



CITY OF DAHLONEGA

PERSONNEL MANAGEMENT SYSTEM POLICIES

Adopted February 3, 2014



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SECTION I – THE WAY WE WORK

Par. 1.100 City Personnel System - The City of Dahlonega Personnel Management System is a system of employment which recognizes that the employees covered by the system should be selected and promoted according to their skills, knowledge, and abilities, and that employees who perform satisfactorily should be retained in their position as long as the position exists.

Par. 1.200 Establishment - The Personnel Management System has been established by the City to provide a fair, equitable, and productive work environment for those employees covered by the system. This system and these policies have been adopted by the governing body of the City.

Par. 1.300 Purpose - The purpose of the Personnel Management System is to establish a system of employment that implements and perpetuates recognized merit principles of public employment. Those principles are:

- a. Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment;
- b. Providing equitable and adequate compensation;
- c. Training employees, as needed, to assure high quality performance;
- d. Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;

- e. Assuring fair treatment of applicants and employees in aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, religious creed, genetic information, age, or handicap and with proper regard for their privacy and constitutional rights as citizens; and
- f. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the results of an election or a nomination for office.
- g. Establishing a stable work environment for its regular employees, and therefore the City will employ part time and temporary employees as needed.

Par. 1.400 Coverage - These procedures apply to the employees in all departments under the administration of the City Manager. Federal equal employment law recognizes that neither elected officials nor members of their personal staff should be covered by legislation creating permanent positions. Therefore the City Manager will determine which positions in the City are policy making or personal staff and exclude those positions from coverage by these policies. All other positions will be covered, and those positions will be included in the City's classification plan.

Par. 1.500 Administration - The City Manager is responsible for administering these policies.

Par. 1.600 Equal Employment Opportunity (EEO) Policy - The City is committed to maintaining a workplace that is free of inappropriate or unlawful conduct on the basis of race, color, religion, sex, national origin, age, disability, genetic information, or other protected group status as provided by law. In keeping with this commitment, the City prohibits the unlawful treatment of employees, including harassment, discrimination, and retaliation, by anyone, including any supervisor, coworker, contractor, subcontractor, vendor, client, visitor, customer, or agent. It is the City's policy to comply with all applicable federal, state, and local laws.

Par. 1.601 Prohibited Conduct - This Policy applies to all aspects of employment, including, but not limited to, recruitment, hiring, promotion, demotion, transfer, lay-off, recall, discipline, compensation, and benefits. Improper conduct also consists of misconduct that includes unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status or activity (e.g., opposition to prohibited discrimination or participation in the statutory complaint process) as provided for by law. This includes conduct by someone to another of the same gender. The City prohibits unlawful conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. No one, including any manager or supervisor, has authority to engage in such conduct.

If you feel you have been subject to the type of conduct prohibited by this Policy, you must report this conduct in accordance with the City's Complaint Procedure, which is contained in these Policies. You should report any improper conduct before it becomes severe or pervasive, and you do not have to wait until it rises to the level of an unlawful action.

Par. 1.602 Sexual Or Other Unlawful Harassment - Unlawful harassment can take many forms, including based on an individual's sex, as well as conduct based on race, age, or any other protected status. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on a protected class constitute harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Inappropriate conduct may include explicit sexual propositions; sexual innuendo; suggestive comments; sexually oriented or racial "kidding" or "teasing;" "practical jokes;" jokes about gender-specific or disability-specific traits; foul or obscene language or gestures; displays of foul, obscene, or racial material; sexually-related emails and text messages; and physical contact, such as patting, pinching, or brushing against another's body. An individual who feels he or she has witnessed or been subject to harassment should follow the City's Complaint Procedure, which is contained in these Policies.

Par. 1.603 Americans with Disabilities Act - It is the City's policy to provide equal employment opportunity to applicants and employees with covered disabilities under the Americans with Disabilities Act of 1990, as amended, ("ADA") or other applicable law. This Policy applies to all aspects of employment and application for employment. As required by the ADA or other applicable law, the City will provide reasonable accommodations to qualified individuals with a disability in the workplace unless such accommodations present an undue hardship or if the individual is a direct threat to the health or safety of the individual or others.

An individual with a disability may request a reasonable accommodation at any time during the application process or during employment. Reasonable accommodations are changes made to the work environment or to the manner or circumstances in which the job customarily is performed that allow an individual with a disability to perform all essential job functions. The City is not required, however, to provide an accommodation if doing so would cause an undue hardship to the City or if the individual is a direct threat to the health or safety of the individual or others in the workplace.

All requests for accommodations will be addressed in connection with an interactive dialogue with the affected individual. To request an accommodation, which may include unpaid leave or modification of your working environment, an individual should complete an Accommodation Request Form (which is available in the City Clerk's office) and return it to the City Clerk.

Upon receiving a request for accommodation, the City will seek an interactive process with the individual to clarify his or her needs and identify the appropriate reasonable accommodation. During this process, the City may request reasonable documentation, including medical documentation, of the individual's disability and need for a reasonable accommodation. Failure to provide required medical information or to otherwise participate in a meaningful way in the interactive dialogue process regarding an accommodation request may result in denial of an accommodation. Because of the personal nature of some disability issues, the City will take every reasonable effort to ensure confidentiality during the review process.

Individuals will be notified of the City's decision regarding their request for an accommodation. Any individual believing that a reasonable accommodation has not been provided should follow the City's Complaint Procedure.

Par. 1.700 Complaint Procedure (Including Complaints for Violation of EEO Policy, Violation of City Policy, or Any Other Unlawful or Inappropriate Conduct) - All employees should help to assure that the City avoids any form of unlawful or inappropriate conduct. If you feel that you have experienced or witnessed (1) harassment, (2) discrimination, (3) improper denial of a request for accommodation, (4) denial of requested leave under the FMLA, ADA, or otherwise, (5) violation of any policy of the City or policy in these policies, or (6) failure to pay overtime or other violation of the FLSA or wage payment laws, or (7) other unlawful or inappropriate conduct by anyone, including employees, supervisors, coworkers, contractors, subcontractors, vendors, clients, visitors, customers, or agents, you are to notify immediately (preferably in writing within 24 hours) the City Clerk. The address and telephone number for the City Clerk is 465 Riley Road, Dahlonega, Georgia 30533; 706-864-6133. If you are not contacted promptly about your complaint or are not satisfied with the response, you are to re-file it with the City Clerk and also send notification of your complaint in writing by certified mail to our City Manager, whose address is 465 Riley Road, Dahlonega, Georgia 30533. If you are not comfortable discussing the matter with the City Clerk or otherwise do not wish to discuss the matter with the City Clerk, you are to file your complaint directly with the City Manager. The City prohibits unlawful retaliation against anyone who has made a complaint or provides information related to a complaint.

The City will undertake an objective and appropriate review of any complaint and expect all employees to fully cooperate with internal investigations that may be initiated by the City to examine any perceived violation of City policy or procedure or any other matter. To the extent practicable and appropriate, the City will keep any complaint and the terms of its resolution confidential. The City will take corrective action as it determines is appropriate. The City will undertake corrective action to stop inappropriate conduct before it rises to the level of an unlawful action. You will be notified as to the outcome of your complaint. If you have any questions about the status of your complaint, you should contact the City Clerk at the above telephone number and address.

Each employee should be aware that he or she has the right to file a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) or other state agency as provided by law. According to the EEOC, the deadline for filing any such charge runs from the last date of unlawful conduct, not from the date that the complaint to us is resolved.

Par. 1.701 Intentionally False Claims – The City recognizes that intentional or malicious false accusations of misconduct can have a serious effect on innocent men and women. Individuals making such false accusations of misconduct will be disciplined in accordance with the nature and extent of his or her false accusation. The City encourages any employee to raise questions he or she may have regarding misconduct or this Policy with the City Clerk.

Par. 1.800 Immigration Law Compliance - The City employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with all applicable federal and state laws.

Further, the City utilizes E-Verify in order to certify the work eligibility of its employees. E-Verify is an Internet-based system operated by the Department of Homeland Security in partnership with Social Security Administration that allows participating employers to electronically verify the employment eligibility of their newly hired employees. E-Verify works by electronically comparing the information on an employee's Form I-9 with SSA and DHS records to verify the identity and employment eligibility of each newly hired employee.

As mandated by E-Verify, the City displays both the English and Spanish Notices of E-Verify Participation and the Right to Work Posters in plain view of potential employees on the walls of the City Clerk's office. If you have any questions, please contact the City Clerk's office.

SECTION II - DEFINITIONS

Par. 2.100 Adverse Action - An action taken that results in a disciplinary suspension without pay, disciplinary salary reduction, disciplinary demotion, or disciplinary dismissal.

Par. 2. 101 Adverse Affect - The results of an action or decision that is not an adverse action but which deprives the employee of income or the opportunity to earn more income.

Par. 2. 102 Appointing Authority - The person who has, among other authorities, the authority to appoint and discharge all employees. The City Manager is the appointing authority for the City.

Par. 2. 103 Regular Employee - A full time employee who has achieved regular status by completing all employment requirements including a probationary period. A regular employee works 40 hours per week. A part time employee works 28 hours per week maximum and a temporary employee may work 40 hours per week for a specified time.

Par. 2. 104 Days - When the work "days" is used as a method of counting, it means calendar days unless stated otherwise.

Par. 2.105 Designee - The person or persons to whom the appointing authority delegates certain authority for the administration of the City.

