

City of Chamblee Personnel and Policy Manual

Revised March 30, 2020



Welcome to the City of Chamblee!

To Current and Prospective City of Chamblee Employees:

Please allow us to personally welcome you to the City of Chamblee (City). We are pleased that you have chosen a career in public service and we know that your contributions will be an asset to the City's operations and its residents. We want you to know how important you are to the City and how instrumental you are in helping the City fulfill its responsibilities to the public. We have listened to employee feedback and created this Personnel and Policy Manual (Personnel Manual) with your feedback in mind. This is your personal copy of the City's Personnel Manual.

As a current or prospective employee of the City, we believe you should know what you can expect from us and what we expect from you. To this end, we have designed this Personnel Manual to help you familiarize yourself with the City's policies, procedures, and practices. The purpose of this Personnel Manual is to summarize the City's policies and procedures as well as to provide you with useful information related to your employment with the City. All City employees must take time to read and familiarize themselves with this Personnel Manual.

Please keep this Personnel Manual and any updates issued by the City throughout your employment. This Personnel Manual should be your first source of information should you have questions about any aspect of your employment with the City. Additionally, if at any time you need clarification as to the information in this Personnel Manual or about any specific personnel policy or procedure, please do not hesitate to follow the Grievance Procedure set forth in the Problem-Solving and Grievance Procedure or contact the Human Resources Department.

We are proud and excited to have you as a City employee. We look to the future with confidence, and we hope that your employment with the City will bring you professional satisfaction and growth throughout the coming years. Thank you for being part of our team!

Jon Walker
City Manager

Jennifer Burke
Human Resources Director

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Important Notice: Disclaimer

Employees of the City of Chamblee are employed at-will, which means that either the employee or the City may terminate the employment relationship at any time, for any reason, with or without cause, and with or without advance notice. The policies and procedures contained in this Personnel Manual do not create any "for cause" requirement for disciplinary action or any other rights concerning disciplinary action. Nothing contained in this Personnel Manual shall be interpreted to create a contract of employment or to eliminate or modify in any way the at will status of any City employee. The only exception to this policy is a written employment agreement approved in accordance with the City's Charter and Code.

This Personnel Manual has been adopted for administrative purposes only and is not intended and shall not be interpreted or applied (a) as creating any contractual right, any protected property or liberty interest, any expectation of privacy, or any other legally enforceable right, entitlement, or interest; (b) as imposing a heightened standard or duty of care on the City or any City official, officer, director, manager, supervisor, or employee; (c) as constituting a law, rule, or regulation within the meaning of Title 45, Chapter 1 of the Georgia Code; or (d) as materially altering any aspect of the legal relationship between the City and its employees except as otherwise explicitly provided herein.

Chamblee's Personnel Manual contains various policies and procedures relating to employment. Many of the provisions relate in various ways to federal, state or local laws. Such laws are subject to change from time to time and, in accordance with such changes, the City may find it necessary or advisable to alter its policies and procedures and the other provisions of this Personnel Manual at any time. Further, certain job positions may have additional requirements which apply to those specific job duties. Each employee shall be subject to all requirements which have been established regarding their position with the City. In the event of a conflict in any such requirements and any provisions set forth in this Personnel Manual, the latter shall be deemed the controlling provision.

These policies and procedures shall become effective upon approval and will supersede any and all previous existing personnel policies, standard operating procedures, codes, ordinances, or parts of policies, procedures, code or ordinances in conflict herewith.

Any section or provision of the personnel rules, regulations and policies of the City can be amended or changed by the City at any time and with or without notice, in accordance with applicable policies and procedures as set forth in City Ordinance No. 738. The Human Resources Department and the city manager (or their respective designee(s)) shall be responsible for administration of the personnel policies and procedures of the City and for interpreting the various provisions contained in this Personnel Manual.

Chapter 1: Some of the City's Most Important Policies

I. Problem-Solving and Grievance Procedure

A. Statement of Procedure

The City of Chamblee's Problem-Solving and Grievance Procedure is both a communication tool and a dispute resolution process by which an employee may have their grievances or other workplace problems, concerns, etc. addressed.

The term "grievance" as used in this policy means concerns, gripes, problems, and feelings of discontent or dissatisfaction held by an employee whether perceived or actual. Examples of grievances might include, but are not limited to, the following topics: workloads, work conditions, policy violations, favoritism, disrespect, gossip, work schedules, compensation, benefits, entitlements, growth opportunities, performance reviews, disciplinary actions, suspensions, transfers, demotions, promotions, and terminations. Any City employee who experiences or observes an infringement of City policy should report it immediately using the steps outlined herein. No employee should assume the City is aware of a problem or violation of policy. Complaints and concerns must be brought to the attention of the City promptly so that the City can take the necessary steps to correct any problem.

The City recognizes that complaints, disputes, misunderstandings and dissatisfactions (grievances) may arise between the City and its employees from time to time. An employee's grievance may be based on the belief that they have been treated unlawfully or in a way that violates their rights under City policy, or on their disagreement with how a certain policy or procedure is interpreted and/or applied to them. The City has therefore developed this procedure for the resolution of "good faith grievances" when they arise, pursuant to which employees may present grievances, free from coercion, interference, restraint, discrimination, or reprisal.

The purpose of this policy is to allow for the expeditious and equitable resolution of grievances. It is therefore the policy of the City that every grievance properly presented through the procedure detailed herein be thoroughly considered and every reasonable effort made to achieve a resolution. The Grievance Procedure in no way modifies an employee's at will status and does not create a contract or other entitlement to employment with the City. This policy along with the Reporting Procedure supersede any conflicting policy such as the former Grievance & Appeals Policy and Procedure. Employees are not permitted to circumvent the employment process of the City unless otherwise lawfully permitted.

