; provided, however, that the City will not consider as work time that time spent in travel away from home outside of regular working hours as a driver or passenger on an airplane, train, boat, bus, or automobile. Additionally, the location and accommodations for all such training programs shall be chosen so as to minimize the costs to the City; management shall choose training programs at the closest location to the City of Danielsville whenever possible. Attendance at all other training programs, meetings, or lectures beyond the minimum basic training programs required for certification to perform job duties for the City shall not be considered work time unless such attendance is specifically approved in advance by the City Council.

Amended 12/12/16 Ordinance# 236

(5) All non-exempt employees are required to complete an individual time record showing the daily hours worked. Time records cover Bi-weekly pay periods and must be completed by dates determined by the Council. The following points should be considered in filling out time records:

- (a) Employees should record their total hours worked for each workday;
- (b) Employees are not permitted to sign in or begin work before their normal starting time or to sign out or stop work after their normal quitting time without the prior approval of their supervisor;
- (c) Employees are required to take scheduled meal breaks;
- (d) Employee time records should be checked and signed by the supervisor involved. Special attention should be given to unworked time for which an employee is entitled to be paid (paid absences, paid holidays, or paid vacation time) and authorized overtime;

(e) Unapproved absences should not be considered as hours worked for pay purposes. Supervisors should inform employees if they will not be paid for certain hours of absence; and;

(f) Falsifying any time record is prohibited and may be grounds for disciplinary action, up to and including termination.

(6) Compensatory Time Off is hereby deleted in its entirety. Any current employee of the City as of the date of adoption of this Ordinance who has accrued Compensatory Time Off shall utilize such compensatory time, with the prior approval of their department head, or request a “cash out” of such compensatory time, with prior approval of the Mayor by December 31, 2016. After December 31, 2016, any unused Compensatory Time Off shall be null and void. No Compensatory Time Off shall be earned, awarded, or accrued after the date of adoption of this Ordinance.

Amended 12/12/16 Ordinance# 236

(7) Exempt Timesheets

The Police Chief, as a salaried employee, is classified as exempt pursuant to the Fair Labor Standards Act. As an exempt employee, although not considered for purposes of determining compensation, the Police Chief shall account for daily attendance and attendance exceptions in pursuit of the anticipated bi-weekly service requirements of 84 hours. Attendance records cover bi-weekly pay periods and must be completed by dates determined by the City Council. The type or form of attendance or time recordkeeping shall be at the discretion of the Mayor. Exempt employees do not receive overtime compensation.

The remaining provisions of Item 7 addressing exchange time are hereby deleted in their entirety. Any current employee of the City as of the date of adoption of this Ordinance who has accrued exchange time shall utilize such exchange time, with prior approval of their supervisor by December 31, 2016. After December 31, 2016, any unused exchange time shall be null and void. No exchange time shall be earned, awarded, or accrued after the date of adoption of this Ordinance.

Amended 12/12/16 Ordinance# 236

Outside Employment Policy

The City of Danielsville allows its employees to engage in outside work or hold other jobs, subject to certain restrictions as outlined below.

(1) Employees are required to disclose outside work or other jobs to their department heads and obtain pre-approval to perform outside work or hold another job.

(2) The City of Danielsville requires that employees’ activities and conduct away from the job must not compete, conflict with, or compromise its interests, or adversely affect job performance and the ability to fulfill all responsibilities to the City of Danielsville. (See CONFLICTS OF INTEREST) This requirement, for example, prohibits employees from performing any services for customers on non-working time that are normally performed by City of Danielsville personnel. This prohibition

also extends to the unauthorized use of any City of Danielsville's vehicles, resources, including its communication systems, and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

(3) Employees are cautioned to consider carefully the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job related problems, it must be discontinued.

(4) In evaluating whether to grant approval for outside work, department heads and the Mayor will consider whether the proposed employment:

(a) May reduce the employee's efficiency in working for the City of Danielsville;

(b) Involves working for an organization that does a significant amount of business with the City of Danielsville, such as major contractors, suppliers, and customers; or

(c) May adversely affect the City of Danielsville's image.

(d) Involves an employee whose duties include "on-call" status. (Will there be an alternate to perform the necessary duties required by the City of Danielsville?)

(5) If employees outside employment job duties are similar or related to their City of Danielsville service, or if they cause the employee to deal with people or entities whom the employee deals with for the City of Danielsville duties, the employee must be prepared to explain why no potential conflict exists between the outside employment and the official duties of the City of Danielsville.

6) Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

Employee Classifications Policy

The City of Danielsville classifies employees as full-time, part-time, temporary or contract, and as exempt or non-exempt for the purposes of compensation administration. In addition, the City of Danielsville may supplement the regular workforce, as needed, with other forms of flexible staffing.

(1) The Council is responsible for classifying employees. Employees generally may be categorized as follows:

(a) A full-time employee is an individual who works a normal forty-hour workweek and is hired for an indefinite period. (See HOURS OF WORK). A full-time employee may be classified as either exempt or nonexempt.

(b) A part-time employee is an individual who works 29 hours or less in a normal workweek and is hired for an indefinite period. A part-time employee may be classified as either exempt or nonexempt. *Amended 5/9/16 Ordinance# 234*

(c) A temporary employee generally is an individual who is hired either part-time or full-time for a specified, limited period. A temporary employee may be classified as either exempt or nonexempt.

(d) A nonexempt employee generally is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act (“FLSA”) and is typically paid either on an hourly or salary basis.

(e) An exempt employee is exempt from the provisions of the FLSA and is not entitled to overtime payments. Exempt employees typically are paid on a salary basis and include administrative, executive, and professional employees, outside sales representatives, and certain highly skilled computer professionals. (See HOURS OF WORK- Page 11)

Other flexible staffing classifications or arrangements may be added as needed.

(2) An employee whose status changes from full-time to part-time may use any days of paid absence or vacation earned as a full-time employee. An employee whose status changes from temporary or part-time to fulltime will be considered as hired on the date of the change of status for purposes of eligibility for paid absences and vacation. Information concerning eligibility for other City of Danielsville benefits, such as the pension plan, is available from the City Clerk office.

Termination Of Employment Policy

The City of Danielsville may terminate employment because of an employee’s resignation, discharge, or retirement, the expiration of an employment contract, or a permanent reduction in the workforce. Discharge can be for any reason not prohibited by law. In the absence of a specific written agreement, employees are free to resign at any time and for any reason and the City of Danielsville reserves the right to terminate employment with cause. The exception to this is with “at will” employees, such as probationary employees and department heads (who have individual contracts with the City of Danielsville) who may be terminated at any time, with or without notice and with or without cause. At will employees, however, cannot be terminated for any reason that would violate anti-discrimination laws or public policy.

(1) Employees are requested to give advance written notice of their intent to resign including the anticipated date of termination. Failure to give advance written notice may result in ineligibility for re-employment. The following guidelines are suggested:

(a) Department heads and managerial employees should give at least four weeks’ notice; and

(b) All other employees should give at least two weeks’ notice.

(2) Employees who are absent from work for three consecutive days without being excused or giving proper notice will be considered as having voluntarily quit.

(3) The City Clerk is responsible for notifying terminating employees, who are covered by the City's group health plan, of their right to continue coverage under that plan through "Georgia State Continuation" *Amended 5/9/16 Ordinance# 234*

(4) Supervisors should send notices of resignation and recommendations for termination to the City Clerk or Mayor for review.

(5) Requests for employment references should be made in writing to the City Clerk and should include an authorization by the employee for the release of the requested information. Generally, the City Clerk will not release reference information without the employee's authorization, or will limit the information to verification of the employee's position, job location, and dates of employment with the City of Danielsville. Employees may request that their supervisor provide a letter of recommendation. A copy of the letter of recommendation is to be placed in the employee's personnel file.

Retirement Policy

The City of Danielsville participates in a governmental qualified defined benefit plan under Internal Revenue Code Sections 401(a) and 414(d) and determines employees who are eligible for normal retirement per the guidelines described in the GMEBS handbook located in the City Clerk's office. Regular full-time City employees are eligible for a five (5) year vesting retirement plan after they are employed with the city for one year. The retirement plan is 100% paid by the City and requires no contribution from the employee. Full time uniformed employees in the police department are also covered by the Peace Officers A & B Fund.

(1) Employees who choose to take normal retirement are requested to give the City Clerk as much advance notice of their intent as possible, or at least 90 days. Employees who have given notice of either normal or early retirement may be called upon to assist in the training of their replacements.

(2) Retiring employees are eligible to receive pay for accrued but unused vacation and personal leave time. All employee benefit plans and programs are subject to amendment or termination, even after retirement, at the City of Danielsville's and GMEBS's discretion.

(3) GMEBS administers the retirement benefits. The City Clerk will post any notices required by law on the City of Danielsville's bulletin boards.

Georgia Municipal Employees Benefit Systems (GMEBS)
201 Pryor Street, SW
Atlanta, GA 30303
Website: www.gmanet.com
Toll Free #: 1-888-488-4462

When contacting Georgia Municipal Employees Benefit Systems (GMEBS) the following identifying information is necessary: Your name, retirement system plan, and your Social Security number.

Operation of City Vehicles Policy (revised effective 3/2015)

To reduce liability to the City in its operation of City Owned Vehicles, the City of Danielsville will conduct annual driver histories on each employee (as well as employee applicants). Any employee or potential employee who has or would have access to or regularly operates any City owned Vehicle will be required to provide the City clerk with the properly signed consent form. Any employee who's privilege to drive is suspended, cancelled, revoked, denied, or who is unlicensed to operate a motor vehicle on the public roadways, may be subject to termination, reassignment, or in the event it is an applicant employee, their application may be discarded and no longer considered.

Automatic disqualifications would be active suspension or disqualifications for the following offenses:

- 1) Any felony with a vehicle
- 2) A second or subsequent DUI offense

Any other suspensions would be considered on a case by case basis after considering how the inability to operate a motor vehicle would affect the employee or potential employee's ability to perform the job duties they are assigned.

This procedure shall be performed not only upon your hiring, but at least once a year during your employment with the City of Danielsville. See approved consent form on the following page to be used to obtain your driver's history.