Par 2. 106 Handicapped - Any person who has a physical or mental impairment that substantially limits one or more major life activities, who has a record of such an impairment, or who is regarded as having such an impairment.

Par. 2. 107 Immediate Family - Included are the employee's spouse, children, parents, brothers, and sisters. The definition is extended to any other person who resides in the employee's household and who is recognized by law as a dependent of the employee.

Par 2. 108 May- The word may is conditional, and implies that there is discretion as to whether a condition exists or an act or action will take place.

Par 2. 109 Shall/Will - These terms are unconditional and imply that a condition exists or an act or action will take place.

Par 2. 110 Unlawful Discrimination - Employment practices which are prohibited by state and federal laws, and which include discrimination because of race, color, sex, genetic information, religion, national origin, age, mental or physical handicap, and political affiliation. See EEO Policy.

Par 2.111 Probationary Period - A period of time, usually six months, during which a new employee or an employee who has been promoted to a higher position is being evaluated on job capability and performance.

SECTION III- CONDITIONS OF EMPLOYMENT

Par. 3.100 Work Hours - The minimum work week for employees will be: 1. Regular Employee-40 hours. 2. Part time employee-maximum of 28 hours. 3. Temporary Employee - 40 hours for a specified time. The official work week of the City will begin at 12:01 a.m. Saturday morning and end at 12:00 midnight the following Friday night.

Par. 3.101 Overtime - The City complies with the requirements of the Fair Labor Standards Act and any applicable local law with respect to wages and hours. Please understand that there may be times when you will need to work overtime so that we may successfully meet the needs of the City. However, all overtime must be approved in advance by your manager or supervisor. Non-exempt employees whose work period is one week will be paid at the rate of one and one half the normal rate for all hours worked over forty (40) per week.

Exempt salaried employees do not receive overtime pay. Exempt salaried employees are subject to deductions from their salaries only for lawful reasons.

Public safety departments will establish work periods and overtime policies separately as a part of the departmental operating policies. Employees called to work after normal working hours shall be credited with a minimum of three hours work.

If an employee feels he or she has been subject to an improper salary deduction, has been improperly classified as exempt or non-exempt, or has not been paid overtime for any hours worked over 40 in a week, the employee should utilize the City's Complaint Procedure. In the event it is determined that an improper deduction was made or that an employee was not paid any overtime due, the City will reimburse the employee.

Salaried positions are: City Manager, City Clerk, Asst. City Clerk, Water Plant Superintendent, Public Works Superintendent, Finance Director and Planning Director. These positions will not be paid overtime for hours worked in excess of 40 per week except in special situations

where prior arrangements and approval are obtained from the City manager. An exception to this rule will be made if an employee is required to work on a scheduled holiday.

Par. 3.102 Compensatory Time - Compensatory time may be given for hours worked over the minimum number of hours required for a particular job, and employees may choose compensatory time in lieu of overtime pay. Each department will determine the jobs that will receive compensatory time and the method of administering compensatory time. Such time must be approved and taken at the convenience of the City. Compensatory time may not be accumulated but must be taken within thirty days of the time it is earned.

Par. 3.103 Recording Your Time - We want to be sure that you are paid fairly for all hours that you work. To accomplish this, we must have an accurate record of the time that you work. The City uses timesheets to keep time records. Your supervisor will explain how these timesheets are used. The important points to remember are:

1. Be sure that you record the start of your shift.
2. Be sure you record the beginning of your lunch period.
3. Be sure you record the end of your lunch period.
4. Be sure you record the end of your shift.
5. If you leave the building on non-City business, you must record this information.

Using any timesheet other than your own, or tampering with a timesheet in any way, will result in disciplinary action up to and including discharge. Any change or omission from a timesheet must be approved by your supervisor.

Further, non-exempt employees are not to perform any work that is not recorded by the time system. You must always make sure you record accurately your time using the standard time recording system. If you are asked/instructed by anybody in the City to perform work "off the clock," (in other words, perform work without reporting it on your timesheet) you are directed to refuse. Make sure you record your work time using the standard time recording system. Also, if you are asked to work "off the clock," or without recording your time, you should immediately report the situation by utilizing the City's Complaint Procedure. Finally, if you contend you have not been paid time for all hours worked, please utilize the City's Complaint Procedure.

Par. 3.104 Meal Time - A sixty (60)-minute, unpaid meal break must be taken each day by all non-exempt employees. You should be completely relieved of your duties during this meal break. Your manager or department head is responsible for approving the scheduling of this meal break. This time must be recorded on your timesheet, which is explained in the City's policy on Recording Your Time.

If circumstances occur that you are not able to take your 60-minute uninterrupted meal break in which you were completely relieved of your duties, you should adjust your time entry in your timesheet record to show that you did not take any meal break, and you will be credited for working the entire 60-minute meal break.

If you are asked or instructed by anybody in the City to perform work “off the clock” (in other words, perform work without reporting it on the time system) during your 60-minute meal break, you are directed to refuse. Also, if you are asked to work “off the clock” during your meal break, you should immediately report the situation by utilizing the City’s Complaint Procedure. Finally, if you contend you did perform work during a meal break and have not been paid accurately for that time, please utilize the City’s Complaint Procedure.

Par. 3.105 Attendance and Punctuality - Attendance and punctuality are important factors for your success within the City. We work as a team, and this requires that each person be in the right place at the right time. Failure to meet the expectations of the City in the area of attendance and punctuality will result in disciplinary action, up to and including termination.

If you are going to be late for work or absent, you must notify your supervisor before the start of your workday. You are required to speak with your manager or supervisor directly, or, if your supervisor is not available, you must speak with another manager or supervisor. It is not acceptable to have another person call for you or leave a message at the switchboard or with a co-worker.

Par. 3.106 – Nursing Mothers - The City complies with applicable provisions of the Patient Protection and Affordable Care Act. Consistent with this statute, the City provides all nursing mothers who are non-exempt employees under the Fair Labor Standards Act with reasonable break time to express breast milk for the nursing of a child for one year following the birth of a child, unless doing so creates an undue hardship. In the event that nursing breaks do not cause an undue hardship, the City will provide a private place other than a bathroom where a non-exempt nursing mother may express breast milk. These breaks will be unpaid. Please direct all requests regarding this Policy to the City Clerk. If you have any complaint regarding this Policy, please utilize the City’s Complaint Procedure.

Par. 3.107 – Changes in Personal Data - We need to maintain up-to-date information about you so we would be able to aid you and/or your family in matters of personal emergency. Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be given promptly to the payroll manager.

Par. 3.200 Holidays - The following are the official holidays that will be observed:

- a. New Year's Day (January 1)
- b. Martin Luther King Day (Third Monday in January)
- c. Memorial Day (Last Monday in May)
- d. Independence Day (July 4)
- e. Labor Day (First Monday in Sept.)
- f. Thanksgiving Day and Friday following Thanksgiving
- g. Christmas Eve and Christmas Day (December 24 and 25)

Part time employees will receive pay for one half of a scheduled holiday. Temporary and part time employees must be employed for 30 days before receiving holiday pay. Regular employees will receive normal pay for holidays.

Par 3.201 Observation of Holidays - Employees may be required to work during the above holidays. Those employees who are required to work may receive the equivalent consecutive days off at another time as determined by the employee and the appointing authority. If days off cannot be scheduled, employees who are required to work on a scheduled holiday will be paid at one and one-half times the regular rate for all time worked plus pay for the holiday. This policy applies to both hourly and salaried employees. A person must work either the day before or the day after a holiday in order to be paid for the holiday. If a holiday falls on Saturday, it will generally be observed on the preceding Friday. If the holiday falls on a Sunday, it will generally be observed on the following Monday.

Par. 3.300 Inclement Weather - The following policies shall apply for paying employees during inclement weather resulting in the closing of City Hall:

Par. 3.301 Public Works, Water Distribution, Water Treatment, Waste Treatment – (hourly employees) Public works, water distribution, water treatment, and waste treatment employees are required to check in with their supervisor as soon as it is determined they will not report to work. The supervisor must be notified at least one half hour prior to the time they are due to report to work. These employees have an obligation to report to work during emergencies and are expected to be on the job. If ice, snow, or other conditions prevent the employee from getting to work, the City may send a supervisor to bring the employee to the work site.

Par. 3.302 Public works employees - will be paid for their regular 8 hrs actually worked. Additionally, they will be paid time and one half for hours worked over the 40 hr. week. Employees that do not report to work will be allowed to use vacation time. Employees who work a partial day will be allowed to use vacation hours to complete the 8 hr. work period.

Par. 3.303 Administration - hourly employees will be paid for 8 hrs only if the City Manager announces that City Hall will be officially closed due to inclement weather or other emergencies. A maximum of two days will be paid. Employees will be allowed to take vacation to compensate for the days missed over two days.

Par. 3.304 Use of Sick – Sick Leave will not be allowed to be used.

Par. 3.305 Reporting for All Exempt Employees--Department Heads, Supervisors - All exempt employees must report to work unless otherwise directed by the City Manager. Exempt employees are expected to devote the time needed to complete the project or resolve the emergency. Management employees and the City manager will work together to provide time off for the employee for hours worked above and beyond the normal work week.

Par 3.400 Prohibited Activities - Because public employees are in positions created for the public and funded by the public, the public has the right to expect that the incumbents in the positions will not abuse the trust placed in them by the public. The employees of the City of Dahlonega are expected to observe and honor the laws of the State of Georgia, the ordinances of Dahlonega and Lumpkin County and federal laws. The following are some activities that are specifically prohibited.