B. Grievable and Non-Grievable Actions

For purposes of this policy, a “grievable action” is an action, decision, incident, or condition in the workplace which negatively affects the terms and conditions of an employee’s employment in a material way and which is not specifically designated herein as non-grievable. Grievable matters may be either disciplinary or non-disciplinary. Except as otherwise provided, the following matters are non-grievable:

1. Written or verbal reprimands or other forms of informal discipline or corrective action.
2. Separation, furlough, demotion, transfer, reduced work hours, or other changes to the employee’s terms and conditions of employment due to layoff, reduction-in-force, reorganization or restructuring of the department, or other economic or budgetary considerations.
3. Resignations (unless based on an alleged failure to follow or apply established policies and procedures).
4. Level of compensation or benefits (unless based on an alleged failure to pay overtime compensation or an alleged improper deduction).
5. Position classification (unless based on an alleged misclassification as exempt from overtime compensation).
6. Performance reviews including content or rating, except when the employee can show that they were adversely affected by the evaluation or that the rating was the result of unlawful discrimination or retaliation.
7. Duties, responsibilities, or assignments if within the relevant position description or a reasonable extension thereof and that do not result in demotion or salary reduction.
8. Transfers, shift changes, or work schedule changes (unless not based on an alleged failure to follow or apply established policies or procedures).
9. Ordinances, resolutions, budgets, or any other action taken by the city council or which are otherwise not within the jurisdiction or control of the city manager.
10. Any alleged failure to promote not based on an alleged failure to follow or apply established promotional policies or procedures.
11. Security measures, including decisions made and actions taken based on reasonable security considerations.
12. Temporary or short-term changes to the employee’s terms and conditions of employment due to emergency or other exigent circumstances.
13. Referrals to Employee Assistance Program (EAP).
14. In accordance with Article V, Section 2(g) of the City Charter, department directors and certain other employees identified therein may bypass the city manager or his or her designee and grieve their Dismissal or removal from office (Demotion) directly to the city council. As to all other matters, the decision of the city manager shall be final.

15. Issues that are pending or that have already been addressed through the Reporting Procedure, Problem-Solving and Grievance Procedure, or other administrative procedures.

Notwithstanding the foregoing, any of the above-stated non-grievable matters are to be considered under the City's Reporting Procedure if they are both within the jurisdiction or control of the city manager and alleged to be the result of unlawful discrimination, harassment, or retaliation. Any alleged discrimination, harassment, or retaliation cited in a grievance must be diverted immediately through the City's Reporting Procedure Policy.

C. Problem Solving and Grievance Procedure

Whenever an employee has a grievance, it can usually be solved following these problem-solving steps:

1. First, discuss any grievance with your immediate supervisor. Very often, your supervisor is in the best position to address your grievance. This first step in the process often will resolve your grievance. When possible, employees should follow the chain of command within their Department for this process. Employees should make every effort to discuss their problems with their immediate supervisor within 5 (five) business days of the circumstance giving rise to the grievance. The employee's supervisor should respond to the employee within 10 (ten) business days of receipt of the employee's grievance. Throughout this procedure, the term "business day" is defined as Monday through Friday, excluding City holidays and closures.
2. If you are not satisfied after you have spoken with your immediate supervisor, or if you feel that you cannot speak to your supervisor, you should submit a written grievance to the next level in your chain of command within 5 (five) business days of either (a) your immediate supervisor's response or (b) the circumstance giving rise to the grievance, whichever is later. If your immediate supervisor is bypassed, the written grievance should state the reasons why you did not feel that you could speak with your immediate supervisor. The person who is next in the chain of command should respond to the employee within 10 (ten) business days of receipt of an employee's written grievance.
3. If you are not satisfied after you have spoken with your immediate supervisor and have gone through the chain of command as applicable, or if you feel that you cannot speak to your supervisor or anyone in your chain of command, you should submit a written grievance to your department head. This written grievance should be submitted within 5 (five) business days of either (a) the last supervisor's decision in your chain of command or (b) the circumstance giving rise to the grievance, whichever is later. If any supervisor in the chain of command is bypassed, the written grievance should state the reasons why you did not feel that you could speak with

them. The department head should respond to the employee within 10 (ten) business days of receipt of an employee's written grievance.

4. If you are not satisfied after you have spoken with your department head and have gone through the chain of command as applicable, or if you feel that you cannot speak to your department head or anyone in your chain of command, you should submit a written grievance to the Human Resources Department within five (5) business days of (a) the last decision of your department head or supervisor, as applicable, or (b) the circumstance giving rise to the grievance, whichever is later. If the department head or any supervisor in your chain of command is bypassed, your written grievance should state the reasons why you did not feel that you could submit your grievance to those in your chain of command. The Human Resources Department will serve in an advisory capacity only, and should respond within ten (10) business days of receipt of an employee's written grievance. The Human Resources Departmental role is to ensure the grievance process is followed.
5. If you still are not satisfied after working with the Human Resources Department, you may submit your written grievance to the city manager within five (then) business days of your discussions with the Human Resources Department. The city manager should respond within 10 (ten) business days of the receipt of the employee's written grievance. The city manager's decision is final.

At any step in the process, the Human Resources Department or city management may investigate grievance circumstances to the extent necessary to make an informed decision. No employee shall be retaliated against for his or her good faith use of or participation in the City Grievance Procedures. Any employee filing a grievance shall follow the procedure outlined herein. All grievances shall be submitted in writing and signed by the employee.

An employee may speak with the Human Resources Department at any time to express concerns or to seek assistance; however, depending on the nature of the problem involved and other relevant circumstances, the employee may be directed to follow the above-described Problem-Solving and Grievance Procedure prior to the Human Resource Department's consideration on the problem.