**Georgia Bureau of Investigation
Georgia Crime Information Center
Madison County 911 Center
City of Danielsville**

Georgia Driver's History Consent Form

I hereby authorize the City of Danielsville and/or the Danielsville Police Department to receive a copy of my Georgia driver's history information as a part of my employment or application for employment for use relative to the performance of my official duties with the City of Danielsville.

Print Full Name: _____

Sex

Date of Birth

Driver's License Number

Signature

Date

Witness

PAY PRACTICES

Salary Administration Policy

The City of Danielsville pays compensation that is nondiscriminatory and competitive. However, all compensation policy decisions must take into consideration the City's overall financial condition and competitive position.

(1) New employees generally will be hired at the starting rate assigned to their job grade. Supervisors may recommend higher or lower starting rates depending on an applicant's experience or skill level or other competitive considerations. These recommendations will be reviewed and approved before implementation by the appropriate department head, the Mayor, and Council.

(2) The City Clerk is responsible for coordinating with the Mayor the continuing review of compensation and for making sure that each job is evaluated and assigned a job grade and salary range. This review should determine whether compensation accurately and fairly reflects each position's responsibilities and performance.

Performance Appraisals Policy

The City of Danielsville will evaluate the job performance of each employee periodically.

(1) Supervisors should complete performance appraisals upon the following occasions:

(a) By the end of the first twelve months of employment

(b) Then on an annual basis (based on anniversary date or in December of each year).

Between scheduled appraisals, supervisors should discuss with employees on an informal basis any performance issues that require attention and should keep records of any significant incidents. Supervisors may be authorized to retain information to aid in the development on an employees' performance appraisal. These notes are to be destroyed following the performance appraisal.

(2) In evaluating employees, supervisors should consider factors such as the experience and training of the employee, the job description, and the employee's attainment of previously set objectives and goals. Other factors that normally should be considered include knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, initiative, reliability, attendance, judgment, conduct, and acceptance of responsibility.

(3) Supervisors should prepare a written appraisal of each employee's job performance. The appraisal should include the supervisor's comments and recommendations, an action plan for both the employee and supervisor, and performance goals for the next evaluation period.

(4) Mayor and/or Council should review each supervisor’s written evaluation to help assure that the evaluation function has been properly completed in as uniform, fair, and objective a manner as possible. *Amended 5/9/16 Ordinance# 234*

(5) The supervisor and employee should meet and discuss the evaluation, assess the employee’s strengths and weaknesses in a constructive manner, and set objectives and goals for the period ahead. The employee should be given the opportunity to examine the evaluation and make written comments about any aspect of it. The employee and supervisor should then sign and date the evaluation and forward it to the City Clerk for review and inclusion in the employee’s personnel file. Employees may have a copy of their completed performance appraisal for their records.

(6) Information derived from the performance appraisal may be considered when making decisions affecting training, pay, promotion, or continued employment.

REIMBURSEMENT OF EMPLOYEE EXPENSES

Approved Business Expenses

Business travel must be approved in advance and should be engaged in and reimbursed according to the guidelines set forth by City of Danielsville. Employee expenses for approved business expenses will be paid or reimbursed when properly documented by the employee and approved by the supervisor, the Mayor, and the Council.

The following expenses are reimbursable or paid by the City when an employee or elected official is representing the city for “approved” business: Food, lodging, and mileage on personal vehicles. Food shall include **only non-alcoholic** beverages and no more than \$40 per day.. City employees and elected officials who use their personal vehicle for approved business purposes will receive a mileage allowance equal to the Internal Revenue Service optional mileage allowance for such usage. This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance.

EMPLOYEE BENEFITS

Full-time employees only are eligible for all benefits. Temporary and part-time employees are not eligible for benefits.

Comp-time and over-time has to be approved by the Mayor and City Council unless the employee is called in for an emergency after scheduled working hours.

Holidays

The following are paid holidays for City employees:

Good Friday	Memorial Day
Independence Day	Labor Day
Thanksgiving Day	Day After Thanksgiving Day
Christmas Eve	Christmas Day
New Year's Day	

Probationary employees are eligible for paid holidays. Any employee, who has a regularly scheduled day off that falls on a paid holiday, shall take that employee's first regular work day immediately before that holiday as his or her paid holiday. (A regularly scheduled day off is a day of each week that the employee does not work and does not include a vacation, sick leave, or miscellaneous leave day.) For example, an employee whose regular work schedule is Monday through Thursday and who does not work on Fridays would take Thursday off as his or her holiday in any week where Friday is a paid holiday.

To receive holiday pay, an eligible employee must be at work or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid vacation or paid short-term absence. If an employee is absent on one or both of these days because of an illness or injury, the City may require verification of the reason for the absence before approving holiday pay.

Vacation

The City provides paid annual leave for full time employees. Accruals begin on the first day of employment; however *are not available for use until the probationary period is satisfied. Length of employment is calculated by using the employee's hire date as the anniversary date.

On the employee's 6-month anniversary date, he/she will be entitled to 20 hours/2 ½ days of vacation leave; which will accrued at 1.54 hours per pay period. On the employee's 1 year and 2 year anniversary date, he/she will be entitled to 40 hours/1 week of vacation leave; which will be accrued at 1.54 hours per pay period. On the employee's 3 year – 10 year anniversary date, he/she will be entitled to 80 hours/2 weeks of vacation leave; which will be accrued at 3.08 hours per pay period. On the employee's 11 year – 15 year anniversary date, he/she will be entitled to 120 hours/3 weeks of vacation leave; which will be accrued at 4.62 hours per pay period. On the employee's 16 year anniversary date and each anniversary date thereafter, he/she will be entitled to 160 hours/4 weeks of vacation leave; which will be accrued at 6.15 hours per pay period. See quick reference chart below:

<u>Anniversary Date</u>	<u>Annual Leave</u>
6 Months	20 hours or 2 ½ days *After completion of Probationary Period
1 to 2 Years	1 Week
3 Years – 10 Years	2 Weeks
11 Years – 15 Years	3 Weeks
16+ Years	4 Weeks

*Chart and first paragraph amended 10/2015 to provide clarity of accrual time. See Ordinance #229

Annual leave is paid at the employee's normal rate of pay. One week of annual leave may be carried forward into the following calendar year. An employee may submit a request to Mayor and/or Council to have a maximum of (1) week of their earned vacation cashed out in place of time taken off. Written requests for foreseeable leave should be submitted for approval to your supervisor at least 2 weeks in advance of your scheduled leave. All leave requests must be approved by your supervisor and the Mayor. Without special permission from the Mayor, annual leave will only be allowed in increments of 1 week.

In the event that two (or more) staff request leave for the same time or period, and all requests cannot be accommodated, the Mayor will make a determination, taking into account individual circumstances and the time leave was requested by the employee.

Upon resignation or termination, and after the completion of the probationary period, any earned, but unused annual leave will be included in the employee's final pay calculation. An employee who resigns without giving two weeks' notice will not receive payment for accrued but unused annual leave.

Personal Leave

Personal leave is paid leave that is available to regular full-time employees only. All regular full-time employees begin earning personal leave days upon the first day of employment. An employee's personal leave accrual is computed on a monthly basis from the employee's date of employment at the rate of 1/3 day per month (2.67 hours per month). Up to 4 days of personal leave for a calendar year may be accrued and carried forward from year to year with a maximum cap of 12 days/96 hours. Once an employee reaches the maximum cap of 12 days, leave will stop accruing until an employee falls under the maximum.

Upon resignation or termination, and after the completion of the probationary period, any earned, but unused personal leave will be included in the employee's final pay calculation. An employee who resigns without giving two weeks' notice will **not** receive payment for accrued but unused annual leave.

Sick Leave

Sick leave is paid leave that is available to regular full-time employees only. All regular full-time employees begin earning sick leave days upon the first day of employment. An employee's sick leave accrual is computed on a monthly basis from the employee's date of employment at the rate of 1/2 day per month (4 hours per month). Up to 6 days of sick leave for a calendar year may be accrued and carried forward from year to year with a maximum cap of 20 days/160 hours. Once an employee reaches the maximum cap of 20 days, leave will stop accruing until an employee falls under the maximum. This is a discretionary benefit; evidence of abuse of this benefit may lead to disciplinary action up to and including dismissal.

As with any absence, an employee **must** call-in if he/she is unable to report to work due to illness. All absences due to injury or illness must be accurately reflected on your time card. For illnesses that extend beyond (3) three days a doctor's excuse must be turned into the department head who will forward it to the city clerk to ensure proper handling of the employees personnel records. For illnesses that extend beyond (10) ten days, see the sections in the handbook on Leave of Absence, and Family and Medical Leave of Absence.

Bereavement Leave

In the event of the death of an employee's immediate family member, time off with pay for employee's regular scheduled workday will be granted to regular full time employees. The phrase "immediate family" for the purposes of the bereavement policy includes the employee's spouse, brother, sister, father, mother, stepfather, stepmother, grandparent, children, stepchildren, grandchildren, father-in-law, mother-in-law, grandparent-in-law, sister-in-law, brother-in-law, daughter-in-law, and son-in-law. Three (3) consecutive workdays off with pay will be approved to attend the funeral or memorial service. (Maximum 24 hours) Two (2) additional consecutive work days off with pay will be approved for travel from the employee's home to the funeral or memorial service if the travel exceeds two hundred (200) miles each way. (Maximum 16 hours)

Court Duty

Employees who are called for jury duty or subpoenaed as a witness, will be granted time off during the period of court duty. The employee will be paid their regular base rate for authorized absences to serve as a juror or subpoenaed witness. Payment received from the courts during City-paid court duty leave must be paid to the City. Expense reimbursements, such as mileage, do not need to be paid to the City. Employees should notify their supervisors as soon as possible after receipt of a summons/subpoena, so that operational adjustments can be made as needed during the employee's absence. A copy of the juror summons/subpoena must be provided to your supervisor.