Par. 3.401 Political Activities - Because the employees are protected from political patronage by these policies, the governing authority expects the employees to avoid public political activities. Neither their position nor City time should be used for political purposes, nor should the employee actively campaign for any candidate. The employees may express their political opinions privately, and the officers of the City encourage the employees to vote for the candidate of their choice.

Par. 3.402 Gifts and Gratuities - No employee should accept significant gifts or gratuities (in excess of \$100) from anyone who might expect to receive return favors from the City. Although gifts are often sent by vendors, suppliers, or customers of the City to employees as an expression of a friendly association, the acceptance of these gifts may establish in the mind of the vendor, supplier, or customer who sent the gift the need to continue such a practice in order to continue business with the City. This detracts from the City's emphasis on service to customers. It is difficult to justify this practice from the standpoint of ethical business conduct.

Par. 3.403 Use of Intoxicants - Employees should neither possess or consume any intoxicating drug such as alcohol during work hours or come to work in an intoxicated state.

Par. 3.404 Conflict of Interest - While employed by the City, it is your obligation to act at all times in the best interest of the City and not allow any personal activity to conflict with or interfere with your service to the City. As a result, the assumption of or engagement in any interest, relationship or activity by an employee tending to impair the independence of such person's judgment with respect to the best interest of the City constitutes a conflict of interest. Employees must report in writing all situations involving even a possible conflict for review by the City Clerk and thereby avoid any attempt to judge their own case. Opportunities to engage in any community work or to serve in any customer organization, including a savings and loan association, real estate firm, etc., or your doubts about outside business interests or activities should be discussed with the City Clerk or City Manager. The City expects its employees to exercise the utmost good faith in the performance of their duties. Keeping the City informed will enable you to receive proper recognition for individual efforts and will avoid any conflict with established City policies.

Par. 3.405 Abuse and Misuse of Equipment and Supplies - Employees are entrusted with the use of public equipment and supplies. The abuse or misuse of City equipment and supplies can lead to appropriate disciplinary actions.

Par. 3.500 Employment of Relatives - An otherwise qualified candidate is excluded from consideration for a vacancy or transfer if a potential conflict of interest involving a relative would be created. For purposes of this Policy, a relative includes an individual who is related by blood, marriage or adoption. Examples of relatives include a spouse, parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, or corresponding in-law or step family relation.

Candidates are ineligible for employment, promotion, or transfer to a job where an employee who is a relative would recommend or approve hiring, termination, performance appraisals, pay changes, disciplinary actions, or promotions for the candidate. No employee may directly or indirectly supervise a relative. Failure to disclose the name of a relative who is a City employee or applying for employment is grounds for discipline, including termination.

Par. 3.600 Non-Fraternization - The City prohibits dating or romantic relationships between a supervisor and a subordinate who reports either directly or indirectly to that supervisor. This prohibition applies to all employees regardless of their marital status. In the event a supervisor and subordinate desire to date or enter into a romantic relationship, the supervisor should immediately notify the City Clerk so that the City may take appropriate steps to avoid any adverse impact in the workplace. This may include the transfer, reassignment, or resignation of one (or both) of the employees involved. The City may, at its discretion, also require any participants in a consensual romantic and/or sexual relationship to execute a Consensual Relationship Agreement. The City will address these situations as confidentially and discreetly as possible. When a violation of this Policy is determined to have occurred, appropriate disciplinary action, up to and including discharge, will be taken.

Par. 3.700 Solicitation/Distribution - Solicitation by an employee of another employee, including but not limited to, solicitation for contributions, sale of merchandise, or memberships in clubs or organizations, circulation of petitions, and all other forms of solicitation, is prohibited while either the person doing the soliciting or the one being solicited is on his or her working time. Solicitation by non-employees on City premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in the working areas of the City is prohibited at any time. Distribution of literature by non-employees on City premises is prohibited at all times.

Par. 3.800 Job Reference Policy - The City's reference policy is that employees are not to provide any reference regarding a current or former employee's employment with the City. Any request for a reference or employment history of any kind should be directed to the City Clerk. For your information, the City Clerk or his/her designee's response will be limited to providing dates of employment and job positions.

Upon written request with authorization from the former employee, the City will provide salary history. Again, this information will only be given by the City Clerk or his/her designee, and no employee is authorized to provide any information of any kind concerning a current or former employee.

SECTION IV -- EMPLOYMENT PRACTICES

Par. 4.100 Objectives - The objectives of establishing the following employment practices are (1) to comply with the accepted merit principles of civil service systems listed in Section I, and to (2) enhance the employment conditions in the City with the belief that fair and equitable employment practices lead to greater job satisfaction and productivity.

Par. 4.200 Announcements - Job opening announcements will be posted in conspicuous public places and announced in appropriate public communications media.

Par. 4.201 Employment Applications - We rely upon the accuracy of information contained in the employment application and the accuracy of other data presented throughout the hiring

process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the applicant from further consideration for employment or, if the person has been hired, disciplinary action, up to and including termination of employment.

Par. 4.300 Security Clearance - In employment areas such as public safety and finance where the public has a compelling interest in the security of property and life, applicants for employment, promotion, and transfer will be asked to supply personal information that would not be needed in other employment areas.

Par. 4.400 Types of Appointments - The City recognizes two (2) types of appointments that apply to both original appointments and to promotions. They are non-competitive and competitive appointments.

Par. 4.401 Non-Competitive Appointments - It will be the City's policy to promote from within whenever possible. This type of appointment applies to temporary and part time employees.

Par. 4.402 Competitive Appointments - Competitive appointments are the normal practice of the City. When a vacancy occurs, a recruitment plan will be developed and implemented by the appointing authority. An applicant must be considered qualified for the job to be employed, and the best qualified applicant will be employed.

Par. 4.500 Probationary Period - The first six (6) months of employment in positions of original appointment, promotion, or transfer to a class that has different qualifications (knowledge, skill or abilities) shall be a Probationary Period. During this period the employee has no right to expect continued employment in that position and employment can be terminated at any time. If an employee is promoted and is deemed to be unsatisfactory in the new job, he shall be given the opportunity to return to his old job if there is a vacancy.

Par. 4.600 Job Mobility - It is possible for employees to voluntarily move upward, downward, or laterally in the organization. It is also possible for the employee to be involuntarily moved in any of the three directions.

Par. 4.601 Transfer - If a position is open at an equivalent pay grade, an employee may request transfer to that position. If the knowledge, skill, and abilities required for that job are not the same as for the present job, the employee will be tested and interviewed for the new position and will be in a probationary period for the new job if transferred. The appointing authority may transfer an employee to any position, at any pay grade, if the employee is qualified to do the work and if their salary is not changed. A temporary transfer to a higher position may be made for up to ninety (90) days without giving a salary increase.

Par. 4.602 Promotion - It will be the policy of the City to promote from within when possible. Candidates for promotion will be tested and interviewed for the open position.

Par. 4.700 Performance Reviews - Your performance is important to the City. Your supervisor or higher level manager will normally review your job progress within the City on a periodic basis during your employment.

Performance reviews are designed to provide a basis for better understanding between you and the City, with respect to your job performance, potential and development within the City. Please understand, however, that a positive performance review does not guarantee an increase in compensation, a promotion or continued employment as compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions and demotions, are determined by and at the discretion of the City.

Par. 4.800 Separations - An employee may voluntarily resign, abandon the job, be separated in a reduction-in-force, or be dismissed for disciplinary reasons as described in these Policies.

Par. 4.802 Job Abandonment - Employees who are absent from work for three (3) or more consecutive days without having received leave approval or without having called in to report the absence will be considered as having voluntarily abandoned their jobs. The separation will not be in good standing and may affect the receipt of accrued benefits.

Par. 4.803 Reduction in Force - A reduction-in-force may be necessary when a position or group of positions must be closed because of lack of work or funds. Employees who are separated in a reduction-in-force will be treated as if they were on leave of absence for one (1) year and will receive preference in rehiring should a position for which they are qualified open within that year.

SECTION V- LEAVE

Par. 5.100 Types of Leave - The City recognize several types of leave that are available to employees. They are: annual leave, sick leave, military leave, court leave, leave of absence, Family Medical Leave Act of 1993 ("FMLA"), leave and bereavement leave.

Par. 5.101 Anniversary Date - In calculating the accrual of annual and sick leave, accrual begins on the day of original appointment. If an employee takes leave-of-absence, the anniversary date will be moved forward by as many calendar weeks as the employee was on leave-of-absence.

Par. 5.200 Annual Leave - Annual leave is leave that is earned to be used for vacations, personal business activities, and other personal activities. Accrual of annual leave is an earned right. Taking annual leave is a privilege that must be approved by the appointing authority or his designee. Mandatory five days consecutive annual leave time is required for all employees performing key control or accounting functions.

Par. 5.201 Eligibility - All full time regular employees shall accrue annual leave from the date of employment.

Par. 5.202 Accumulation Rate - Eligible employees shall accrue annual leave at the following rate:

For employees hired before February 1, 1998:

- a. For the first seven years of service a person will earn ten days for each twelve months' work, accrued at the rate of 1.54 hours weekly.
- b. After seven years a person will earn fifteen days for each twelve months' work, accrued at the rate of 2.31 hours weekly.
- c. After ten years a person will earn twenty days for each twelve months' work, accrued at the rate of 3.08 hours weekly.