II. Equal Employment Opportunity (EEO) Policy

A. Statement of Policy

The City is an Equal Employment Opportunity (EEO) employer. As such, the City is committed to providing equal employment and advancement opportunity for all employees and applicants for employment without regard to:

1. Race, color, creed or religion, sex (including pregnancy), marital or family status, sexual orientation, gender identity, national origin or ethnicity, citizenship (except to the extent citizenship constitutes a mandatory qualification under federal or state law), age, disability, genetic information, political affiliation, military or veteran status, or any other classification or status protected by applicable federal, state or local laws;
2. Current or previous (i) opposition to an alleged violation of this policy or any federal, state or local law prohibiting employment discrimination, harassment, or retaliation; or (ii) participation in a complaint, investigation, lawsuit, or other official proceeding relating to any such alleged violation; or,
3. Association with or support of others who fall within any such classification or status or who engaged in any such protected opposition or participation.

B. Coverage

The City's EEO Policy covers all applicants for employment and City employees (including supervisors, managers, and department heads), as well as non-employees associated with the City, including elected officials, appointed officials, interns, volunteers, contractors, sub-contractors, vendors, program participants, etc. All such employees, applicants, and other covered individuals are expected to adhere to the standards of conduct that this EEO Policy establishes, to support and cooperate in its enforcement, and to report any potential violations that they observe or experience themselves.

C. Applicability

This EEO Policy applies to all terms and conditions of employment, including but not limited to, recruitment, testing, hiring, placement, assignment, transfer, promotion, performance review, discipline, termination, layoff, recall, leave of absence, compensation, benefits, training, and work environment. Nothing contained in this policy is intended or shall be interpreted or applied to require that a less qualified employee or applicant be favored or preferred over a better qualified employee or applicant due to their membership in any of the above-stated classifications protected by applicable federal, state or local laws.

D. Commitment to Anti-Discrimination

The City strictly prohibits and does not tolerate discrimination against employees, applicants, or any other covered persons based on race, color, creed or religion, sex (including pregnancy), marital or family status, sexual orientation, gender identity, national origin or ethnicity, citizenship (except to the extent citizenship constitutes a mandatory qualification under federal or state law), age, disability, genetic information, political affiliation, military or veteran status, or any other classification or status protected by applicable federal, state or local laws. Any form of discrimination, regardless of how it may be communicated or conducted, is strictly prohibited by the City and will result in disciplinary action up to and including termination of employment. The City also prohibits retaliation against employees or prospective employees reporting workplace discrimination or participating as a witness or otherwise in any investigation or other proceeding relating to a complaint of workplace discrimination. It is the responsibility of every City employee to avoid discrimination and to report such communication or conduct in accordance with the City's Reporting Procedure.

E. Training

Employees, including department heads, managers, and supervisors, must participate in any EEO training provided by the City related to the City's EEO Policy, including training aimed at the prevention of discrimination, harassment, or retaliation in the workplace. Participation in training is necessary to achieve and maintain the City's goal of maintaining a workplace free of discrimination and retaliation.

F. How to Report

Any reported alleged violations of the City's EEO Policy will receive prompt and appropriate action. Any employee or applicant who believes a violation of the City's EEO Policy has occurred should immediately contact their supervisor, department head, or the Human Resources Department in accordance with the City's Reporting Procedure. If an employee or applicant believes their complaint or report of discrimination, harassment, or retaliation is not being properly addressed, they should immediately notify the Human Resources Department.

While not mandatory, complaints or reports of alleged violations of the City's EEO Policy should be made in writing whenever possible and should include all details, specifying all names, dates, times, documents, etc. related to a report, complaint, grievance, or disclosure.

G. Violation of EEO Policy

The City is serious about enforcing this policy. Any employee determined to have engaged in discrimination, harassment, or retaliation in violation of this EEO Policy will be subject to disciplinary or other corrective action, up to and including termination of employment, as described in the City's Reporting Procedure.

If you have any questions regarding the EEO Policy or questions about matters that are not addressed in this policy, please contact the Human Resources Department.

III. Anti-Harassment Policy

A. Statement of Policy

It is the policy of the City to maintain a workplace free from harassment based upon race, color, creed or religion, sex (including pregnancy), marital or family status, sexual orientation, gender identity, national origin or ethnicity, citizenship, age, disability, genetic information, political affiliation, military or veteran status, or any other classification or status protected by applicable federal, state or local laws. All such Workplace Harassment is strictly prohibited and will not be tolerated. The City also prohibits retaliation against employees or prospective employees reporting Workplace Harassment or participating as a witness or otherwise in any investigation or other proceeding relating to a complaint of Workplace Harassment.

B. Coverage

The City's Anti-Harassment Policy applies to all applicants for employment and City employees (including supervisors, managers, and department heads), as well as non-employees associated with the City, including elected officials, appointed officials, interns, volunteers, contractors, sub-contractors, vendors, program participants, etc. In addition, harassment or retaliation of any employee in connection with the employee's work by non-employees is also prohibited. Moreover, this Anti-Harassment Policy is applicable to and prohibits all forms of harassment that adversely affects the workplace, regardless of whether it actually takes place in the workplace or during work hours. This policy further extends to postings on any social media platform including Facebook, Twitter, Instagram, Snapchat, etc. and to digital forms of communication including electronic mail and text messages.

All employees, applicants, and other covered individuals are expected to adhere to the standards of conduct that this Anti-Harassment Policy establishes, to support and cooperate in its enforcement, and to report any potential violations that they observe or experience themselves via the City's Reporting Procedure.

C. **Harassment Defined**

This policy prohibits Workplace Harassment and Sexual Harassment as defined herein, without regard to whether such conduct would also violate state or federal anti-harassment laws.