Military Leave

The City complies with all relevant state and federal laws concerning military leave obligations. Employees who have Reserve obligations or who are called to active duty should inform the City as soon as possible. All military leave is unpaid. An employee may elect to take annual leave instead of time off without pay for unpaid military leave. Time during which an employee is on ordered military duty shall not constitute an interruption of continuous employment. No employee shall be subjected directly or indirectly to any loss or diminution of time, service, increment, vacation, holiday privileges, or any other right or privilege by reason of such absence or be prejudiced with reference to continuance in employment, reemployment, reinstatement, transfer, or promotion by reason of such absence.

Family and Medical Leave

Recognizing the importance of family and out of concern for the well-being of our employees, the City of Danielsville family and medical leave program enables employees to take time off, under certain conditions, for health reasons or to care for family members. This policy will be administered in accordance with the federal Family and Medical Leave Act (FMLA).

(1) Eligibility

To be eligible for leave under this family and medical leave policy, an employee must have been employed by the City for at least 12 months, must have worked at least 1,250 hours in the

preceding 12 months, and must work at a location where at least 50 employees are employed by the City within 75 miles

(2) Leave Entitlement

An eligible employee may request up to 12 workweeks of FMLA leave per “leave year” for one or more of the following reasons:

(a) To care for the employee’s child upon birth, or to care for a child upon the child’s placement with the employee for adoption or foster care;

(b) To care for a family member who has a serious health condition;

(c) To care for self, if the employee has a serious health condition that makes the employee unable to perform the essential functions of the position (including incapacity due to pregnancy, prenatal medical care, or childbirth)

The one year period is measured by looking at the twelve (12) month period immediately prior to the date on which leave is requested. Reduced or intermittent leave is available for the serious health condition of the employee or a family member, when it is medically necessary. Employees on approved family or medical leave who accept other employments without the City’s approval will be terminated. Upon a request for leave for one of the above reasons, the City may furnish the employee with more information about the conditions and procedures for utilizing Family and Medical Leave.

This policy is not a substitution for paid days off. You are required to use all accumulated paid days off while you are on family or medical leave.

(3) Procedures

If the leave is foreseeable then the employee must provide the City with thirty (30) days advance notice. If leave is not foreseeable, then notice should be given as soon as possible. Notice must be given to your supervisor on the “Family and Medical Leave Request Form.” An employee requesting leave for his/her own or a family member’s serious health condition, must provide the City with proper medical certification. If you intend to take such leave, contact the City Clerk to get the appropriate request and certification forms.

(4) Medical Certification

Certification for an employee’s serious medical condition must include a statement that the employee is unable to perform the functions of his/her position. Certification for leave to care for a family member with a serious medical condition must include an estimate of the amount of time the employee is needed to care for that family member. Both types of certification must include (a) the date on which the serious health condition commenced; (b) the probable duration of the condition; and (c) the appropriate medical facts within the knowledge of the health care provider about the condition. The City may require a second medical opinion, at its own expense. If the first and second opinions differ, the City, again at its own expense, may require the binding opinion of a third health care provider, approved jointly by the employee and the City. The City may also require periodic recertification. Certification forms must be completed and returned to the City Clerk fifteen (15) days after the request unless circumstances make this impossible.

(5) Benefits

Employees will not lose any employment benefits or seniority accrued before the date on which leave commenced. Employees who take family or medical leave will generally be restored to the same or an equivalent position upon their return to work. Employees who take family or medical leave will continue to be responsible for paying their portion of health insurance premiums. The City Clerk will provide information on how this payment can be arranged. Failure of the employee to pay their portion of the premium may result in cancellation of health insurance. Under certain circumstances, if an employee fails to return to work at the end of the leave, the employee may be responsible to pay back the City for the employer portion of the health insurance premiums.

Insurance Benefits

The City pays the employee only Health Insurance premium. Spouse or Family coverage is paid by the employee. The employee may purchase dental and supplemental insurance through the City, but it is paid by the employee. Elected officials are eligible to participate in the city's health insurance and supplemental insurance plans, but are responsible for all premiums due. *Amended 5/9/16 Ordinance# 234*

Workers' Compensation

Introduction.

Employees injured on the job, including approved travel on City business, are protected against loss of income and medical expenses by provisions of the Georgia Workers' Compensation Act. To preserve rights under the law, an employee must notify the City immediately if involved in an on-the-job accident that results in personal injury.

Non-Emergency Occupational Disease or Accidents.

Any injury or accident must be reported to the Department Head or immediate supervisor immediately.

The Department Head will investigate the accident and fill out the First Report of Injury in full detail and immediately forward to the City Clerk/Benefit Coordinator.

If the medical attention of a physician is needed, the City Clerk/Benefit Coordinator will make the appointment for the employee with a physician of his/her choice from the panel of approved physicians appointed by the City for Workers' Compensation Treatment.

The employee is given the Medical Status and Work Status Request to submit to the doctor's office at the time of first treatment.

The employee returns the Medical Status and Work Status Request to the City Clerk/Benefit Coordinator to be faxed to the Georgia Municipal Association Workers Compensation Department.

Any problems or questions concerning claims should be directed to the City Clerk/Benefit Coordinator.

The City Clerk/Benefit Coordinator must be notified on the day the employee returns to work.

Emergency Accidents.

If a work-related accident occurs that requires immediate emergency treatment, the supervisor or Department Head should be notified immediately, of any treatment received at the emergency room of the local hospital.

After treatment is received, the Report of Occupational Injury or Disease should be filled out in detail and submitted to the City Clerk/Benefit Coordinator to be faxed to the Georgia Municipal Association Workers Compensation Department.

Subsequent treatment must be directed to one of the City's Workers Compensation Insurance physicians, unless the injury requires specialized treatment and the emergency doctor refers the employee to a physician who's specialized in the type of injury incurred. Any specialized treatment physician must be approved by the Georgia Municipal Association Workers Compensation Department.

NOTE: If a Non-emergency Occupational Disease or Accident should occur at night or on weekends that requires medical attention before regular office hours, procedures for emergency accidents should be followed.

Pay While on Workers Compensation.

Prior to Workers Compensation Benefits. Prior to the time period Workers Compensation Benefits begin, (workers compensation benefits begin on the eighth day of disability) the employee may elect to use his or her accumulated sick and/or annual leave to supplement or receive full pay while out of work due to a workers compensation related injury or illness.

While on Workers' Compensation Benefits. While an employee is drawing Workers Compensation Benefits, he or she may elect to continue to draw against a sick or annual leave balance to supplement his/her income to a full pay level. This may continue as long as there is a balance to draw against. Once all sick and/or annual leave days have been exhausted, this is no longer an option without prior approval from the Mayor and City Council. Workers Compensation pay is equal to two-thirds of the weekly salary amount (66-3/4% of the average weekly wages).

After the 21st Day of Workers Compensation Benefits. After an employee has been receiving Workers Compensation Benefits for a 21 day period, Workers Compensation will pay said employee for the first seven (7) days of non-payment. The employee may then elect to buy back some or all of his or her sick and/or annual leave used during those first seven (7) days of non-payment. If any portion of used leave is bought back, the employee must designate in writing which type of leave he/she is buying back. A request to buy back leave must be presented to the City Clerk/Benefit Coordinator within six months from the date the employee used the leave.

Social Security

The City extends to its employees Social Security benefits authorized by federal and state laws.

CITY OF DANIELSVILLE PREMISES AND WORK AREA

Employee Safety Policy

The City of Danielsville complies with all applicable federal, state, and local health and safety regulations and provides a work environment as free as practicable from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by the City of Danielsville or by federal, state, or local law.

- (1) All employees are responsible for ensuring that they understand and comply with all City of Danielsville safety rules, regulations, and procedures. All employees are responsible for:
 - (a) Being familiar with all safety and health procedures relevant to the operations under their supervision;
 - (b) Inspecting their work areas periodically;
 - (c) Identifying conditions that are recognized as being unsafe; and
 - (d) Reporting accidents and injuries to the immediate manager, department head and City Clerk immediately and ensuring that any injured employee is referred to appropriate medical care.

Supervisors should complete a Safety Orientation Checklist upon hiring a new employee and before the new employee begins work. This is to ensure that the employee understands and complies with the safety rules, regulations, and procedures within their department. The completed and signed form should be included in the employee's personnel folder.

- (2) Employees should report to their supervisor all observed safety and health violations, potentially unsafe conditions, and any accidents resulting in injuries to employees or the public. Employees are encouraged to submit suggestions to their supervisor concerning safety and health matters.
- (3) Violations of City of Danielsville safety rules, regulations, or procedures will result in disciplinary action, up to and including termination.
- (4) Employees who may be exposed to Hepatitis A or Hepatitis B as disclosed in their job description **must** have the Hepatitis A and Hepatitis B vaccinations which will be paid for by the City. Employees will be advised during orientation of the risks associated with their job classification.

Use of City Property/Vehicles and Seatbelt Policy.

An employee shall not use City property, equipment, or vehicles except in the performance of official duty, nor permit its use by an unauthorized person, either on-duty or off-duty except as otherwise approved by the Mayor and/or the City Council. Any violation of the foregoing may result in disciplinary action, up to and including termination of employment.

An employee driving a City vehicle must have on their person a valid driver's license issued by the State of Georgia (Commercial Driver's License as mandated by law). Additionally, employees are required to notify the City Clerk/Human Resources, through their supervisor, of any change of status in their license. Suspension or revocation of licenses may affect the person's status of employment, depending on any job requirement for the employee to operate a City vehicle in the course of their job duties.

The cleanliness of the interior of the vehicle is the responsibility of the person to whom the vehicle is assigned. Each person who uses a vehicle is responsible for keeping it orderly and litter free. Smoking in any City vehicle is at the discretion of the department head. This includes products such as cigarettes, e-cigarettes, cigars, snuff and chewing tobacco.