For employees hired after February 1, 1998:

- a. For the first ten years of service a person will earn ten days for each twelve months' work, accrued at the rate of 1.54 hours weekly.
- b. After ten years a person will earn fifteen days for each twelve months' work, accrued at the rate of 2.31 hours weekly.
- c. After fifteen years a person will earn twenty days for each twelve months' work, accrued at the rate of 3.08 hours weekly.

Annual leave must be earned before it can be taken.

Par. 5.203 Maximum Accumulation - Annual leave may not be accrued in excess of forty (40) days. Upon separation, the employee will be paid for all accumulated annual leave up to forty (40) days if separated in good standing.

Par. 5.204 Request for Leave - All annual leave must be requested and approved by the department head before the leave is taken. Annual leave which exceeds one day must be approved by the appointing authority before the leave is taken.

Annual leave is subject to the following additional restrictions:

- a. Vacation and sick leave cannot be taken concurrently.
- b. An employee eligible for vacation may elect to take vacation pay without time off, however, he is not eligible for vacation time off without pay at a later date.
- c. If an employee does not take a vacation in a given year, he will be paid for his accumulated vacation time in excess of 40 days.
- d. If two or more employees request vacation at the same time, seniority will be used to determine scheduling.

Par. 5.300 Sick Leave - Sick Leave is leave accumulated to be taken for bona fide illness and injury and other medical related necessities such as physicians' appointments, medical

examinations, and dental appointments. Sick leave is available for the employee's personal health care as well as for the care of members of the immediate family.

Par 5.301 Eligibility - All full time regular employees shall accrue sick leave from the date of employment.

Par 5.402 Accumulation Rate - Sick leave will be accumulated at the rate of eight (8) hours per month. Seven days extra sick time will be paid for employees who are absent due to work related injuries. (approved 4/7/03)

Par 5.303 Maximum Accumulation - Unlimited sick leave may be accrued. Employees will not be paid for accumulated sick leave upon separation.

Par. 5.304 Reporting - The employee shall report any sick leave absence prior to his scheduled work time if possible, and if not, the employee shall see that his absence is reported within one (1) hour after the scheduled time for the employee to begin work.

Par. 5.305 Approval for Sick Leave - Sick leave requires the approval of the appointing authority or his designee.

Par. 5.306 Physician's Certificate - A medical statement signed by a licensed physician may be required to substantiate sick leave for:

- a. Absence of three (3) or more consecutive days.
- b. To support a request for sick leave during annual leave.
- c. At any time when absence recurs frequently or habitually, provided the employee has been warned.

Par. 5.400 Military Leave - Georgia law requires that paid leave be granted to members of the Reserve and National Guard under certain conditions, and leave of absence is required under other conditions. These policies are in compliance with the law.

The City will comply with its obligations for those employees who serve in any branch of the United States uniformed military services, including providing any necessary time off, in accordance with federal, state, and local law. The Family and Medical Leave Act of 1993 ("FMLA") contains provisions regarding certain types of military leave. This is addressed in detail in the Family Leave Policy. If you believe you have been denied leave to which you are entitled, you may file a complaint pursuant to the City's Complaint Procedure.

Par. 5.401 Ordered Duty - In compliance with Georgia Code §38-2-279 any employee ordered to military duty shall be placed on military leave with pay for a period of time not exceeding a total of 15 days in any one calendar year and not exceeding 15 days in any one continuous period of absence, except as otherwise required by code section 38-2-279.

Par 5.402 Declared Emergency - According to Georgia Code §38-2-279 in the event the governor declares an emergency and orders an employee to state active duty as a member of the

National Guard, the employee shall receive pay for a period not exceeding 30 days in any one calendar year and not exceeding 30 days in any one continuous period of active duty service.

Par. 5.403 Leave-of-Absence - According to Georgia Code §38-2-279, any voluntary members of the Reserve or National Guard shall be entitled to absent himself and shall be deemed to have a leave-of-absence as an employee while in attendance at any service school conducted by the armed forces of the United States for a period up to six months during any four (4) year period. Leave-of-absence may be granted in cases of temporary disability and possibly other emergency situations. A leave-of-absence prevents a break in service, but no benefits such as leave or time toward retirement shall accrue during leave of-absence.

Par. 5.500 Family Medical Leave Act (FMLA) Leave - FMLA provides unpaid, job-protected leave to eligible employees for certain family and medical reasons, without loss of health insurance benefits. The existence of this Policy shall not alter or expand the statutory requirements of the FMLA, and application of this Policy is correspondingly limited to those who are protected based on the provisions of the FMLA.

The following information is provided to explain the employee's rights and obligations when requesting a family or medical leave:

Par. 5.501 Eligibility for FMLA Leave and Amount of Leave - To be eligible for leave under this Policy, an employee must have been employed for a total of twelve (12) months, must have worked at least 1,250 hours during the 12-month period preceding the commencement of the leave, and must work at a facility with 50 or more employees within a 75-mile radius of this worksite.

An eligible employee may take FMLA leave for up to 12 weeks of unpaid leave for one or more of the following reasons: (1) the birth of the employee's child; (2) placement of a child with the employee for adoption or foster care; (3) to care for the employee's child, spouse, or parent who has a serious health condition; (4) the employee's own serious health condition that makes the employee unable to perform the functions of his or her job, or (5) because of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a member in the National Guard or Reserves who has been deployed to a foreign country under a call or order to active duty (or has been notified of an impending call or order to active duty) or is a member of the regular Armed Forces who has been deployed to a foreign country. An employee may take a total of 12 workweeks of unpaid leave for the reasons specified above during a rolling 12-month period measured backward from the date an employee uses any FMLA leave.

If you and your spouse are both employed by the City, the two of you together are entitled to a combined total of 12 weeks of FMLA leave for the birth, adoption, or placement of a child, or to care for a covered family member with a serious health condition. The right to FMLA leave for the birth, adoption, or placement of a child expires 12 months after the date of the birth, adoption or placement.

An eligible employee may take up to twenty-six (26) weeks of unpaid, job protected leave in a single 12-month period (measured beginning on the date the leave begins) to care for a spouse, child, or parent who is a covered service member. The term "covered service member" means:

(i) a service member (including in the Regular Armed Forces, the National Guard, and the Reserves) who has a serious injury or illness that was incurred or aggravated in the line of duty while on active duty for which he or she is undergoing treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or (ii) a veteran undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness that was incurred or aggravated in the line of duty while on active duty and who was a member of the Armed Forces (including in the National Guard or the Reserves) within five (5) years preceding the date the veteran undergoes that treatment, recuperation, or therapy.

FMLA leave to care for a seriously ill or injured service member runs concurrently with other leave entitlements provided under federal, state, and local law. Leave that qualifies as both leave to care for a covered service member and leave to care for a family member with a serious health condition during a single 12-month period may not be designated and counted as both types of leave. Such leave will be designated first as leave to care for a covered service member.

Unless otherwise required by law, no employee will be entitled to more than a combined total of 26 weeks of leave in a single 12-month period for any FMLA-qualifying reason.

The FMLA permits eligible employees to take leave intermittently or on a reduced- schedule leave when medically necessary for: the serious health condition of the employee's or the employee's family member or to care for a covered service member with a serious injury or illness. In the case of planned medical treatment, the employee must attempt to schedule the intermittent or reduced-schedule leave so as not to unduly disrupt the City's operations. Intermittent leave is not available for the birth, adoption or placement of a child unless agreed to by the City Manager. The City Manager may transfer the employee temporarily to an alternative position with equal pay and benefits that better accommodates any recurring periods of intermittent leave.

If an employee is entitled to paid leave under another benefit plan or policy (which includes, but is not limited to, short-term disability, unused paid vacation, sick, family, or personal leave), the employee must substitute the paid leave for FMLA leave. Such available paid leave will be counted against the unpaid FMLA leave entitlement. The employee is required to satisfy any procedural requirements for receiving payment under paid leave as provided in these Policies when substituting paid leave for FMLA leave.

Par. 5.502 Request for and Designation of FMLA Leave - To request FMLA leave, the employee must complete and sign a Request for Family and Medical Leave form and submit it to the City Clerk. When the need for FMLA leave is foreseeable, the employee must provide notice and submit the Request for Family and Medical Leave form at least thirty (30) calendar days in advance of the effective date of the leave. If 30 days notice is not practicable (such as if the employee is uncertain as to when the leave will begin or in the case of a medical emergency), the employee must provide notice as soon as practicable. If the need for leave is not foreseeable or in the case of a qualifying exigency, the employee must give the City notice of the need for FMLA leave as soon as practicable under the particular circumstances.

An employee must provide notice sufficient for the City to determine that the leave is for an FMLA-qualifying event. In the case of unforeseeable leave, calling in "sick" without providing any

additional information is not sufficient. When an employee seeks FMLA leave for a qualifying reason for which the City previously has granted FMLA-protected leave, the employee must specifically reference the qualifying reason for leave or the need for FMLA leave. If the employee fails to provide the City Clerk the reason for leave, leave may be denied.

When the City has sufficient information to determine whether the leave is for an FMLA-qualifying event, the employee will be notified within 5 days whether the leave will be designated and counted as FMLA leave, absent extenuating circumstances. At that time, employees will be provided written notice of their rights and responsibilities and the consequences for failure to meet these obligations.

When scheduling planned medical treatment, the employee must consult with the City Clerk in advance to ensure that the City's operations are not unduly disrupted by the employee's absence(s).