1. Workplace Harassment. “Workplace Harassment” is verbal, non-verbal, or physical conduct that is either (a) directed toward an individual or (b) reasonably offensive to an individual on the basis of race, color, creed or religion, sex (including pregnancy), marital or family status, sexual orientation, gender identity, national origin or ethnicity, citizenship, age, disability, genetic information, political affiliation, military or veteran status, or any other classification or status protected by applicable federal, state or local laws. Examples of Workplace Harassment may include, but are not limited to, the following:

- a. Epithets, slurs, negative stereotyping, jokes, or threatening, intimidating or hostile acts that relate to any of the categories set forth in Sections A and C (1.) of this Anti-Harassment Policy;
- b. Written or graphic materials which are offensive to an individual related of any of the categories set forth in Sections A and C (1.) of this Anti-Harassment Policy, and which are displayed or distributed in the workplace, including via social media or any other electronic means; or,
- c. Threatening, intimidating, abusive, or hostile acts directed to an individual because of their report, disclosure, grievance or complaint of workplace discrimination, harassment, or retaliation or participation as a witness or otherwise in any investigation or other proceeding relating to such a report, disclosure, grievance, or complaint.

2. Sexual Harassment. “Sexual Harassment” is a category of Workplace Harassment and includes harassment that is not sexual in nature (e.g., offensive remarks about an individual's sex or gender). Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

- a. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or,
- c. The conduct has the purpose or actual or potential effect of interfering with the individual's performance or of creating an intimidating, hostile, or offensive working environment;
- d. Examples of Sexual Harassment may include, but are not limited to, the following:

- i. Verbal conduct, such as derogatory comments, slurs, unwanted sexual advances, or sexually-oriented verbal references, jokes, kidding, or abuse;
- ii. Physical conduct, such as unwanted touching, patting, pinching, blocking normal movement, or assault;
- iii. Subtle or explicit pressure for sexual activity;
- iv. Demands to submit to sexual requests, accompanied by implied or direct promises of preferential treatment or threats concerning an individual's employment status;
- v. Visual harassment such as sexually explicit or sexually-derogatory posters, obscene gestures, cartoons, photographs, or drawings including those in electronic format; or,
- vi. Any conduct that insults, demeans, or in any way treats differently an individual who is perceived as not conforming to certain male or female gender role expectations.

D. Employee Responsibility: How to Report

Employees should not tolerate Workplace Harassment (including Sexual Harassment) as defined by this Anti-Harassment Policy. Any employee who believes that they have experienced such harassment or who is aware of the harassment of other employees or prospective employees has a duty to immediately report the potential policy violation so that an investigation can be conducted and any appropriate corrective action can be taken. Any such complaints or reports should be made to the employee's supervisor, department head, or the Human Resources Department in accordance with the City's Reporting Procedure.

All City employees are encouraged to prevent, document, and promptly correct harassing conduct in the workplace. Employees are prohibited from participating in, promoting, or supporting any form of Workplace Harassment (including Sexual Harassment) as defined by this policy. This policy extends to all electronic and voice mail communications.

E. Management and Supervisor Responsibility

Department heads, managers, and supervisors are to comply with the City's Anti-Harassment Policy and to work to prevent, detect, and correct any harassment occurrences in their areas of responsibility. Managers and supervisors are responsible for ensuring that the employees under their supervision are aware of this Anti-Harassment Policy and that all complaints, grievances, disclosures, or reports of Workplace Harassment (including Sexual Harassment) are promptly reported to the Human Resources Department in accordance with the City's Reporting Procedure. Managers and supervisors are responsible for cooperating with the scheduling of employees under their supervision for any mandatory anti-harassment training.

F. Training

Employees, including department heads, managers, and supervisors, must participate in any anti-harassment training provided by the City related to harassment prevention. Participation in training is necessary to achieve and maintain the City's goal of a harassment-free workplace.

G. Violation of Anti-Harassment Policy

The City is serious about enforcing this Anti-Harassment Policy. Any employee determined to have engaged in discrimination or retaliation in violation of this Anti-Harassment Policy will be subject to disciplinary or other corrective action, up to and including termination of employment, as described in the City's Reporting Procedure.

If you have any questions regarding the Anti-Harassment Policy or questions about matters that are not addressed in this policy, please contact the Human Resources Department.

IV. Anti-Retaliation Policy

A. Statement of Policy

The City is committed to prohibiting retaliation against those who report, oppose, or participate in the investigation of alleged wrongdoing in the workplace. The purpose of this policy is to comply with all federal and state laws prohibiting such retaliation, including, but not limited to, the Georgia Whistleblower Act.

B. Employee Responsibility: How to Report

Employees should not tolerate conduct defined by this Anti-Retaliation Policy. Any complaints or reports that the City's Anti-Retaliation Policy has been violated should be made to the employee's supervisor, department head, or the Human Resources Department in accordance with the City's Reporting Procedure.

C. Coverage: "Good Faith" and "Protected Activity" Defined

1. Good Faith. For purposes of this policy, a complaint, grievance, report, or disclosure is made in "good faith" if the applicant, employee, or former employee genuinely believes it to be true and such belief is reasonable under the circumstances. A complaint, Grievance, report, or disclosure is not made in good faith if it is made with knowledge of its falsity or with willful or reckless disregard for its truth or falsity.