The safety and well-being of our employees is of critical importance. We therefore each have a responsibility to not only protect ourselves when on the road but also should do our part to protect those around us. Employees that are required to drive on company business at any time will be expected to follow all the procedures below:

1. All employees are required to wear seat belts at all time while in a moving vehicle being used for company business, whether they are the driver or a passenger; except as allowed by law.
2. Use of handheld cell phones (either talking or texting), whether personal or business-owned, while behind the wheel of a moving vehicle being used on company business is strictly prohibited.
3. Although use of cell phones under any circumstances is strongly discouraged while driving, the use of hands-free technology may be warranted in unusual or emergency circumstances or if it is a function of the employees duties. (ie. On-board computers, etc)
4. Engaging in other distracting activities including, but not limited to, eating, reading, wearing of ear buds, etc. or is also strongly discouraged while driving, even when in slow-moving traffic.
5. Use of drugs and/or alcohol or other substances, including certain over-the-counter cold or allergy medications that in any way impair driving ability, is prohibited.
6. All employees are expected to follow all driving laws and safety rules such as adherence to posted speed limits and directional signs, use of turn signals and avoidance of confrontational or offensive behavior while driving. Drivers must turn off and secure vehicles prior to exiting. (Except: Police and fire units.)
7. Employees should never allow anyone to ride in any part of the vehicle not specifically intended for passenger use and/or any seat that does not include a working seat belt.
8. Employees who drive commercial vehicles or who are otherwise subject to separate rules and regulations such as those dictated by state or federal law are also expected to adhere to all policies and regulations associated with the appropriate law or regulation that applies.
9. Employees must promptly report any accidents to Supervisors in accordance with established procedures.
10. Employees are also expected to report any moving or parking violations received while driving on City business and/or in City vehicles.

11. Failure to adhere to these procedures may result in disciplinary action per company policy.

Amended 5/9/16 Ordinance# 234

Security Policy

The City of Danielsville makes reasonable efforts to provide for the security of its property, its employees, and visitors to its premises.

(1) Employees (unless required to carry a firearm or weapon as a condition of employment), are prohibited from possessing firearms or other weapons on City of Danielsville property and at events sponsored by the City of Danielsville.

Smoking Policy

The City of Danielsville complies with all applicable federal, state, and local regulations regarding smoking in the workplace and provides a work environment that promotes productivity and the well-being of its employees.

(1) The use of tobacco in the workplace is now in violation of the law in the State of Georgia. Accordingly, the use of smoking and smokeless tobacco products are restricted in all of its facilities.

(2) Smoking is prohibited inside all City of Danielsville facilities, including City-owned buildings, *vehicles (at discretion of the department head), and offices or other facilities rented or leased by the City, including individual employee offices. The smoking policy applies to employees during working time and to customers and visitors while on the City of Danielsville's premises.

(3) Smoking is only allowed in designated outside areas. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of coworkers with regard to the smoking policy. Smokers have a special obligation to not abuse break and work rules and to keep smoking areas litter-free.. Complaints about smoking issues should be resolved at the lowest level possible but may be processed through the City of Danielsville's grievance procedure. (See Dispute Resolution Procedure – Page 44.) Employees who violate the policy will be subject to disciplinary action.

ABSENCES FROM WORK

Attendance, Punctuality And Absence Policy

The City of Danielsville requires employees to report for work punctually and to work all scheduled hours and overtime required by business necessity. Excessive tardiness and poor attendance disrupt workflow and customer service and will not be tolerated.

(1) Supervisors should notify employees of their starting, ending, and break times. Employees are expected to be engaged in carrying out their duties during all scheduled work time and should be ready to begin working at their scheduled starting time. (See Hours of Work Policy) Supervisors should record all absences and, for nonexempt employees (those subject to the minimum wage and overtime requirements of the Fair Labor Standards Act), any tardiness or early departure exceeding ten minutes.

The City of Danielsville permits employees to be absent from work on an authorized basis for a variety of reasons, including sickness or injury. To help employees maintain their income during certain authorized absences, the City provides compensation according to the guidelines below.

(2) Sick Leave (See Sick Leave under Employee Benefits) may be used for any of the following purposes:

- (a) Personal illness or incapacity of the employee;
- (b) Forced quarantine of the employee by a public health official;
- (c) To care for the employee's dependent children under age 18 who are ill;
- (d) To attend the birth of the employee's child;
- (e) Use of a prescription drug that impairs job performance or safety;
- (f) Medical or dental appointments of the employee or dependent children under the age of 18, when such appointments cannot reasonably be scheduled during off-duty time;
- (g) For any other purpose described in the Family and Medical Leave policy.

Sick leave may be coordinated with certain other leaves. Employees may be required to provide medical or other documentation to verify the appropriate use of sick leave. A doctor's note will typically be required when an employee is absent for three or more consecutive days, or in other situations as deemed appropriate by the City (e.g., pattern absences on Fridays and/or Mondays.) Excessive tardiness or absences (other than approved FMLA or disability-related leave) may lead to disciplinary action up to and including termination.

(3) Employees should notify their supervisor in as far advance as possible whenever they are unable to report for work, know they will be late, or must leave early. The notice should include a reason for

the absence and an indication of when the employee can be expected to report for work. If the supervisor is unavailable, notification should be made to the next level of management.

(4) Employees will be compensated during authorized absences in accordance with the policies contained in Absences Policy. Nonexempt employees will not receive compensation for time missed because of tardiness or early departure if the time missed exceeds 10 minutes after starting time or before quitting time. Failure to notify the City properly of any absence may result in loss of compensation during the absence and may be grounds for disciplinary action.

(5) Nonexempt employees who are delayed in reporting for work more than 30 minutes and who have not notified their supervisor of their expected tardiness may lose their right to work the balance of the work day. In addition, employees who report for work without proper equipment or in improper attire may not be permitted to work. Employees, who report for work in a condition considered not fit for work, whether due to illness, alcohol or drug use, or any other reason, will not be allowed to work.

(6) Employees generally are expected to report for work during inclement weather conditions unless the Mayor or the Mayor's designee declares an emergency closing. During times of inclement weather or natural disaster, it is essential that the City continue to provide vital public services. Therefore, it is expected that employees make every reasonable effort to report to work, so long as doing so does not endanger their personal safety. An employee who is unable to get to work or leaves work early because of unusual weather conditions may charge the time missed to vacation, personal holiday, compensatory time off, exchange time off, or leave without pay.

(7) Nonexempt employees will not be required or permitted to work any period of time before or after scheduled starting or quitting times for the purpose of making up time lost because of tardiness, unauthorized absence, authorized absence, or any other reason if the result will be that the employee works more than forty hours during the workweek.

(8) Employees must report to their supervisor after being late or absent, give an explanation of the circumstances surrounding their tardiness or absence, and, when applicable, certify that they are fit to return to work. The supervisor should record the information in the employee's file and forward a copy to the City Clerk. When appropriate, the supervisor should counsel the employee on the importance of good attendance and warn that excessive tardiness or absences will lead to discipline, up to and including termination.

(9) Employees who are frequently away from the premises for business reasons should inform their supervisors of their whereabouts during working hours.

(10) Unauthorized or excessive absences or tardiness will result in disciplinary action, up to and including termination. (See DISCIPLINARY PROCEDURE –Page 35.) An absence is considered to be unauthorized if the employee has not followed proper notification procedures or the absence has not been properly approved. Generally, absences in excess of those allowed in ATTENDANCE, PUNCTUALITY AND ABSENCE POLICY, and tardiness or early departure (i.e., beyond ten minutes of starting or quitting time) more than three times in a three-month period are grounds for discipline.

(11) Employees who are absent from work for three consecutive days without giving proper

notice to the City of Danielsville will be considered as having abandoned the job. At that time, the City of Danielsville will formally note the termination and advise the employee of the action by certified mail to the employee's last known address.

PERSONAL CONDUCT

Behavior Of Employees Policy

The City of Danielsville finds that certain rules and regulations regarding employee behavior are necessary for efficient business operations and for the benefit and safety of all employees. Conduct that interferes with operations, discredits the City of Danielsville (with the exception of a proper exercise of First Amendment or whistleblower rights), or is offensive to customers or coworkers will not be tolerated.

(1) Employees are expected at all times to conduct themselves in a positive manner in order to promote the best interests of the City of Danielsville. Appropriate employee conduct includes:

- (a) Treating all customers, visitors, and coworkers in a courteous manner;
- (b) Refraining from behavior or conduct that is offensive or undesirable, or which is contrary to the City of Danielsville's best interests.
- (c) Reporting to management suspicious, unethical or illegal conduct by coworkers, customers, or suppliers.
- (d) Reporting to your supervisor any threatening or potentially violent behavior of coworkers;
- (e) Cooperating with City of Danielsville investigations
- (f) Complying with all City of Danielsville safety and security regulations
- (g) Wearing clothing appropriate for the work being performed
- (h) Performing assigned tasks efficiently and in accord with established quality standards;
- (i) Reporting to work punctually as scheduled and being at the proper work station, ready for work, at the assigned starting time
- (j) Giving proper advance notice whenever unable to work or report on time
- (k) Smoking only at times and in places not prohibited by City of Danielsville rules or local ordinances.
- (l) Maintaining cleanliness and order in the workplace and work areas.

(2) The following are examples of conduct that is prohibited. Individuals engaged in it will be subject to discipline, up to and including termination

- (a) Possessing firearms or other weapons on City of Danielsville property (unless employee is required to carry a firearm or other weapon as a condition of employment);
- (b) Fighting or assaulting a coworker or customer;
- (c) Threatening or intimidating coworkers, customers, or guests;
- (d) Engaging in any form of discrimination, sexual or other harassment, or retaliation
- (e) Reporting to work under the influence of alcohol, illegal drugs, controlled substances, or narcotics or using, selling, dispensing, or possessing alcohol, illegal drugs, or narcotics on City of Danielsville premises
- (f) Disclosing confidential City of Danielsville information
- (g) Falsifying or altering any City of Danielsville record or report, such as an employment application, medical reports, production records, time records, expense accounts, absentee reports, or shipping and receiving records;
- (h) Stealing, destroying, defacing, or misusing City of Danielsville property or another employee's or customer's property;
- (i) Misusing City of Danielsville communications systems, including electronic mail, computers, Internet access, and telephones
- (j) Refusing to follow management's instructions concerning a job-related matter or being insubordinate;
- (k) Failing to wear assigned safety equipment or failing to abide by safety rules and policies
- (l) Soliciting or distributing in violation of City of Danielsville policies
- (m) Smoking where prohibited by local ordinance or City of Danielsville rules
- (n) Using profanity or abusive language
- (o) Sleeping on the job without authorization;
- (p) Gambling on City of Danielsville property;
- (q) Playing pranks or engaging in horseplay; and

(r) Wearing improper attire or having an inappropriate personal appearance

(3) The examples of impermissible behavior described in Comment (2), above, are not intended to be an all-inclusive list. At management's discretion, any violation of the City policies or any conduct considered inappropriate or unsatisfactory may subject the employee to disciplinary action.