Employees should understand that, for any absences, whether covered by the FMLA or not, it is imperative to follow the City's usual and customary internal notice and procedural requirements for requesting leave, as outlined in the City's Employee Handbook. If an employee fails to comply with the City's internal notice and procedural requirements and no unusual circumstances justify such failure, FMLA-protected leave may be delayed or denied.

Par. 5.503 Certification and Recertification of FMLA Leave - The City requires that an employee provide a complete and sufficient certification of a serious health condition of the employee or the employee's family member, of a qualifying exigency, or of the need to care for a covered service member with a serious injury or illness. Certification forms are available from the City Clerk. The employee must submit the completed certification form to the City Clerk within 15 calendar days, unless it is not practicable to do so under the particular circumstances. Failure to provide such certification may result in the delay or denial of FMLA leave.

If the City Clerk has reason to doubt the validity of a medical certification, the City, at its own expense, may require a second medical opinion from a physician it chooses. If the first and second opinions differ, the City, at its own expense, may require the opinion of a third health care provider that is approved jointly by the City and the employee. The third opinion will be considered final and binding.

Where the employee's need for leave due to the serious health condition of the employee or the employee's covered family member lasts beyond a single leave year, the City requires the employee to provide a new medical certification in each year the employee subsequently takes leave.

Where leave is taken for the serious health condition of the employee or the employee's covered family member, the City may require recertification of the leave every six (6) months, or on a more frequent basis in certain circumstances.

Employees returning from an approved FMLA leave due to their own serious health condition will be required to present a fitness-for-duty certification from their health care provider indicating that they are medically able to resume work. This certification specifically must address the employee's

ability to perform the essential functions of his or her job. The City may delay returning the employee to work until this certification is received. Failure to provide this certification may subject the employee to termination.

In the case of intermittent FMLA leave for an employee's own serious health condition, employees are required to present a fitness-for-duty certification every 30 days if the City determines that reasonable safety concerns exist regarding the employee's ability to perform his or her duties because of the employee's serious health condition.

Par. 5.504 Employee Responsibilities While on FMLA Leave - During an approved FMLA leave, employees are entitled to the same health insurance they had before the leave began. Employees who pay some or all of their health insurance premium will be required to continue to pay the premiums in order to continue benefit coverage during the leave period. The employee is responsible for making arrangements to pay any premiums due during the leave period. Employees who do not return to work following FMLA leave will be liable for the payment of any health insurance premiums paid by the employer during unpaid FMLA leave, unless the failure to return to work was due to the continuation, recurrence, or onset of a serious health condition or for other circumstances beyond the employee's control.

Employees will be required to periodically advise the City of their status and intent to return to work at the conclusion of the FMLA leave. Employees also must provide notice to the City at least two (2) business days prior to their return to work. If an employee unequivocally indicates his or her intent not to return to work after taking FMLA leave, the employee is subject to termination.

While on leave, the employee may not be eligible for bonuses or other payments based on attendance or job-related performance goals, in the City's discretion, where the employee has not met that goal due to FMLA leave.

Outside employment during your leave period without City approval is prohibited and may result in disciplinary action, up to and including termination of employment.

Par. 5.505 Return from Leave - Employees returning from FMLA leave will be restored to the same or an equivalent job. The FMLA does not entitle a restored employee to any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken leave.

A request to substitute paid leave for unpaid FMLA leave or a request for any leave not covered by the FMLA may be subject to additional approval, certification, and reinstatement requirements. In addition, employees requesting to substitute paid leave for unpaid FMLA leave or requesting other approved leave will be required to complete all applicable forms.

Par. 5.506 Complaint Procedure - If you believe you have been denied any right under the FMLA, please utilize the City's Complaint Procedure.

Par. 5.600 Court Leave - An employee performing court duty as a subpoenaed witness or juror will be granted leave with pay.

Par. 5.700 Non-FMLA Leave - Employees who need time off from work for qualifying medical reasons, but who are not entitled to leave under the FMLA or other leave law (such as those who are not eligible or who already have exhausted their FMLA leave) may be granted Non-FMLA Medical Leave at the City's discretion.

Upon return from an approved Non-FMLA Medical Leave, the employee must provide a release from his or her health care provider authorizing him or her to return to work and listing any work restrictions. Upon receipt of the return-to-work authorization from the health care provider, the City will review any work restrictions and determine whether the employee's position or another position for which the employee is qualified is available, including whether a reasonable accommodation is appropriate and available. If no such position is available, the employment relationship will be terminated.

This Policy will be applied in conjunction with the Americans with Disabilities Act, the Family and Medical Leave Act, the applicable state worker's compensation law, or other applicable local, state, or federal law.

Par. 5.800 Temporary Disability - A disabled employee may exhaust all accrued sick and annual leave. When paid leave is exhausted, the employee may be placed on leave of absence, depending on the duration of the absence and the need to fill the position. A doctor's statement will be required to determine the length of leave necessary. Male and female employees are entitled to twelve weeks unpaid maternity leave.

Par. 5.900 Bereavement Leave - Time off with pay will be provided for up to three (3) days for the death of one of the following immediate family members: mother, father, brother, sister, mother-in-law, father-in-law, children, or spouse. Additional time off for death of an immediate family may be taken without pay or annual leave may be taken.

The City reserves the right to deny any request based on operational and staffing needs and further reserves the right to require an employee to document the death of a family member.

SECTION VI- BENEFITS

Par. 6.100 Group Health Insurance - The City will provide insurance at a cost to be determined each budget year to regular employees and their families. Part time employees may have this benefit by paying part of the cost if permissible under the underwriter's regulations. Group health insurance is to be made available to regular employees after retirement or termination for a period of 18 months at the employee's cost. Group health insurance is to be made available to an employee who leaves because of disability for a period of 36 months at the employee's cost. Group health insurance is also to be made available to the dependents or beneficiaries of an employee upon the death of the employee for a period of 36 months at their cost. Insurance will terminate at the option of the employer when the employee is covered by other group insurance.

- a. Employees will pay 13% of the health insurance cost for single and family coverage in the PPO Plan or 6.5% of the health insurance costs for single and family coverage in the HMO Plan.
- b. The City will not offer duplicate health insurance coverage for spouses of employees who have access to health insurance through their own employers.
- c. The City will guarantee to employees that their spouses will not have less coverage than that provided by the City's plan. If the spouse's plan provides less payment on a claim than would have been paid under the City's plan, the City will reimburse the employee for the difference.

Par. 6.200 Life insurance - Each regular employee will be provided life insurance. Life insurance will be available to employees at an amount and cost to be determined each budget year.

Employees will become insured on the effective date of the plan provided they:

- 1. Are actively employed on a regular, full-time, permanent basis at the employer's place of business, and
- 2. They are actively at work on that date, enrolled in the plan, and have satisfied an applicable probationary period, and;
- 3. Have satisfied any required evidence of insurability.

Par. 6.300 Education - The City will pay the cost of approved courses that will increase the employee's job skills. Prior approval for such course work must be approved by the City Council. Classes scheduled during working hours must have prior approval from the City Manager and the City Council. Employees desiring to further their education for their own personal development must adhere to the following:

- a. A salaried employee's compensation may be reduced as a condition to the granting of the privilege at the discretion of the City council.
- b. Time off during working hours must have prior approval from the City Manager and City Council.

Par. 6.400 Retirement - The City will provide a retirement plan to regular employees.

SECTION VII - MOTOR VEHICLES

Par. 7.100 Vehicle Use - All motor vehicles owned or leased by the City and driven by City employees shall be used only in connection with City business. When said vehicles are not in use in the City's business, vehicles shall be kept on City property unless temporarily located elsewhere for maintenance or repair.

- a. No employee using a City vehicle lives at the City's business premises.

- b. No employee may use a City vehicle for personal purposes, other than de minimis personal use; and no employee shall use a City vehicle for any personal errand.

Par. 7.101 Exceptions - An exception shall be made for the following City employees: City Manager, Public Work Director, Utility Line Distribution Supervisor, Wastewater Plant Supervisor, and Inspector.

- a. These employees will be provided a City-owned vehicle to be used in connection with City business; and for bona fide noncompensatory business reasons the City shall require said employees to commute to and from work in the vehicle and to be available as needed on a twenty-four hour per day basis.
- b. The employees mentioned shall not use a City vehicle for personal purposes other than commuting or de minimis personal use.
- c. The City shall account for the commuting use by including an appropriate amount in the employee's gross income.

Par. 7.102 Use of City Vehicles Outside City Limits - Anytime it is necessary for a City vehicle to leave the City limits of Dahlonaga, the employee must notify his supervisor and receive permission. The employee will advise the supervisor where he is going and the nature of his business. The employee will go to the approved destination, conduct his business, and return to the City by the closest and most direct route possible. It shall be the responsibility of the employee to contact his supervisor when he returns to the City and his normal duties.

The intent of this policy is to provide a mechanism for management to provide for the safe and effective use of its vehicles and equipment and to help insure the safety and productivity of its employees. Violation of this policy may result in discipline up to and including termination of employment.

Par. 7.103 Safe Operation – Operators of City vehicles are responsible for the safe operation and cleanliness of the vehicle. Accidents involving a City vehicle must be reported to your supervisor immediately. Employees are responsible for any moving violations and fines which may result when operating a City vehicle. The use of seat belts is mandatory for operators and passengers of City vehicles.