2. Protected Activity. This policy prohibits City officials (including elected officials), officers, managers, supervisors, and other employees from retaliating against applicants, employees, or former employees because of Protected Activity. For purposes of this policy, the term “protected activity” includes any of the following:

- a.** Filing or pursuing an administrative charge or complaint with a federal, state or local enforcement agency (such as the U.S. Equal Employment Opportunity Commission [EEOC]), including assisting another employee in filing or pursuing such a charge or complaint;
- b.** Making, filing, or pursuing, in Good Faith, a grievance or internal complaint with the City or otherwise placing the City on notice regarding alleged wrongdoing or unlawful activity in the workplace, including assisting another employee, in Good Faith, in making, filing, or pursuing such a grievance or complaint or in providing such notice;
- c.** Making, filing, or pursuing, in Good Faith, an internal complaint with the City or otherwise placing the City on notice regarding alleged activity constituting fraud, waste, and abuse in or relating to any federal, state or local programs and operations under the jurisdiction of the City, including assisting another employee, in Good Faith, in making, filing, or pursuing such a complaint or in providing such notice;
- d.** Participating in or cooperating with a federal, state or local enforcement agency (such as the EEOC) that is investigating alleged unlawful activity in the workplace;
- e.** Participating in or cooperating with, in Good Faith, an internal investigation conducted by or on behalf of the City regarding alleged wrongdoing or unlawful activity in the workplace;
- f.** Testifying as a party or witness or otherwise participating in a trial, hearing, or other legal or administrative proceeding regarding alleged unlawful activity;
- g.** Testifying as a party or witness or otherwise participating, in Good Faith, in a hearing or other administrative proceeding conducted by or on behalf of the City regarding alleged wrongdoing or unlawful activity in the workplace;
- h.** Associating with another employee who has or is engaged in Protected Activity;
- i.** Making a disclosure, in Good Faith, of an alleged violation of – or non-compliance with – a federal, state or local statute or ordinance, or any rule or regulation adopted pursuant to any federal, state or local statute or ordinance, including assisting another employee in making such a disclosure. For purposes of this subsection:
 - i.** The term “disclosure” means an employee’s communication of information to an appropriate government agency or to a supervisor;

- ii. The term “appropriate government agency” means an agency of the federal, state or local government charged with enforcing or overseeing compliance with the statute, ordinance, rule, or regulation that is the subject of the disclosure; and
- iii. The term “supervisor” means:
 - Any City employee or official responsible for directing and controlling the work performance of the employee making the disclosure;
 - Any City employee or official whose duties and responsibilities include taking corrective action regarding the subject matter of the particular disclosure; or
 - Any employee or official designated by the City to receive disclosures as defined herein.
- iv. No ordinance, resolution, policy, procedure, or practice of the City shall be interpreted or applied so as to prohibit an employee from making any such disclosure; provided, however, that this provision shall not apply to any ordinance, resolution, policy, procedure, or practice which implements – or any disciplinary action taken against an employee who violates – any privilege or confidentiality obligations recognized by constitutional, statutory, or common law.
- v. The identity of an employee making any such disclosure shall not be revealed without their written consent; provided, however, that upon written notice provided to the employee at least 7 (seven) days in advance, their identity may be revealed if the City determines that such action is necessary and unavoidable in investigating the disclosure.
- j. Objecting to, or refusing to participate in, any activity, policy, or practice of the City that the employee has reasonable cause to believe is in violation of, or non-compliance with, a federal, state or local statute or ordinance, or any rule or regulation adopted pursuant to any federal, state or local statute or ordinance;
- k. Requesting an accommodation under the American’s with Disabilities Act (ADA) or through the City’s ADA Reasonable Accommodations Policy;
- l. Requesting an accommodation through the City’s Religious Accommodations Policy; or,
- m. Requesting or taking leave under the Family and Medical Leave Act (FMLA).

D. Retaliation Prohibited

1. **Policy.** This Anti-Retaliation Policy prohibits any Adverse Action that is taken against an applicant, employee, or former employee because they have engaged in Protected Activity.

2. **Adverse Action.** For purposes of this policy, the term “adverse action” includes, but is not limited to, the following:

- a. Discharging, demoting, suspending, or otherwise disciplining an employee because of Protected Activity;
- b. Refusing to hire an applicant or to promote an employee because of Protected Activity;
- c. Issuing a poor evaluation, denying a salary increase, or transferring an employee because of Protected Activity;
- d. Providing a poor job reference or otherwise interfering with a former employee’s reemployment efforts because of Protected Activity;
- e. Altering a work schedule or work assignment, extending a probationary period, denying a leave request, or any other act or omission negatively affecting, in a significant manner, an applicant, employee, or former employee because of Protected Activity; and,
- f. Threats, intimidation, harassment, or other conduct (real or implied) designed to prevent or discourage an applicant, employee, or former employee from engaging in Protected Activity or to coerce or pressure an applicant, employee, or former employee to cease engaging in or to retract Protected Activity.

E. Training

Employees, including department heads, managers, and supervisors, must participate in any anti-retaliation training provided by the City related to harassment prevention. Participation in training is necessary to achieve and maintain the City’s goal of maintaining a retaliation-free workplace.

F. Management and Supervisor Responsibility

Department heads, managers, and supervisors are to comply with the City’s Anti-Retaliation Policy and to work to prevent, detect, and correct any retaliation occurring in their areas of responsibility. Managers and supervisors are responsible for ensuring that the employees under their supervision are aware of this Anti-Retaliation Policy and that all complaints, grievances, disclosures, or reports of retaliation are promptly reported and properly investigated, and that any appropriate corrective action is taken. Managers and supervisors are also responsible for cooperating with the scheduling of employees under their supervision for any mandatory anti-retaliation training.

G. Violation of Anti-Retaliation Policy

The City is serious about enforcing this policy. Any employee determined to have engaged in discrimination or retaliation in violation of this Anti-Retaliation Policy and/or the City's EEO Policy will be subject to disciplinary or other corrective action, up to and including termination of employment, as described in the City's Reporting Procedure.

If you have questions or concerns regarding the Anti-Retaliation Policy or what conduct is prohibited by this policy, please contact the Human Resources Department.