Personal Appearance (of Employees) Policy

The City of Danielsville requires each employee's dress, grooming, and personal hygiene to be appropriate to the work situation. Employees are expected at all times to present a professional image.

(1) Employees are expected at all times to present a professional image to customers and the public. Professional personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the City of Danielsville. Radical departures from personal grooming and hygiene standards are not permitted.

(2) Office workers and any employees who have regular contact with the public must comply with the following personal appearance standards and are expected to dress in a manner that is considered professional attire in similar business establishments. Employees should not wear suggestive attire or athletic clothing, and similar items of casual attire that do not present a professional appearance.

(3) Employees who do not regularly meet the public should follow basic requirements of safety and comfort, but should still be as neat and professional as working conditions permit.

(4) Certain employees may be required to meet special dress, grooming, and hygiene standards, such as wearing uniforms, depending on the nature of their job.

(5) On Fridays, the City of Danielsville allows employees (who are not required to wear a uniform) to dress in a more casual fashion than is normally required; however, employees are still expected to present a neat appearance and are not permitted to wear ripped or disheveled clothing, athletic wear, or similarly inappropriate clothing.

(6) An employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Non-exempt employees (those subject to the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for any work time missed because of failure to comply with this policy. Violations of this policy also may result in disciplinary action.

Use Of Communication Systems (IT) Policy

The City of Danielsville provides for the communications services and equipment necessary to promote the efficient conduct of its business. Communications systems and equipment are provided by the City of Danielsville to facilitate the performance of City work. Incidental personal use is secondary, and should not

interfere or conflict with business use or job performance. Please read and familiarize yourself with the IT policy adopted by the City of Danielsville shown below.

Technology Use Policy

Certain Danielsville employees may be provided with access to the Internet to assist them in performing their jobs. **The computer system belongs to The City Of Danielsville, acting by and through its duly elected Mayor and Council, and may only be used for city business purposes.** The Internet can be a valuable source of information and research. In addition, e-mail can provide an excellent means of communicating with other employees, our customers and citizens, outside vendors, and other businesses. Use of the Internet, however, must be tempered with common sense and good judgment. If you abuse your right to use the Internet, this privilege may be revoked. In addition, you may be subject to disciplinary action, including possible termination, and civil and criminal liability.

Your use of the Internet is governed by this policy.

- A. **Disclaimer of liability for use of the Internet.** The City Of Danielsville is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocent search requests may lead to sites with highly offensive content. In addition, you may receive e-mail containing offensive material. Email or pop-ups containing offensive material received on city computers shall be immediately reported to the Department Head or Elected Official who shall maintain a log of such occurrences. Users accessing the Internet do so at their own risk.
- B. **Employee's duty of care.** Employees should endeavor to make each electronic communication truthful and accurate. You should use the same care in drafting e-mail and other electronic documents as you would for any other written communication. Please keep in mind that anything created or stored on the computer system may and likely will, be reviewed by others. Any information stored on your computer constitutes a public record under the State Open Records Act.
- C. **Duty not to waste computer resources.** Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic. Because audio, video and picture files require significant storage space, files of this sort may not be downloaded unless they are business related.
- D. **Internet Access Guidelines.** These guidelines set the standards for appropriate behavior of city employees when accessing the Internet using government resources. Remember that the city name goes with you as an electronic signature wherever you go on the Internet. City employees must exercise great care to protect the city reputation and ability to conduct business in all Internet activities. Activities of city Internet users are logged, including visits to inappropriate sites (erotica, hate groups, etc.), and reported to management as necessary.

The ability to "surf the Web" (i.e., select links to unknown sites) carries with it new responsibilities for each user. Security problems with browser software, Netscape or Internet Explorer, are continually reported. These problems are potentially more serious for a large organization, such as The City Of Danielsville, than for an individual user on his or her home machine. To protect city assets:

1. Never surf the Web on a computer that has been identified as a computer that contains highly sensitive information, such as medical records or critical financial information.
2. Ensure your browser is kept up-to-date with the most current security patches.
3. Visit only known and trusted sites on the Internet. Monitor the URL (internet address) shown in the box at the top of your browser screen. These addresses typically take the form of http://www.site.com. If you are unsure about the safety of a site, contact your support group.
4. Be aware that selecting some links on web pages or in your e-mail will automatically download "applets" which are small programs that will automatically run on your computer. What the applet appears to be doing on your screen may not be all that is happening. Hostile applets can exploit security holes to gather information from the user's machine, such as user password files and critical network information.
5. Always close your browser when you have finished surfing the web.

'Netiquette' is the practice of good manners in a networked environment and is critical to successful city business practices. Each city Internet user is viewed as a representative of The City Of Danielsville and must exercise good netiquette. You must use good judgment in assessing what form of communication is appropriate for particular information. If you have questions or concerns, consult your supervisor, or the relevant department for the particular issue.

E. Activities Which May Result in Disciplinary Action

1. Using the computer system, including but not limited to accessing the Internet, for other than city business purposes.
2. Visiting inappropriate Web sites (erotica, hate groups, etc.).
3. Unauthorized attempts to break into any computer whether it belongs to The City Of Danielsville or another organization (cracking).
4. Sending or posting threatening messages.
5. Sending or posting racially and/or sexually harassing messages.
6. Sending or posting sexually suggestive or explicit messages.
7. Theft or copy of electronic files without permission.
8. Sending or posting confidential information that is not part of your job requirement.
9. Refusing to cooperate with a reasonable security investigation

Failure to comply with these guidelines may be brought to the attention of management for appropriate action, which may result in loss of Internet privileges or disciplinary action, including termination of employment. Violations of applicable laws or regulations (e.g., Computer Security Act, export control laws, copyright laws) could result in criminal or civil prosecution.

- F. **No expectation of privacy.** The computers and the computer accounts given to city employees are to assist them in performance of their jobs. Employees do not have an expectation of privacy in anything they create, store, send or receive on the computer system. The computer system belongs to the city and may only be used for business purposes.
- G. **No privacy in communications.** Employees should never consider electronic communications to be either private or secure. E-mail may be stored indefinitely on any number of computers, including that of the recipient. Copies of your messages may be forwarded to others either electronically or on paper. In addition, e-mail sent to nonexistent or incorrect usernames may be delivered to persons that you never intended.
- H. **Monitoring of computer usage.** The city has the right, but not the duty, to monitor any and all aspects of its computer system, including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat groups and newsgroups, reviewing material downloaded or uploaded by users to the Internet, reviewing e-mail sent and received by users, and reviewing documents saved to the computer.
- I. **Blocking of inappropriate content.** The city may use software/hardware to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by city networks. Nonetheless, in the event you encounter inappropriate or sexually explicit material while browsing on the Internet, immediately disconnect from the site, regardless of whether the site was subject to city blocking software and immediately report the incident to your Department Head or Elected Official who shall maintain a log of such occurrences.
- J. **Prohibited activities.** Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate may not be sent by e-mail or other forms of electronic communication (bulletin board systems, newsgroups, e-groups, chat groups), downloaded from the Internet, or displayed on or stored on The City Of Danielsville computers. Employees encountering or receiving this kind of material should immediately report the incident to their supervisors or to Elected Official(s).
- K. **Unauthorized Hardware or Software.** Elected Officials, Department Heads or employees may not install any hardware or software on any city computer without written permission from the Mayor and the Council.
- L. **Games and entertainment software.** Employees may not use the city's Internet connection to download games or other entertainment software, including screen savers, or to play games over the Internet.
- M. **Illegal copying.** Employees may not illegally copy material protected under copyright law or make that material available to others for copying. You are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material you wish to download or copy. You may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of your department head or to Elected Official(s).

- N. **Accessing the Internet.** To ensure security and avoid the spread of viruses, employees accessing the Internet through a computer attached to The City Of Danielsville network must do so through an approved Internet firewall. Accessing the Internet directly, by modem, is strictly prohibited unless the computer you are using is not connected to the city’s network.

- O. **Virus detection.** Files obtained from sources outside the city, including disks brought from home; files downloaded from the Internet, newsgroups, bulletin boards, or other online services; files attached to e-mail; and files provided by customers or vendors, may contain dangerous computer viruses that may damage the city’s computer network. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-city sources, without first scanning the material with city-approved virus checking software. If you suspect that a virus has been introduced into the city’s network, notify the Information Technology Department immediately. The City Of Danielsville maintains virus protection software for all city computers. Employees may not disable or alter the operation of virus protection software on any city computer.

- P. **Sending unsolicited e-mail (spamming).** Without the express permission of their supervisors, employees may not send unsolicited e-mail to persons with whom they do not have a prior relationship.

- Q. **Alternating attribution information.** Employees must not alter the “From:” line or other attribution of origin information in e-mail, messages, or postings. Anonymous or pseudonymous electronic communications are forbidden. Employees must identify themselves honestly and accurately when participating in chat groups, making postings to newsgroups, sending e-mail, or otherwise communicating on-line.

- R. **Standard footers for e-mail.** This footer should be appended to all e-mail sent outside the city.

Employee Name,
 Employee Title,
 The City of Danielsville, Georgia,
www.cityofdanielsville.us

And the Department phone number as shown in the example below:

Mr. _____,

_____.

John/Jane Doe

Officer

The City Of Danielsville, Georgia

www.cityofdanielsville.us

706-795-2189

“If you are not the intended recipient or the person responsible for delivering the email to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. Please contact (Department Number) if you receive this e-mail in error.”