SECTION VIII - DISCIPLINE

Par. 8.100 Progressive Discipline - Progressive discipline is a process in which disciplinary action is taken in degrees of increasing severity. The City's government advocates progressive discipline when applicable. The action taken will depend on the degree and the circumstances of the violation. An employee who fails to adequately perform assigned duties or who violates established policies will be disciplined.

Par. 8.200 Causes of Action - The causes of disciplinary actions are:

- a. Chronic tardiness or absenteeism
- b. Negligence in performing assigned duties,
- c. Inefficiency in performing assigned duties,
- d. Inability or unfitness to perform assigned duties,
- e. Insubordination,
- f. Misconduct,
- g. Commission of a felony or a crime involving moral turpitude,
- h. Conduct reflecting discredit on the City or department,
- i. Failure to report to work without justifiable cause,
- j. Political activity that is prohibited by these policies,
- k. Failure to maintain a current Georgia driver's license required by law for the type of City vehicle driven by the employee. Note: The penalty may vary from reprimands up to termination of employment.
- l. Use of City-owned tools or equipment for personal use on private property.
- m. Failure by an employee to report a DUI charge within two working days.

The City will evaluate each issue on a case by case basis. This Policy is not intended to violate any state or federal laws, or interpreted in a manner that unlawfully prohibits the right of employees to engage in protected concerted activity under the NLRA.

Par. 8.300 Types of Actions - Disciplinary actions fall into two (2) general categories, reprimands and adverse actions.

Par. 8.400 Reprimands - A reprimand is a formal means of communicating to the employee a warning that a problem exists and that it must be corrected. There are two (2) degrees of formality, the oral reprimand and the written reprimand.

Par. 8.401 Oral Reprimand - In an oral reprimand, the manager or department head will verbally and privately explain to the employee that he or she is being reprimanded and describe the problem and what must be done to correct the problem.

Par. 8.402 Written Reprimand - In the written reprimand, the employee will receive a written statement describing the problem and what must be done to correct it. The reprimand will also contain a statement describing the probable consequences of not correcting the problem. The written statement will be given to the employee during a private interview.

Par. 8.500 Adverse Action - An adverse action is an action taken by the appointing authority or his designee, for cause, that results in a disciplinary suspension without pay, disciplinary salary reduction, or dismissal.

Par. 8.501 Suspension Without Pay - An employee may be suspended without pay for a violation of accepted policies governing performance and conduct. The suspension without pay shall not exceed thirty (30) days.

Par. 8.502 Disciplinary Salary Reduction - An employee's salary may be reduced from one pay step to a lower step for disciplinary purposes. The salary reduction does not constitute a demotion in pay grade.

Par. 8.503 Dismissal - An employee may be dismissed for disciplinary reasons when all other alternatives have failed to solve the problem, or when it is necessary to remove the employee from the work place immediately and/or permanently.

Par. 8.600 Notification and Response - Once it has been determined that an adverse action should be taken, the following notification and response procedure will be observed.

Par. 8.601 Notice of Proposed Adverse Action - The appointing authority or his designee will give the employee a written notification of the proposed adverse action. The notification will contain the following:

- a. The effective date of the action,
- b. The specific charges and reasons for the action,
- c. A statement outlining consequences.

Par. 8.700 Emergency Action - The appointing authority or his designee may take immediate action against an employee under emergency situations. The immediate action will be to suspend the employee with pay until an investigation can be conducted. Examples of emergency situations are: when crimes of moral turpitude are committed, when an employee may be injurious to himself, fellow workers, or the general public, or when an employee may damage public property.

Par. 8.800 Review of Adverse Action - Each adverse action will be reviewed by the City Manager, Department Foreman, and the Chairman of the Personnel Committee.

SECTION IX- ALCOHOL AND CONTROLLED SUBSTANCES

Par. 9.100 Purpose - The City seeks a drug-free workplace to protect working people and the public and to increase productivity. The use of alcohol or controlled substances by City employees while on the job constitutes a direct threat to property and the safety of others. The safety of citizens and other employees depends upon the ability of employees to think clearly with unimpaired faculties.

Par. 9.101 Objectives - It is the objective of the City to provide safe and effective public service. To meet this goal the problem of alcohol and controlled substance abuse must be identified, confronted, and defeated. The City will establish an Alcohol and Controlled Substance Testing Program.

Par. 9.200 Policies -

- a. The use or possession of alcohol or any controlled substance while on work time or work premises is prohibited.
- b. The sale, distribution, or provision of alcohol or any controlled substance while on work time or work premises is prohibited.
- c. Reporting to work, or working, while intoxicated or otherwise impaired by alcohol or controlled substance use is prohibited.
- d. Alcohol or controlled substance related off-duty conduct that tends to undermine the reputation, authority, or efficiency of the City is prohibited.
- e. All employees shall submit to alcohol and controlled substance testing:
 1. At a convenient time after hiring but before beginning work.
 2. At random intervals during the year while on duty.
 3. When, in the opinion of at least two supervisory personnel, there is a reasonable suspicion that any employee of the City has violated any provision of the Alcohol and Controlled Substance Policy. Refusal to submit to testing shall constitute insubordination, and shall be a sufficient ground for termination.
 4. When an employee is involved in an accident which results in property damage or personal injury. If, due to injuries, the employee cannot submit to testing within the prescribed time, the employee will provide the City with necessary authorization required to obtain hospital reports and other documents that would indicate the presence or non-presence of any drugs and/or alcohol in the employee's system at the time of the accident.
 5. Legally prescribed medications/drugs may be taken during working hours. Employees should notify their supervisors if the use of prescribed medications/drugs might affect their performance. Abuse of prescription medications/drugs will not be tolerated.

Par. 9.300 Procedures -

- a. If the results of a test confirm the presence of alcohol or any controlled substance in the system of the employee, it will be assumed that the employee is impaired. This impairment will result in the immediate termination of the employee. The employee may through his own effort attempt to rebut the assumption of impairment through additional testing. If such tests produce negative results, the assumption of impairment may be considered rebutted, depending upon such factors as the timing of the test and other circumstances surrounding the impairment. The employee will be reinstated upon successful rebuttal.
- b. At all times during an investigation of violations of the Alcohol and Controlled Substances Policy, the confidentiality of the case will be protected.

**SECTION X
SAFETY AND WELLNESS IN THE WORKPLACE**

Par. 10.100 Philosophy - The City is extremely conscious of the Safety and Wellness of our employees and the citizens of our community. The City acknowledges that a valid safety and wellness program is an important function of our operational and administrative departmental employees.

The City acknowledges that a valid safety program is an important function of our operational and administrative systems. We also acknowledge that the function of a safety program pertains to all employees of our various departments.

The health and safety of all employees throughout the City is of primary importance and each department shall endeavor to maintain a safety conscious attitude throughout its operations.

In adherence to the policy, all employees are expected to accept the concept that the safe way to accomplish a task is the most efficient and the only way to perform it.

Safety performance is an important measurement of supervisory and employee performance and will be included in the evaluation of all employees.

Par. 10.200 Health Services and Education. Through a Wellness Grant, healthy living skills shall be taught as part of the regular instructional program and provide the opportunity for all employees to understand and practice concepts and skills related to health promotion and disease prevention.

- a. The City has a contract with Corporate Care that involves a bi-weekly blood pressure check and health monitoring for all employees.
- b. A representative from LGRMS and the City Wellness Coordinator conducts a Health Risk Assessment for all employees. Each employee is requested to fill out a health survey and will be presented later with a report that identified the risk areas for employees and suggestions for health and safety practices and improvements that could be made.
- c. Wellness Coordinator will conduct a lunch and learn on an annual basis. Employees will be served a healthy lunch to demonstrate how to eat healthy.
- d. A Wellness Fair will be conducted annually for all employees. Employees will receive various tests, including but not limited to, PSA, thyroid, cholesterol and blood sugar. Also weight assessment and other health related tests will be conducted.
- e. Flu shots will be available for all employees.

- f. LGRMS representative and the City Wellness Coordinator will conduct a 360 Health Program which delivers unprecedented value through a suite of programs, tools, and resources to discover all the services and benefits available.
- g. This program is not intended to violate any state or federal laws. Any employee that has questions or concerns about participating in such a program should notify the HR Department of such concerns. The City will handle each such inquiry or request on a case by case basis.

Par. 10.300 Healthy and Safe Environment - It is the policy of the City to create a healthy and safe environment for all employees in each department.

- a. City buildings and grounds, structures, vehicles and equipment shall meet current health and safety standards, and be kept clean, safe and in good repair while considering budget limitations.
- b. Each department and work site shall be in compliance with Section IX -Alcohol and Controlled Substances of the City Personnel Policy.
- c. Safety procedures and appropriate training for management, supervisors and employees shall support personal safety and a violence and harassment free environment.
- d. For employee safety, every employee will wear appropriate attire and any protective clothing supplied in connection with his job during all times that he is subject to the risks for which it was provided.
- e. Each work site, shall create an environment where employees and citizens are respected, valued and exemplify high expectations for personal behavior and accomplishments.
- f. In case of accident or injury employees will follow normal emergency procedures. As soon as reasonably possible, employees will report all accidents and injuries to the site administrator or designee.

The health and safety of all employees throughout the City is of primary importance and each department shall endeavor to maintain a safety conscious attitude throughout its operations.

In adherence to the policy, all employees are expected to accept the concept that the safe way to accomplish a task is the most efficient and the only way to perform it.

Safety performance is an important measurement of supervisory and employee performance and will be included in the evaluation of all employees.