V. Americans with Disabilities Act (ADA) and Reasonable Accommodations Policy

A. Statement of Policy

The City complies with all applicable provisions of the Americans with Disabilities Act, as amended (ADA) and all applicable local fair employment practice laws and is committed to providing equal employment opportunities to qualified individuals with disabilities. The City does not discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability, record of disability, or perceived disability.

Consistent with this policy of nondiscrimination, the City will provide a reasonable accommodation to a qualified individual with a disability, as defined by the ADA, who has made the City aware of their disability provided that such accommodation would allow the individual to perform the essential functions of the job. The City may deny a request for a reasonable accommodation if providing said accommodation would create an undue hardship, or, when employment of the individual would create a direct threat to the health, safety and well-being of themselves or others in the workplace and the threat cannot be eliminated by reasonable accommodation.

B. Reasonable Accommodations

A "qualified individual with a disability" is an employee or applicant for employment who possesses the requisite skills, experience, education, and other job-related requirements of the position they hold or are seeking to hold, and who can perform the essential functions of the position with or without a reasonable accommodation.

An "individual with a disability" is an employee or applicant for employment (a) who has a physical or mental impairment which substantially limits one or more major life activities, (b) who has a record of such impairment, or (c) who is regarded as having such impairment.

A "reasonable accommodation" is something that helps an employee or applicant with a disability perform their job. Accommodations will be determined on a case-by-case basis, and may include, but are not limited to, reallocation of non-essential job functions, reasonable modification of work schedule, obtaining or modifying equipment or devices, reassignment to another vacant position for which the employee is qualified, or a short-term leave of absence. There is no guarantee that the City will be able to accommodate every request. Essential job functions will not be eliminated as an accommodation, nor can the City lower standards and expectations as an accommodation. If more than one reasonable and effective accommodation exists, the City may choose between the accommodations to offer the one that best suits the needs of the City's operations.

C. How to Request a Reasonable Accommodation

The City encourages individuals with disabilities to come forward and request reasonable accommodation when such an accommodation is necessary to the performance of the employee's essential job functions. It is the responsibility of the employee with a disability to approach and request an accommodation they believe to be reasonable. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact either their immediate supervisor, their department head, and/or the Human Resources Department. If a supervisor or department head receives a request pursuant to this policy, it must be immediately forwarded to the human resources director.

Employees may make a request for accommodation orally or in writing. The City encourages employees to make requests in writing and to include relevant information, such as:

1. A description of the accommodation you are requesting;
2. The reason you need an accommodation; and
3. How the accommodation will help you perform the essential functions of your job.

The City has provided a Reasonable Accommodation request form for employees to use located in the Appendix of this Personnel Manual.

After receiving your oral or written request, the City will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. Qualified individuals with disabilities needing or requesting accommodation are expected to cooperate in said dialogue with the City. The City will keep confidential and store separately any medical information that an employee provides in connection with their request for a reasonable accommodation. The City prohibits retaliation against any employee or applicant who requests an accommodation of a disability.

If you have any questions regarding this policy or questions about disability accommodations that are not addressed in this policy, please contact the Human Resources Department.

VI: Religious Accommodations Policy

A. Statement of Policy

The City complies with Title VII of the Civil Rights Act of 1964, and all applicable Georgia state and local fair employment practices laws and is committed to providing equal employment opportunities to all individuals, regardless of their religious beliefs and practices or lack thereof. The City does not discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's sincerely held religious beliefs. Consistent with this commitment, the City will provide a reasonable accommodation of an applicant's or employee's sincerely held religious belief if the accommodation would resolve a conflict between the individual's religious beliefs or practices and a work requirement, including a conflicting work rule, unless doing so would create an undue hardship for the City.

B. Religious Accommodations

An accommodation is something that helps an employee or applicant with a sincerely held religious belief resolve a conflict between the individual's religious beliefs or practices and a work requirement. Accommodations will be determined on a case-by-case basis. There is no guarantee that the City will be able to accommodate every request. Essential job functions will not be eliminated as an accommodation, nor can the City lower standards and expectations as an accommodation. If more than one reasonable and effective accommodation exists, the City may choose between the accommodations to offer the one that best suits the needs of the City.

C. How to Request a Religious Accommodation

The City encourages individuals with sincerely held religious beliefs that conflict with a work requirement, rule, policy, or procedure to come forward and request accommodation. It is the responsibility of the employee to approach and request an accommodation they believe will resolve the conflict. The employee should contact their immediate supervisor, their department head, and/or the Human Resources Department to request a religious accommodation and resolve any conflict with workplace policies, procedures, rules, requirements, etc.

Employees may make a request for accommodation orally or in writing. The City encourages employees to make requests in writing and to include relevant information, such as:

1. A description of the accommodation you are requesting.
2. The reason you need an accommodation.
3. A summary of how the accommodation will help resolve the conflict between your religious beliefs or practices or lack thereof and one or more of your work requirements.

After receiving your oral or written request, the City will engage in an interactive dialogue with you to explore potential accommodations that could resolve the conflict between your religious beliefs and practices and one or more of your work requirements. The City encourages you to suggest specific reasonable accommodations that you believe would resolve any such conflict. The City may ask you to provide additional information about your religious practices or beliefs and the accommodation requested. If you fail to provide the requested information, your request for an accommodation may be denied. However, the City is not required to make the specific accommodation requested by you and may provide an alternative, effective accommodation, to the extent any accommodation can be made without imposing an undue hardship on the City. The City prohibits retaliation against any employee or applicant who requests an accommodation due to a sincerely held religious belief.

If you have any questions regarding this policy or questions about religious accommodations that are not addressed in this policy, please contact the Human Resources Department.