- S. **Attorney-client communications.** E-mail sent from or to the City Attorney or any other attorney representing the city should include this warning header on each page: ATTORNEY CLIENT PRIVILEGED; DO NOT FORWARD WITHOUT PERMISSION.” Communications from attorneys may not be forwarded without the sender’s express permission.
- T. **Use of encryption software.** Employees may not install or use encryption software on any of The City Of Danielsville’s computers without first obtaining written permission from the Mayor and the Council. You must not use passwords or encryption keys that are unknown to your Department Head or Elected Official and the Information Technology Officer.
- U. **Export restrictions.** The federal government has imposed restrictions on export of programs or files containing encryption technology (such as e-mail programs that permit encryption of messages and electronic commerce software that encodes transactions). Software containing encryption technology is not to be placed on the Internet or transmitted in any way outside the United States.
- V. **Other policies applicable.** In their use of the Internet, users must observe and comply with all other City policies and guidelines.
- W. **Data Backups.** Employees are responsible for making daily data backups.
- X. **Cleaning of City Computers.** Employees who use city computers are responsible for keeping a clean and safe computer station. Computers should be kept cleaned and well maintained.
- Y. **Amendments and revisions.** This policy may be amended or revised from time to time as the need arises. Users will be provided with copies of all amendments and revisions. Violations of this policy will be taken seriously and may result in disciplinary action under the city Personnel Policy, civil and criminal liability.

Conflicts Of Interest Policy

The City of Danielsville prohibits its employees from engaging in any activity, practice, or conduct which conflicts with, or appears to conflict with, the interests of the City of Danielsville. Since it is impossible to describe all of the situations that may cause or give the appearance of a conflict of interest, the prohibitions included in this policy are not intended to be exhaustive and include only some of the more clear-cut examples.

- (1) Employees are expected to represent the City of Danielsville in a positive and ethical manner. Thus, employees have an obligation to avoid conflicts of interest and to refer questions and concerns about potential conflicts to their supervisor.
- (2) Employees may not, directly or indirectly whether on or off the job, engage in any conduct that is disruptive or damaging to the City of Danielsville.
- (3) Employees and their immediate family may not accept gifts, except those of nominal (i.e. less than \$20.00) value, or any special discounts or loans from any person or firm doing, or seeking to do,

business with the City of Danielsville. The meaning of gifts for purposes of this policy includes the acceptance of entertainment and free travel and lodging.

(4) Employees may not give, offer, or promise, directly or indirectly, anything of value to any representative or any entity in connection with any transaction or business that the City may have.

(5) Employees may not accept any employment relationship with any organization that does business with the City of Danielsville. This prohibition on employment includes serving as an advisor or consultant to any organization of that type, unless the activity is conducted as an assigned representative of the City of Danielsville.

(6) Any conflict or potential conflict of interest must be disclosed to the City of Danielsville. Failure to do so will result in discipline, up to and including termination.

Media Inquiries Policy

All media inquiries and other inquiries of a general nature should be referred to the Department Head or Mayor. In addition, the Mayor must approve all press releases, publications, speeches, or other official declarations. The Mayor may authorize specific employees to respond to media inquiries without prior approval. Questions about employee references or other information concerning current or former employees should be referred to the City Clerk.

Disciplinary Procedure Policy

The City of Danielsville expects that all employees comply with the City of Danielsville's standards of behavior and performance and that noncompliance with these standards must be corrected.

(1) Under many circumstances, the City of Danielsville utilizes a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right and discretion to administer discipline in any manner it sees fit, and to terminate all at-will employees with or without cause.

(2) Depending on the circumstances, the City of Danielsville may utilize the following procedures:

(a) If an employee is not meeting City of Danielsville standards of behavior or performance, the employee's supervisor may take the following action:

(i) Meet with the employee to discuss the matter;

(ii) Inform the employee of the nature of the problem and the action necessary to correct it; and

(iii) Prepare a memorandum for the supervisor's own records indicating that the meeting has taken place.

(b) If there is a second occurrence, the supervisor may hold another meeting with the employee and take the following action:

- (i) Issue a written reprimand to the employee (the City Clerk should assist in the preparation of the written reprimand);
- (ii) Warn the employee that a third incident will result in more severe disciplinary action; and
- (iii) Prepare and forward to the City Clerk a written report describing the first and second incidents and summarizing the action taken during the meeting with the employee. This information will be included in the employee's personnel file.

(c) If there are additional occurrences, the supervisor may take the following action, depending on the severity of the conduct:

- (i) Issue a written reprimand or warning;
- (ii) Typically the employee should be suspended immediately, and an investigation of the incidents leading up to the suspension should be conducted to determine if any action such as termination should be taken; or
- (iii) The supervisor must prepare and forward to the City Clerk another written report describing the occurrences, indicating the timing between the occurrences, and summarizing the action taken or recommended and its justification.

(3) The progressive disciplinary procedures described in Comment (2), above, may also be applied to an employee who is experiencing a series of unrelated problems involving job performance or behavior.

(4) The degree of disciplinary action administered depends on the severity of the infraction and will be carried out in accordance with this policy. It is the responsibility of management to evaluate the circumstances and facts thoroughly and objectively. In cases involving serious misconduct, or any time the supervisor determines it is necessary, the procedures contained in Comment (2), above, may be disregarded. The supervisor should suspend the employee immediately and, if appropriate, recommend termination of the employee. If appropriate, an investigation of the incidents leading up to the suspension may be conducted to determine what further action, if any, should be taken. (See Comment (5), below.) Employees suspended from work generally will not receive or accrue any employee benefits during the suspension.

(5) Pre-disciplinary Hearing In the case of suspension or termination of an employee (other than probationary employees), the city will conduct a pre-disciplinary hearing. The pre-disciplinary hearing serves as a check against mistaken decisions and as an opportunity for an employee to furnish additional facts before a suspension or termination decision is finalized. The employee shall be provided with a notice of intended discipline. The notice shall include an explanation of the charges on which the recommendation is based, and the time and date for a pre-disciplinary hearing. If the

employee fails or refuses to appear, the suspension or termination may proceed. Pre-disciplinary hearings will be presided over by the Mayor and Council. The hearings are intended to be informal. The employee may show cause why they should not be suspended or terminated. Usually within two working days after the pre-disciplinary hearing, the Mayor will issue a decision on whether there are reasonable grounds to believe the charges against the employee are true and support suspension or termination. A longer review period may be required in situations that are more complex. The City Attorney shall review and approve all recommendations for termination before any final action is taken.

(6) Employees who believe that this policy has not been followed, and wish to challenge the decision, must use the dispute resolution procedure.

(7) If a disciplined employee works a full year without further disciplinary action under this policy, the next failure to meet behavior or performance standards may be treated as a first occurrence under this policy; however, the City of Danielsville may still consider all past disciplinary actions in evaluating the employee.

Drugs, Narcotics, And Alcohol Policy

The City of Danielsville is dedicated to providing safe, dependable, and economical services to our community. The purpose of this policy is to ensure employee fitness for duty and to protect them and the Public from the risks associated with the abuse of alcohol and/or drugs.

(1) This policy applies to all employees. Parts of this policy relating to drug and alcohol testing apply only to those employees who have been deemed to work in a safety-sensitive position, including public safety employees and employees required to hold a valid Georgia Driver's License to perform their job duties. (ex. Maintenance workers using any city vehicle.)

(2) DEFINITIONS - The following definitions are provided for clarity:

(a) Safety Sensitive Function: An employee required to hold a valid Georgia Drivers License to perform their job or a public safety employee, including police and fire.

(b) Prohibited Drugs: Any illegal drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined by 21 CFR 1308.11 through 1308.15. This includes, but is not limited to: marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, the misuse of legally prescribed drugs, or the use of illegally obtained prescription drugs.

(c) Allowable Drugs: A legally prescribed drug designated by prescription or other written approval, in the employee's name, from a physician for the use of the drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization.

(d) The use of any substance that carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel prior to performing duties. It is the employee's responsibility to read warning labels and/or to seek medical advice from a physician when appropriate. It is also the responsibility of employees to remove themselves from service if they are experiencing any adverse effects from medication. The misuse or abuse of legal drugs while performing business is prohibited.

(e) Drug Test: The drugs that will be tested for include marijuana, cocaine, opiates, amphetamines, and phencyclidine. An initial drug screen will be conducted on each urine specimen.

(f) Prohibited Alcohol: Beverages or other substances containing alcohol, including any medication, mouthwash, food, candy or any other substance, such that alcohol is present in the body while on City of Danielsville property, time or in other circumstances that might adversely affect operations, safety or job performance is prohibited.

(g) Alcohol Test: A breath alcohol concentration test will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA) approved evidential breath device (EBT) operated by a trained breath alcohol technician (BAT). If the initial test indicates an alcohol concentration of point zero two (.02) or greater, a second test will be performed to confirm the results of the initial test. Any employee who has a confirmed alcohol concentration of point zero two (.02) or greater but less than point zero four (.04) will be removed from their position for twenty-four (24) hours and considered to be in violation of this policy and subject to discipline. An alcohol concentration of point zero four (.04) or greater will be considered a positive alcohol test and in violation of this policy and a violation of the requirements set forth in federal regulations for safety-sensitive employees. Alcohol testing should be performed within two (2) hours of an accident or a determination of reasonable suspicion, or the City must maintain a record stating the reasons the test was not promptly administered. Alcohol testing may not take place more than eight (8) hours after an accident or determination of reasonable suspicion.

(3) Violation of the following provisions is prohibited and punishable by disciplinary action up to and including termination:

(a) Manufacturing, Trafficking, Possession and Use: Employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of prohibited substances on City premises, in City of Danielsville vehicles or while on City of Danielsville business. Employees who violate this provision will be subject to discipline, up to and including termination.

(b) Drug and Alcohol Use: Employees must not report for work or continue to work if they are not fit for duty because of the presence of prohibited substances or alcohol in their system. Any employee who is reasonably suspected of being not fit for duty due to drug or alcohol use shall be suspended from duties pending an investigation of condition.

(c) Positive Drug Test: The test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR Part 40, as amended. Any employee that has a verified positive drug test will be removed from their position immediately.