Par. 10.301 Inspection/Monitoring - The City provides offices, desks, computers, and other City property to employees for their use while employed by the City. These items are the property of the City.

The City can make no assurances about the security or privacy of any office, desk, file cabinet, computer, or other City facility and discourages the storage of valuables, perishables, and other personal items in them.

Additionally, the City reserves the right to open and inspect any item of any kind on City property, including in an office, desk, computer and files, file cabinet, or City property and its contents, at any time with or without reason, notice or consent. All vehicles parked in secure parking areas that restrict the general public by way of a gate, security officer or station, or other similar means and all vehicles parked in temporary parking areas are subject to search at any time with or without reason.

Employees should understand that any conversations over the City's telephones and similar voice systems may be monitored or recorded for any reason as a part of normal business operations. By using the City's telephones, employees expressly consent to such monitoring and recording for all lawful purposes and any use of the City's telephones and similar voice systems is done so with the knowledge and awareness of this Policy.

Similarly, employees should be aware that, in order to promote the safety of employees, patrons, visitors, occupants, as well as the security of its assets and properties, the City may conduct video surveillance of any portion of its premises at any time, the only exception being private areas of restrooms, showers, and dressing rooms, and that employment with the City constitutes an express awareness of and consent to such surveillance.

Par. 10.400 Safety and Wellness Committee - As part of our commitment to safety and wellness, the City established a Safety and Wellness Committee that meets quarterly.

- a. Members of this Committee consist of the Safety Coordinator, Wellness Coordinator and representatives from each department. The Committee members are issued a Safety and Wellness Manual that contains training materials for the year.
- b. The Committee as a group will conduct a safety inspection of each facility and inform their Department Head/Supervisor of any concerns found during inspections and corrects any problems that might be found.
- c. The Committee members will conduct meetings in each department. The meetings will cover the materials supplied by the Georgia Municipal Association and information included in the Safety and Wellness Manuals.
- d. The Committee will have all employees sign an attendance sheet at each meeting.

Par. 10.500 Safety and Wellness Personal Protection Equipment - It is the policy of the City to provide personal protective equipment (PPE) to all employees as needed to ensure that they will be protected from injury in the performance of their duties to the maximum extent practicable.

- a. Each affected employee shall use appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids, chemical gases or vapors, or potentially injurious light radiation. Each affected employee shall use eye protection that provides side protection when there is a hazard from flying objects.
- b. Shin guards, chaps, etc., are required on special jobs and when using special equipment such as chain saws and where poisonous snakes may be present.
- c. All employees must use appropriate hand protection when exposure to hazards such as skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes could occur.
- d. Gloves shall not be worn where there is a possibility of the glove being caught in power-driven machinery, drill presses, augers, etc.
- e. It will be the responsibility of all employees to properly employ personal protective devices, store and maintain the PPE that has been issued to him/her, and to report or return missing/defective PPE to his/her supervisor.
- f. Employees who are subject to impact noise must protect their hearing by use of earplugs. Each employee should keep his own protectors and never use those of his co-workers.

Par. 10.501 Safety and Wellness Road Safety Equipment - It is the policy of the City to warn or limit general public or vehicular access to a specific construction zone or work area.

- a. Strobe lights are to be placed on fleet vehicles in order for them to be more visible by other traffic. Strobe lights are to be used anytime vehicles are parked within right-of-way, escorting slow moving equipment, identifying hazards, etc....
- b. All construction zones must have traffic control such as cones, barrels, construction signs, sign stands, etc. that adheres to Chapter VI of the Manual on Uniform Traffic Control Devices (MUTCD).
- c. All employees must wear approved seat belts when driving or riding in a City vehicle or operating equipment outfitted with rollover protection.

- d. Employees are not to ride in the back of any truck. (Excludes sanitation workers on the back of rear-loading garbage trucks, only if employee is wearing safety harness.)
- e. It is permissible for up to three employees (including driver) to ride in the front seat of sedans, pick-ups and other trucks provided they are equipped with three seat belts.

Par. 10.600 Reporting Injuries - It is the goal of the City to accurately monitor and track all injuries and accidents.

- a. Immediately report injury to your supervisor.
- b. All injuries should be reported to the City Clerk as soon as possible. In no event shall this exceed one business day.
- c. Injuries that require the attention of physicians but which are not acute emergencies must be taken to a City worker compensation doctor.
- d. The nearest open facility, ambulance, or physician shall treat acute, severe emergency situations.
- e. After the employee is treated, the doctor will indicate whether or not further treatment or follow-up is needed. The doctor should complete a release form and the employee will return this form to his/her supervisor.

Par. 10.700 City Vehicle/Rolling Equipment Accidents - The following policy has been established for accidents involving City Vehicles/Rolling Equipment.

- a. Any driver of a City vehicle involved in an accident will notify the Lumpkin County Sheriff's Office or the proper agency to investigate the accident. The City Manager's office or the employees Department Head shall be immediately notified of the accident. This includes accidents in the City limits and outside the City limits.
- b. If damages or injury occur to non-City vehicle/property, the accident report will be handled as any other accident.
- c. The responding officer will send the accident report to the City Clerk, who will forward to the City Manager's Office.
- d. Alcohol/Drug test will be given to any employee involved in an accident while using a City Vehicle or Rolling Equipment.

Par. 10.800 Workplace Violence - The City is committed to providing its employees a safe environment for working and conducting business. In this regard, the City will not tolerate any

threats, threatening behavior, acts of violence, or any related conduct which interferes with or disrupts the City's safe working environment. This prohibition applies to City employees, vendors, customers, and visitors, whether or not the conduct occurs on or off City property.

Par. 10.801 Prohibited Conduct - Threats, threatening behavior, acts of violence or related disruptive conduct includes conduct against persons or property that is sufficiently severe, offensive, or intimidating that it disturbs, interferes, or prevents normal work functions or activities. Specific examples of conduct that may be considered "threats, threatening behavior, acts of violence or related disruptive conduct" include, but are not limited to, the following:

1. Threatening to harm an individual or his/her family, friends, associates, or their property.
2. The intentional destruction or threat of destruction of property owned, operated, or controlled by the City.
3. Harassing or threatening individuals through any form of written or electronic communications.
4. Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City.
5. Harassing surveillance of another City employee and making a credible threat with intent to place the other person in reasonable fear of his or her safety.
6. Unlawful possession of firearms, weapons, or any other dangerous devices on City property except as provided for by the Business Security and Employee Privacy Act.

Par. 10.802 Complaint Procedure - All employees are responsible for refraining from making threats, engaging in threatening behavior, acts of violence or related disruptive conduct and for seeking assistance to resolve personal issues that may lead to acts of violence in the workplace. If you feel that you have experienced or witnessed conduct that is prohibited under this Policy, you are to follow the City's Complaint Procedure.

Par. 10.900 Security - The City is committed to providing a secure workplace and ensuring the protection of corporate assets and proprietary information. Security is an integral part of your job responsibilities. Be sensitive to information you generate or have access to, protect corporate assets such as inventory, records and office supplies, secure your work area when left unattended, and report security related issues to your manager. If contacted by the media regarding any aspects of your employment, duties, or other activities at the City, please advise the media to direct any inquiries to the City Manager. You should immediately contact your supervisor or department head to advise him/her of any media inquiry.

SECTION XI – COMPUTER, EMAIL, INTERNET, PERSONAL DEVICES & SOCIAL MEDIA POLICIES

Par. 11.100 Purpose and Application - The City provides a variety of technology resources to its employees for purposes of its business operations and to help employees perform their jobs. While these technology resources are often necessary and helpful tools, they also pose risks and must be used with common sense and good judgment. As such, the City has developed this policy to establish guidelines for the use of its technology resources. For purposes of this policy, the City uses the term “technology resources” to refer generally to all of its computing, network, and electronic resources, such as computers, software, networks, email systems, telephones and cellular phones, voicemail systems, fax machines, and Internet access.

Par. 11.101 Business Use Only - The use of the City’s technology resources is for City business and is to be used for authorized purposes only. These technology resources are established, maintained, and provided by the City for employees to use for the furtherance of the City’s business and not for personal use. However, the City acknowledges that some personal use of its technology resources is inevitable and may be necessary at times. Therefore, the City permits brief and occasional personal use of its technology resources, provided that such personal use is minimal, reasonable, adheres to the requirements in this policy, and does not interfere with the performance of one’s job duties. The City has sole discretion to determine what constitutes reasonable personal use and whether personal use is interfering with the performance of one’s job duties.

Par. 11.102 Personal Mobile Devices at Work - Employees may bring personal mobile devices to work, such as personal cell phones, smart phones, and tablets. However, these personal mobile devices may not be used to perform any City business or work-related activities, and may not be used to access the City’s data or networks, unless authorized in advance and configured by the City’s IT Department. If authorization is given to use a personal mobile device for work purposes or to access the City’s data or networks, the employee must comply with this Technology Resources Policy when using the device. Employees also may not use the authorization to use a personal mobile device for work purposes or to access the City’s data or networks to work from home or otherwise work additional time not approved in advance by the City.

In addition, although employees are permitted to bring personal mobile devices to work, they are at all times expected to devote their entire time and attention to performing their job duties for the City without distraction by their personal mobile devices. Therefore, employees may not use personal mobile devices during work hours except for emergency reasons only. Employees may, however, use personal mobile devices during non-work hours, such as during an approved break or meal period, provided that such use is outside the view of any guests who may be in the City’s offices and is not in violation of the City’s policies. In addition, employees must keep their personal mobile devices on “vibrate” or “silent” mode at all times while at work.