VII. Reporting Procedure

A. Statement of Policy

The City has specifically adopted this formal Reporting Procedure (Reporting Procedure) to address any alleged violations of the City's Equal Employment Opportunity (EEO), Anti-Retaliation, Anti-Harassment, and Reasonable Accommodations policies. The purpose of this Reporting Procedure is to facilitate a prompt, thorough, and impartial investigation of all reports, complaints, grievances, or disclosures related to the City's Equal Employment Opportunity (EEO), Anti-Retaliation, Anti-Harassment, and Reasonable Accommodations policies.

No employee or applicant should assume the City is aware of a potential problem. To the contrary, employees, applicants, or other covered individuals who believe that they have experienced or observed discrimination, harassment, or retaliation in violation of the City's Equal Employment Opportunity (EEO), Anti-Retaliation, Anti-Harassment, and Reasonable Accommodations policies are both expected and strongly encouraged to report the matter promptly through the Reporting Procedure so that it may be investigated and remedied as quickly as possible.

B. How to Use the Reporting Procedure

Any reported alleged violations of the City's Equal Employment Opportunity (EEO), Anti-Retaliation, Anti-Harassment, and Reasonable Accommodations policies will receive prompt and appropriate action. Any employee or applicant who believes a violation of the City's Equal Employment Opportunity (EEO), Anti-Retaliation, Anti-Harassment, and Reasonable Accommodations policies has occurred should immediately contact their supervisor, department head, or Human Resources Department. If an employee or

applicant believes their complaint or report of discrimination, harassment, or retaliation is not being properly addressed by the supervisor or department head, they should immediately notify the Human Resources Department. If an employee or applicant believes their complaint or report of discrimination, harassment, or retaliation is not being properly addressed by the Human Resources Department, they should immediately notify the city manager.

While not mandatory, complaints or reports of alleged violations of the City's Equal Employment Opportunity (EEO), Anti-Retaliation, Anti-Harassment, and Reasonable Accommodations policies should be made in writing whenever possible and should include all details, specifying all names, dates, times, documents, etc. related to a report, complaint, Grievance, or disclosure.

Any employee, applicant, or other covered individual with any questions or concerns relating to any aspect of this Reporting Procedure may contact the Human Resources Department for assistance.

C. Investigation

All reports of alleged violations of the City's Equal Employment Opportunity (EEO), Anti-Retaliation, Anti-Harassment, and Reasonable Accommodations policies will be investigated thoroughly and impartially. The investigation may include interviews with the parties involved and, where necessary, with individuals who may have observed the alleged violation or may have other relevant knowledge. To the extent practical and consistent with the City's obligations under the Georgia Open Records Act and other applicable federal, state or local laws, confidentiality will be maintained throughout the investigatory process. The city manager and the Human Resources Department have the discretion to appoint an outside investigator to investigate any reports, complaints, grievances, or disclosures.

D. Corrective Action

If an investigation reveals facts or conclusions supportive of a complaint or report of discrimination, harassment, or retaliation, appropriate corrective and/or disciplinary action will be taken by the City. Appropriate corrective and/or disciplinary action will be designed to discontinue and prevent a reoccurrence of the action or behavior determined to be in violation of the City's Equal Employment Opportunity (EEO), Anti-Retaliation, Anti-Harassment, and Reasonable Accommodations Policies. Depending on the nature of the policy violation and the circumstances of the complaint or report, appropriate corrective and/or disciplinary action may also be designed to facilitate restoration of effective working relationships between the complaining/reporting party and the accused party or any other parties affected by the complaint, report, violation, investigation, or remedial measures taken.

For relatively minor and/or first-time violations, corrective and/or disciplinary action taken under this policy may range from a verbal counseling, issuance of an apology, participation in relevant training, or issuance of a written warning. For moderately severe or repeat violations, corrective and/or disciplinary action taken under this policy may range from a transfer, reassignment, suspension, or demotion. For severe, repeat, or ongoing violations of this policy, corrective and/or disciplinary action taken under this policy may include termination, forfeiture of accrued leave balances, and withholding defense and indemnification if the violations lead to the assertion of legal claims.

In appropriate cases, remedial action will also focus on the complainant or others adversely affected by the policy violations in question.

If you have any questions regarding the Reporting Procedure Policy or questions about matters that are not addressed in this policy, please contact the Human Resources Department.

Chapter 2: General Guidelines

I. Workplace Privacy, Inspection, and Monitoring

The workplace is intended to be a place of business. Each employee must understand that personal items and personal communications received and/or stored on City premises or City equipment are not entitled to a guarantee of privacy.

The City provides offices, desks, electronic and telephonic communication, and, when necessary, computers to employees. Although assigned to the employee, these items belong to and are the property of the City. Similarly, any computer files created on any City equipment belong to and are the property of the City. Unauthorized programs and files may not be used on City computers without the written permission of the City's IT Department. 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, search, and inspect any item of any kind on City property, including, but not limited to, employee desks, lockers, file cabinets, and other areas that are a part of an individual's workspace, at any time with or without reason, notice, or consent. The City also reserves the right to review voice mail, text messages, electronic mail, computer files, and other electronic information generated by or stored in the City's electronic systems.

II. Dress Code

Our City's professional atmosphere is maintained, in part, by the image we present to our coworkers and the public. The City, through its employees, strives to maintain a professional atmosphere and project a positive image to its customers and visitors. This image is affected by the way employees dress, whether they work in an office environment, a field or technical support position, or in less formal environments. The City's objective in establishing a dress code is to allow employees to work comfortably in the workplace, yet still project a professional image for customers, potential employees, and community visitors. All employees, therefore, are required to have a neat and professional appearance that reflects well upon the City of Chamblee. All employees issued uniforms by the City are required to wear the uniforms while on duty status, unless otherwise approved. Individual department heads may supplement this policy with more detailed guidelines.