(d) Positive Alcohol Test: A alcohol test is considered positive if the individual is found to have a quantifiable presence or a prohibited substance in the body above the minimum thresholds defined in 49 CFR Part 40, as amended. Any employee who tests positive for alcohol at point zero four (.04) or higher will be removed from the position immediately. Any safety-sensitive employee who tests positive for alcohol at a confirmed level between point zero two (.02) – point zero three nine (.039) will be removed from their position for twenty-four (24) hours.

(4) Failure to Comply with Testing Requirements: Any employee who refuses to comply with a request for testing shall be removed from duty. Such refusals will be recorded as a positive test. Refusal can include an inability to provide a sufficient urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, physical absence resulting in the inability to conduct the test, or any other acts constituting refusal under 49 C.F.R. part 40.

(a) Any employee who is suspected of providing false information in connection with a test, or who is suspected of falsifying test results through tampering, contamination, adulteration or substitution will be required to undergo an observed collection by medical personnel and may be disciplined.

(5) Notification of Criminal or DWI Convictions: All employees are required to notify the City of Danielsville of any arrest by any authority for any violation prior to or upon reporting for your next shift, but not later than (5) five days after such arrest. Failure to report such arrest or any moving violation causing the loss of driver's license by state or local law enforcement involving drugs or alcohol, shall result in discipline, up to and including termination.

(6) Testing Procedures: The testing process will insure protection of individual dignity, privacy and confidentiality. Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities that have been approved by the U.S. Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40, as amended. Analytical urine drug testing and breath testing for alcohol may be conducted when circumstances warrant or as required by Federal regulations. All employees shall be subject to testing prior to employment, for reasonable suspicion and following an accident. All employees shall be subject to testing for reasonable suspicion, and following an accident. In addition, all employees will be tested prior to returning to duty after failing a drug or alcohol test. Employees who are required to use any city vehicle or perform safety sensitive functions shall also be subject to follow-up testing on a random, unannounced basis. Follow-up testing will be conducted for a period of one to five years, with at least six tests performed during the first year. Employees should note that direct observation for collection is a federal requirement for all follow-up and return-to-duty testing conducted on or after August 31, 2009.

(7) Pre-employment Testing: All safety-sensitive position applicants shall undergo urine drug testing immediately following the offer of employment, or transfer into a safety-sensitive position and prior to performing any safety sensitive functions. The employment offer is contingent upon successful test results. Receipt by City of Danielsville of a negative drug test is required prior to employment. Applicants testing positive will not be eligible to be considered for employment for a period of twelve (12) months, and must provide proof of evaluation, referral and satisfactory completion of an approved treatment program.

(8) Reasonable Suspicion Testing: All employees may be subject to urine and/or breath testing when there are reasons to believe they are not fit for duty immediately prior to, during or immediately after performing job duties or while on City of Danielsville property. Reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances that are consistent with the short-term effects of substance abuse. Reasonable suspicion referrals must be made by a supervisor who is trained to detect the signs and symptoms of drug and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in their work performance due to possible prohibited substance misuse.

(9) Post Accident Testing: All employees using city vehicles will be required to undergo urine and breath testing if they are involved in an accident with a City of Danielsville vehicle that results in a fatality. This includes all surviving employees who are operating the vehicle and any others whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if an accident results in injuries requiring transportation to a medical treatment facility; or one or more vehicles incurs disabling damage that requires towing from the site, unless, by the evidence available at the scene, the operator can be completely discounted as a contributing factor to the accident. All other employees may be tested after an accident if there are factors in the accident giving rise to reasonable suspicion that drugs or alcohol were involved. Following an accident, the employee will be tested as soon as possible, but not to exceed eight (8) hours for alcohol testing and thirty-two (32) hours for drug testing. Any employee involved in an accident (as defined above) must refrain from alcohol use for eight (8) hours following the accident or until they undergo a post-accident alcohol test. Any employee who leaves the scene of the accident without justifiable explanation prior to submission to drug and alcohol testing will be considered to have refused the test. Employees tested under this provision will include not only the operations personnel, but also any other employees whose performance could have contributed to the accident.

(10) Random Testing: All employees will be subject to random, unannounced urine and breath testing. The selection of employees for random drug and alcohol testing will be made using a scientifically valid method that ensures each covered employee will have an equal chance of being selected each time selections are made. The random tests will be unannounced and spread throughout the year.

(11) Return to Duty Testing: All employees who previously tested positive on an alcohol and/or drug test must test negative for drugs and alcohol, and be evaluated and released for duty by a Substance Abuse Professional before returning to work.

(12) Follow-up Testing: Employees who previously tested positive will be required to undergo frequent unannounced, random urine and/or breath testing following their return to duty. The follow-

up testing will be performed for a period of one to five years (based on the Substance Abuse Professional's recommendation), with six (6) tests to be performed during the first year.

(13) Employee Requested Testing: Any employee who questions the results of a required drug test, may request that an additional test be conducted. The test must be conducted on the split sample that was provided by the employee at the same time as the original sample. The employee pays all costs for such testing unless the result of the split sample test invalidates the result of the original test. The method of collecting, storing and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Council within seventy-two (72) hours of notice of the original sample verified test result. Request after seventy-two (72) hours will only be accepted if the delay was due to documented facts that were beyond the control of the employee.

(14) Sick leave, vacation leave, or leave of absence without pay may be granted for treatment and rehabilitation as in other illnesses. Insurance coverage for treatment will be provided to the extent of individual coverage. Confidentiality of information will be maintained as much as possible at all times.

(15) Record Retention: All records related to drug and alcohol testing will be maintained in a secure location with controlled access. These records will be kept separate from records pertaining to all other employees.

(16) Changes in Testing Procedures: Should there be improvements in the technology of testing procedures providing more accurate testing the City will consider utilizing the new testing procedures.

MISCELLANEOUS

Personnel Records Policy

The City of Danielsville maintains personnel records for applicants, employees, and past employees in order to document employment-related decisions, evaluate and assess policies, and comply with government record keeping and reporting requirements.

(1) The City of Danielsville tries to balance its need to obtain, use, and retain employment information with a concern for each individual's privacy. To this end, it attempts to maintain only the personnel information that is necessary for the conduct of its business or required by federal, state, or local law.

(2) The City Clerk is responsible for overseeing record keeping for all personnel information and will specify what information should be collected and how it should be stored and secured.

(3) Employees have a responsibility to keep their personnel records up to date and should notify the City Clerk in writing of any changes in at least the following:

- (a) Name;
- (b) Address;
- (c) Telephone number;
- (d) *Marital status (for benefits and tax withholding purposes only)
- (e) *Number of dependents;
- (f) Addresses and telephone numbers of dependents and spouse, or former spouse (for insurance purposes only);
- (g) Beneficiary designations for any of the City of Danielsville's insurance, disability, and retirement plans.
- (h) Persons to be notified in case of emergency.

*In addition, employees who have a change in the number of dependents or marital status should complete a new Form W-4 for income tax withholding purposes.

(4) Employees may inspect their own personnel records and may copy, but not remove, documents in the file. Inspections by employees must be requested in writing to the City Clerk and will be scheduled at a mutually convenient time. All inspections must be conducted in the presence of a designated office personnel. A reasonable charge, not to exceed the actual cost to the City of Danielsville, may be made for any copies of records made by the employee.

(5) Employees who believe that any file material is incomplete, inaccurate, or irrelevant may submit a written request for file revisions to the City Clerk. If the request is not granted, the employee may place a written statement of disagreement in the file and make a complaint using the regular grievance procedure. (See DISPUTE RESOLUTION PROCEDURE Policy – Page 44.)

(6) Only supervisory and management employees who have an employment-related need-to-know for information about another employee may inspect the files of that employee. The inspection must be approved and witnessed by the City Clerk.

(7) Employees should refer all requests from outside the City of Danielsville for personnel information concerning applicants, employees, and past employees to the City Clerk. The City Clerk normally will release personnel information only when requested by an open records request in writing and only after informing the individual involved. Exceptions may be made to cooperate with legal, safety, and medical officials who need specific employee information. In addition, exceptions may be made to release limited general information, such as the following: employment dates, position(s) held, and location of job site.

(8) General Retention Schedule - Documents the City is required by government regulation to retain for particular periods of time:

- (a) Job announcements for postings and application forms and/or resumes when applicant is not hired. (3 years)
- (b) Employment Interview Evaluation Files. (3 years)
- (c) I-9 forms. (Termination plus 6 years)
- (d) Records pertaining to promotion (Termination plus 6 years)
- (e) Demotion. (Termination plus 6 years)
- (f) Transfer. (Termination plus 6 years)
- (g) Layoff or termination. (Termination plus 6 years)
- (h) Payroll records. (Termination plus 6 years)
- (i) Records pertaining to the employment of minors. (Termination plus 6 years)
- (j) Records of reported occupational injuries and illness (OSHA/WISHA logs). (Termination plus 30 years)
- (k) ADA Claim and Accommodation files. (Completion of accommodation plus 6 years)
- (l) Employee medical records. (Termination plus 30 years)
- (m) Verification

These documents are centralized in the City Clerk's office. Generally, contents of a personnel file are retained for up to six years after an employee terminates. Other employee documents such as medical records must be retained for a longer period. Documents the City customarily retains in the regular course of business as a part of an employee's permanent record, even if no regulation requires retention. Examples of this type of document would include performance management memos, disciplinary or warning memos, and memos describing the outcome of an internal investigation. Other working documents that the manager may need: The manager should consider first whether a document in this category should be routed to the City Clerk. The manager should contact the City Clerk if unclear whether or not the contents should be placed in the employee's file.

- (a) Drafts, notes of conversations
- (b) Interviews or investigations
- (c) Email
- (d) Correspondence
- (e) Memos

(f) Other working documents that may be needed to manage ongoing issues with employees. These documents may have little utility for anyone other than for the manager and/or the employee's manager and that generally are not viewed by anyone other than the City Clerk, the manager, the council board, in some cases the employee, and perhaps Legal.

The following documents should be routed to the City Clerk for inclusion in the employee's personnel or medical file. Medical files are kept separately from personnel files.