Par. 11.103 Ownership and Access to Technology Resources - All of the City’s technology resources, including all data and files stored on or transmitted using the City’s technology resources, are the property of the City. This means that the City owns all data and files stored on or transmitted using any of the City’s technology resources, such as computers, network servers, or email servers. As such, the City retains the right to access, monitor, and inspect its technology

resources, and any of the data and files stored and/or transmitted therein, at any time. This applies even with respect to data or information transmitted or received using any of the City's technology resources, such as its networks or Internet connection, even if such is done using an employee's personal device, such as a personal mobile phone, smartphone, or computer. This right applies both during an employee's employment with the City and after its termination for any reason, voluntary or involuntary.

Employees should not have an expectation of privacy in anything they create, store, send, or receive using the City's technology resources. In this regard, employees are specifically advised that passwords are designed to give employees access to all or part of the City's technology resources; they are not designed to guarantee employee privacy or security in any data or file created, stored, sent, or received on any of the City's technology resources. Employees may not change passwords without prior express permission. Upon termination of employment, employees must return all passwords to the City.

Par. 11.104 Guidelines for Acceptable Use of Technology Resources - Employees are expected to access and use the City's technology resources in a professional manner and in compliance with this and all other City policies. Therefore, employees are prohibited from engaging in any unauthorized, prohibited, or inappropriate conduct using the City's technology resources including, but not limited to, the activities described below. This list is not intended to be an exhaustive description of all conduct that may be inappropriate or violate this policy, but is illustrative of the type of prohibited conduct for which employees may have their privileges of use and access to the City's technology resources revoked and be subjected to disciplinary action:

1. Accessing any technology resources, including networks, servers, drives, folders, or files, to which the employee has not been granted access or authorization or in a manner that exceeds such employee's access or authorization (this accessing any other person's computer, voicemail, files, or data without approval);
2. Making unauthorized copies of City files or other data;
3. Using any of the City's files or other data for an unauthorized purpose, even if the employee was otherwise authorized to access such files or data;
4. Revealing, publicizing, or otherwise disclosing any confidential information of the City without authorization;
5. Destroying, deleting, erasing, or concealing City files or other data, or otherwise making such files or data unavailable or inaccessible to the City or to other authorized users of the City's technology resources;
6. Violating any law, regulation, or order of the United States or any state, county, City, local government, or jurisdiction in any way;
7. Violating the terms of any user agreement, license agreement, or other type of contractual agreement of any software program, application, website, or other product

or service;

8. Illegally downloading, copying, transmitting, viewing, or accessing any material protected under copyright law or make such material available to others;
9. Engaging in any other unlawful or malicious activities;
10. Intentionally propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either the City's technology resources or those of any other individual or entity;
11. Defeating or attempting to defeat security restrictions on any of the City's technology resources;
12. Viewing or transmitting any material, or engaging in any conduct, that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, violative of the City's EEO Policy or other personnel policies, or that is otherwise unlawful or inappropriate. It is within the City's sole discretion to determine what constitutes inappropriate use or material under this policy. If you unsure whether any use or material would be considered inappropriate, you should seek clarification from your manager before accessing or distributing such material. If you are in any doubt, do not access or distribute the material;
13. Using abusive, profane, threatening, discriminatory, harassing, offensive, otherwise objectionable language in either public or private messages;
14. Sending, receiving, downloading, uploading, or otherwise accessing or viewing any pornographic materials;
15. Causing congestion, disruption, disablement, alteration, or impairment of the City's technology resources;
16. Installing any software without authorization; and
17. Using any of City technology resources for personal financial gain unrelated to one's employment with the City.

Par. 11.105 Other City Policies - All of the City's policies, including, but not limited to, its policies on Equal Employment Opportunity, social media, and non-solicitation, apply to the use of the City's technology resources. If any employee feels that he or she has witnessed or been the subject of any conduct in violation of this policy, the employee should utilize the Complaint Procedure.

Par. 11.106 Compliance with NLRA – Employees should understand that nothing in this Policy, or any other City policy, should be interpreted in a manner that unlawfully prohibits the right of employees to engage in protected concerted activity under the National Labor Relations Act

("NLRA"). The City respects the Section 7 rights of employees and has and always will comply fully with its obligations under the NLRA and the City emphasizes that this Policy does not intend to cover conduct engaged in by employees that is protected by the NLRA.

Par. 11.107 Discipline - Employees will be subject to discipline, up to and including termination from employment, for violating this policy. Therefore, before using any of the City's technology resources, employees should consider whether their actions meet the expectations set forth herein. In doing so, employees should be mindful that electronically stored information can often be saved or retrieved even after an employee believes he or she has taken steps to "delete" it.

Par. 11.200 Social Media Policy - in general, the City views social networking websites (e.g., MySpace, Facebook, Twitter), personal websites, and blogs positively and respects the right of employees to use them as a medium of self-expression. However, the use of these types of websites can impact both the City and employees alike. Therefore, the City has created this Policy to establish its expectations for employee use of these types of websites.

Par. 11.201 Applicability. This Policy is meant to apply to social networking sites, personal websites, blogs, photo sharing sites, video sharing sites, podcasts, as well as bulletin boards and comments posted on other websites. For ease of reference, this Policy refers to all of these types of websites generically as "social media websites." The absence of an explicit reference to a specific website is not meant to limit the application of this Policy. Where no policy or guideline exists, employees should use their professional judgment and take the most prudent action possible. You should consult with your manager or supervisor if you are uncertain about any of your activities on a social media website.

Par. 11.202 No Interference with Job Duties - The City's Internet and computer resources are provided to employees to allow them to complete their job duties and should be used for business purposes only. As such, the City does not allow personal use of social media websites during work time.

Par. 11.203 Use Outside of Work - Employees may use social media websites during their personal time outside of work. Employees must be aware, however, that information they display on the Internet not only reflects on themselves, but could be associated with the City as well. Therefore, employees are expected to follow these guidelines when using any social media website:

1. If an employee identifies himself as an employee of the City, the employee must place a disclaimer in his/her profile, post, or publication that clearly states that any and all opinions or views expressed are those of the employee and not the City.
2. Employees may not reference or display any information about any of the City's customers, business partners, or third parties inconsistent with the City's EEO Policy, or other provisions of this Policy.
3. Employees are expected to comply with the City's EEO Policy and other policies, as allowed by law, and refrain from making comments that are malicious, abusive, unlawful, slanderous or detrimental to the City, its employees, its customers, or third parties in violation of the City's EEO Policy, or other provisions of this Policy.

4. Confidential and proprietary information of the City is not to be discussed or referred to by employees on any social media website, even in private messages between site members who have authorized access to the information.
5. Employees are responsible for reading, knowing, and complying with the Terms of Service of the social media websites they use.
6. Employees are expected at all times to comply with the law in regard to copyright, trademark, and plagiarism. Posting of someone else's work without permission is not allowed.
7. The City encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page or social networking site can be relayed and often misunderstood by the reader. Employees must use their best judgment and also comply with the City's policies.

Par. 11.204 Application of Other City Policies - All City policies apply with equal force to employee use of social media websites. In particular, employees are expected to follow the City's EEO Policy when participating in social media websites. The City considers behavior that is inappropriate in the workplace to be inappropriate on the Internet as well, including the City's EEO Policy concerning discrimination, harassment, and retaliation applies equally to the treatment of employees in the workplace or on the Internet.

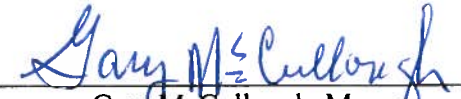
Par. 11.205 Disciplinary Action - While the City respects the right of employees to use social media websites, it has established this Policy for the benefit and protection of the City and its employees. Any employee witnessing or who believes a violation of this Policy has occurred should utilize the City's Complaint Procedure. The City takes the expectations explained above very seriously. As such, employees are advised that violating this Policy may result in disciplinary action, up to and including termination.

Par. 11.206 Compliance With NLRA - Employees should understand that nothing in this Policy, or any other City policy, should be interpreted in a manner that unlawfully prohibits the right of employees to engage in protected concerted activity under the NLRA. The City respects the Section 7 rights of employees and has and always will comply fully with its obligations under the NLRA and the City emphasizes that this Policy does not intend to cover conduct engaged in by employees that is protected by the NLRA.

Par. 11.300 Mobile Telephones and Portable Communication Devices - The City provides mobile telephones and other portable communications devices to some employees as a business tool. They are provided to assist employees in communicating with management and other employees, associates, and others with whom they may conduct business. Mobile telephone or portable communications device use is primarily intended for business-related purposes. However, occasional, brief personal use is permitted within a reasonable limit. Mobile telephone and portable communication device invoices may be regularly monitored by the City, and employees should not have any expectation of privacy in any information that may be contained in such invoices.

Employees may have access to a mobile telephone or portable communications device while in their vehicles and should remember that their primary responsibility is to drive safely and obey the rules of the road and the laws of the state in which they are driving. Employees are prohibited from using mobile telephones or other portable communications devices while driving and should safely pull off the road and come to a complete stop before dialing or talking on the telephone. No employee may engage in texting while driving. As a City employee, mobile telephone and portable communication device users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a mobile telephone or other portable communications device.

Adopted this 3rd day of February 2014.

By: 
Gary McCullough, Mayor

Attest: 
Lou Stewart, City Clerk