- (a) Application forms/ resumes/letters of offer
- (b) Reviews/evaluation forms
- (c) Performance Management memos
- (d) Disciplinary memos
- (e) Memos regarding the result of any internal complaint/investigation that resulted in disciplinary action being taken
- (f) Termination/resignation notices
- (g) Documents regarding the offer and/or acceptance of severance benefits
- (h) Post-termination documents referencing a former employee's eligibility or ineligibility for rehire
- (i) Applications for health, life, disability or other insurance or benefit program
- (j) Workers' compensation claims
- (k) Leave of absence
- (l) Unemployment claims
- (m) Medical records
- (n) Physician's releases
- (o) Documents pertaining to an ergonomic evaluation
- (p) Request for accommodation of a physical or mental condition.

Dispute Resolution Procedure Policy

The City of Danielsville believes that employees should have an opportunity to present their work-related complaints and to appeal management decisions through a dispute resolution procedure. The City of Danielsville will attempt to resolve promptly all disputes that are appropriate for handling under this policy.

- (1) An appropriate dispute is defined as an employee's expressed dissatisfaction concerning any interpretation or application of a work-related policy by management, supervisors, or other

employees. Examples of matters that may be considered appropriate disputes under this policy include:

- (a) A belief that City of Danielsville policies, practices, rules, regulations, or procedures have been applied inconsistently to an employee;
- (b) Treatment considered unfair by an employee, such as coercion, reprisal, harassment (including sexual harassment), intimidation, or retaliation;
- (c) Alleged discrimination because of race, color, sex, age, religion, national origin, marital status, gender identification, disability, or any other class protected by law; and
- (d) Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, performance review, salary, or seniority.

(2) If the employee seeks to complain about harassment, discrimination, or retaliation, this complaint should be directed to the City Clerk. If the employee believes that the City Clerk is involved, the employee should direct the complaint to the Mayor. While employees are encouraged to have their concerns addressed internally, they may also direct these concerns to the Equal Opportunity Commission, or any other government agency that receives and handles such complaints. For internal complaints, the City Clerk or Mayor will apply this dispute resolution process beginning at Step 3. For all other types of complaints, the dispute resolution procedure is the exclusive remedy for employees with appropriate complaints.

(3) Employees should notify the City of Danielsville in a timely fashion of any dispute considered appropriate for handling under this policy. As used in this policy, the terms “timely fashion,” “reasonable time,” and “promptly” generally will mean (10) ten working days.

(4) The dispute resolution procedure has a maximum of three steps, but disputes may be resolved at any step in the process. Disputes will be processed until the employee is satisfied, does not file a timely appeal, or exhausts the right of appeal under the policy. A decision becomes binding on all parties whenever an employee does not file a timely appeal or when a decision is made in the final step and the right of appeal no longer exists.

(5) Employees who feel they have an appropriate dispute should proceed as follows:

(a) Step One - Promptly bring the complaint to the attention of the immediate supervisor. If the dispute involves the supervisor, then the employee may proceed directly to step two. The supervisor, if authorized should investigate the complaint or refer it to the City Clerk for handling, attempt to resolve it, and give a decision to the employee within a reasonable time. The supervisor should prepare a written and dated summary of the dispute and proposed resolution.

(b) Step Two - Appeal the decision to the City Clerk, if dissatisfied with the supervisor’s decision, or initiate the procedure with the City Clerk, if Step One has been bypassed.

This appeal or initial dispute notification must be made in a timely fashion using a written form provided for this purpose. The supervisor's version of the dispute and decision will then be submitted using a similar written form. The City Clerk will, in a timely fashion, confer with the employee, the supervisor, and any other members of management considered appropriate; investigate the issues; and communicate a decision in writing to all the parties involved.

(c) Step Three - Appeal an unsatisfactory City Clerk decision to the Mayor. The timeliness requirement and procedures to be followed are similar to those in Step Two. The Mayor will take the necessary steps to review and investigate the dispute and will then issue a written, final, and binding decision.

(6) Final decisions on disputes will not be precedent-setting or binding on future disputes unless they are officially stated as City of Danielsville policy. When appropriate, the decisions will be retroactive to the date of the employee's original dispute notification.

(7) Information concerning an employee dispute should be confidential to the extent possible. Supervisors, department heads, and other members of management who investigate a complaint may discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information or advice.

(8) Time spent by employees in dispute discussions with management during their normal working hours will be considered hours worked for pay purposes.

(9) Employees will not be penalized for proper use of the dispute resolution procedure. However, it is not considered proper use if an employee raises complaints in bad faith or solely for the purposes of delay or harassment or repeatedly raises merit less disputes. Implementation of the dispute resolution procedure by an employee does not limit the right of the City of Danielsville to proceed with any disciplinary action that is not in retaliation for the use of the dispute resolution procedure. In addition, employees and supervisors are prohibited from retaliating against an employee who properly uses the dispute resolution procedure.

(10) The City of Danielsville may, at its discretion, refuse to proceed with any dispute it determines is improper under this policy.

Whistleblower Protection Act Policy

The City of Danielsville, in compliance with the Georgia Whistleblower Act, O.C.G.A. §45-1-4,, encourages employees to disclose any improper governmental action taken by City officials or employees without fear of retaliation. This policy also safeguards legitimate employer interests by encouraging complaints to be made first to the City, with a process provided for speedy dispute resolution.

(1) Improper Governmental action is any action by a city officer or employee that is:

(a) Undertaken in the performance of the official's or employee's official duties, whether

or not the action is within the scope of the employee's employment, and

(b) In violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.

(c) Improper governmental action does not include personnel actions including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violation of labor agreements or reprimands. In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.

(2) Retaliatory Action is any material adverse change in the terms and conditions of an employee's employment. Emergency means a circumstance that if not immediately changed may cause damage to persons or property.

(3) Employees who become aware of improper governmental action should follow these procedures:

(a) Bring the matter to the attention of the Mayor, if non-involved, in writing that states in detail the basis for the employee's belief that an improper action has occurred. This should occur as soon as the employee becomes aware of the improper action. Where the employee believes the improper action involves the Mayor, the employee may raise the issue directly with the Council. In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with the responsibility for investigating the improper action.

(b) The Mayor or the mayor's designees shall promptly investigate the report of improper government action. After the investigation is completed (within thirty (30) days of the employee's report), the employee shall be advised of the results of the investigation. City of Danielsville officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of their identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation. To the extent allowed under the Public Record Act, personnel actions taken as a result of the investigation may be kept confidential.

(4) An employee who makes a good faith effort to follow this policy is entitled to protection against retaliation pursuant to O.C.G.A. §45-1-4.

(5) In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may bypass the above procedure and report the improper action directly to the appropriate government agency responsible for investigating the improper action.

(6) Employees may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was not undertaken by the City to determine whether an improper governmental action occurred, or that insufficient action was taken by the City to address the improper action or that for other reasons the improper action is likely to recur.

(7) It is unlawful for a local government to take retaliatory action because an employee, in good faith, provided information that improper government action occurred. An employee who believes that retaliation has occurred for reporting an improper government action should:

(a) Employees must provide a written complaint to the Mayor within thirty days of the occurrence of the alleged retaliatory action. If the Mayor is involved, the notice should go to the Council. The written charge must specify the alleged retaliatory action and the relief requested.

(b) The Mayor shall investigate the complaint and respond in writing within thirty days of receipt of the written charge.

(c) After receiving the response of the City of Danielsville or thirty (30) days after the delivery of the charge to the City of Danielsville, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the City of Danielsville Mayor within the earlier of either fifteen (15) days of delivery of the City of Danielsville' response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the City of Danielsville for response.

(d) Within five (5) working days of receipt of a request for hearing, the City shall arrange for for an adjudicative proceeding before an administrative law judge/mediator. At the hearing, the employee must prove that a retaliatory action occurred by a preponderance of the evidence. The administrative law judge/mediator will issue a final decision no later than forty-five days after the date of the request for hearing, unless an extension is granted.

Appendix

Appendix A – COBRA BENEFITS OR GEORGIA STATE CONTINUATION PLAN

Since the passing of federal legislation in 1985, you, your spouse, and your dependents are allowed to extend your health benefits in circumstances when coverage would normally terminate. Employees, spouses, and dependents have the option to continue health coverage on a self-pay basis, at group rates, when termination of employment (other than for gross misconduct), death of the employee/retiree, divorce or legal separation, or a dependent child becomes ineligible under the plan. The Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 applied laws at a Federal Level that required group health plans to offer COBRA continuation coverage to participants, whose employer has more than 20 full time employees, in the event of a qualified termination. The State of Georgia added to the Federal legislation and created “mini-COBRA” laws which require that employer's with less than 20 employees must continue a terminated employee's coverage through the end of the month of date of termination, plus an additional 3 months thereafter. This applies to any employee that has had at least 6 months of coverage under the group plan and excludes employees that were terminated due to misconduct. Extension of benefits must be offered to individuals over the age of 60. See Georgia Official Code Title 33, Chapter 24, Sections 33-24-21.1 and 33-24-21.2

Currently, the City of Danielsville health programs are covered by the Georgia State Continuation Plan.

Amended 5/9/16 Ordinance# 234

RECEIPT OF PERSONNEL POLICIES

All employees should read the following, and then sign, date and return the form to the City Clerk. The form will be placed in the employee's personnel file. Enclosed are the City of Danielsville's personnel policies. It is your responsibility to read these policies, as they will acquaint you with your employee benefits, our personnel practices and rules, and organizational philosophy.

It is important to understand that these policies do not create an employment contract or a guarantee of employment of any specific duration between the City and its employees. These policies are general guidelines and do not constitute promises of specific treatment in specific circumstances. Although we hope that your employment relationship with us will be long term, we recognize that at times things do not always work out as hoped, and either of us may decide to terminate the employment relationship.

As the City grows and changes, personnel policies may change. The City, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy when deemed appropriate by the Mayor. You will be notified of any such changes.

If you have any questions about these policies or any other policies of the City, please feel free to ask your supervisor, department head, City Clerk or the Mayor.

I have read and understand the statement above.

Employee Signature

Date

Employee Printed Name

RETURN THIS COPY TO YOUR SUPERVISOR/DEPARTMENT HEAD OR CITY CLERK