III. Workplace Appearance

City employees must maintain their work areas in a neat and professional manner. Each employee shall maintain the area in which they are working, and all employees are expected to maintain the common areas.

IV. Non-Fraternization

Romantic or sexual relationships between a supervisor or manager and an employee is the type of conduct that can cause real or perceived conflicts of interest and can result in legal liability. Even where the relationship is entirely consensual and subsequent claims have no basis in truth, the City's legal defense to such charges is costly, and the resulting damage to its reputation for integrity and as an employer is often irreparable. Therefore, the City prohibits such relationships and any conduct (such as dating between a supervisor, manager, and any City employee who is a direct or indirect subordinate) that is intended or may reasonably be expected to lead to the formation of a romantic or sexual relationship. This policy applies regardless of whether both parties freely consent to such a relationship.

When City management learns that such a relationship or activity has occurred, the participating superior will be subject to disciplinary action up to and including termination of employment. Should a supervisor or manager desire to date or become involved with a subordinate, the superior shall first resign from employment with the City. Alternatively, the City reserves the right to transfer such an employee to an available position for which they are qualified if, in its sole discretion, it determines that such transfer will ensure compliance with this policy and is otherwise in the City's best interests. By its prohibition of romantic and sexual relationships, the City does not intend to inhibit the social interaction (such as lunches, dinners or attendance at entertainment events) that **is** or should be an important part or extension of the working environment.

V. Gifts and Gratuities

In addition to the City's Standards of Conduct, and whether or not specifically prohibited by this Personnel Manual or any ordinance or policy of the City, each employee of the City shall avoid any action which might result in or create the appearance of:

- A.** Using public office for private gain;
- B.** Giving preferential treatment to any person;
- C.** Impeding government efficiency or economy;
- D.** Losing complete independence or impartiality;
- E.** Making a decision on behalf of the City outside official channels; or
- F.** Affecting adversely public confidence in the integrity of City government.

No employee shall solicit or accept rewards of any kind, whether direct or indirect, for the performance of duties, or request any gratuities, or use their position, relationships, or contacts with the City to seek favors or preferential treatment of any kind. Further, an employee shall not accept gratuities of any kind, whether direct or indirect, in the course of their duties with the City, or from any person or entity where the relationship was established in the course of their duties with the City, with a value in excess of \$100.00 (one hundred dollars) without the express written permission of the city manager.

Although gifts are often sent by vendors, suppliers, or residents 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 resident who sent the gift the need to continue such a practice in order to continue business with the City. Nothing in this section shall prohibit an employee from: (1) receiving any occasional food or beverage of nominal value; or (2) receiving any promotional item or items generally distributed to the general public, provided that the acceptance of such item or items will not influence their performance or failure to perform any official action. This policy does not include Incentive Pay or other performance-based awards approved by the city manager.

VI. Business Practices and Ethical Code of Conduct

A. Ethical Conduct and Core Values

Ethical conduct is integral to the success of the City as reflected in the City's Core Values and Ethics Ordinance. Because the conduct and character of the City depend upon the actions of many persons, it is important that each employee understands and accepts the following Core Values for which they will be held accountable:

1. Integrity: We act ethically and fairly towards everyone and accomplish our goals with the highest standards of professional conduct.;
2. Respect: We appreciate and value diversity by treating others with dignity, honesty and sensitivity while maintaining a friendly demeanor and positive attitude.;
3. Service: We are a resident-centric organization that works to anticipate and understand the needs of internal and external customers to provide premier service.;
4. Teamwork: We work collaboratively to provide effective and efficient solutions; and
5. Innovation: We believe it is OKAY to be creative and to think of different ways to achieve results.

The City is committed to maintaining a business environment that is free of inappropriate or unlawful conduct. In keeping with this commitment, the City will not tolerate any unethical or illegal conduct on the part of our employees, business partners, contractors, sub-contractors, vendors, or agents. All persons or entities performing work on behalf of or for the benefit of the City are expected to follow all applicable laws, regulations, ordinances, policies, and accepted financial reporting standards applicable to our business.

B. Conflict of Interest

It is the employee's obligation to avoid any personal activity which may conflict with, or interfere with, their service to the City. The employee must not place themselves in a position where private or personal interests impair or otherwise change the employee's

work performance, judgment, discretion or powers in a biased manner. In addition, employees must comply with Chapter 5: Employment, IX. Dual Employment.

Employees must report in writing all situations involving even a possible conflict for review by the Human Resources Department and thereby avoid any attempt to judge their own case.

Opportunities to engage in any community work or to serve in any outside organization should be discussed with the Human Resources Department to ensure no potential conflict of interest exists. 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. Examples of actions which might result in or create the appearance of a conflict of interest include:

- A. Using the employee's job position with the City for private gain;
- B. Giving preferential treatment to any person;
- C. Impeding government efficiency or economy;
- D. Failing to exercise complete independence or impartiality;
- E. Making a decision on behalf of the City outside of official channels; or
- F. Affecting adversely the confidence of the public in the integrity of City government.

VII. Standards of Conduct

While it is not possible to list all acts and omissions which can lead to disciplinary action, examples of offenses which may result in disciplinary action include, but are not limited to, those presented below:

- A. Insubordination, including willful failure or refusal to follow oral or written instructions.
- B. Dishonesty or making false or misleading statements or material omissions.
- C. Inefficiency or lack of application in the performance of duties.
- D. Careless, negligent or improper use of City property or equipment or damage or destruction of City property or equipment.
- E. Conduct that endangers others or results in property damage.
- F. Failure to maintain satisfactory and/or harmonious working relationships with the public or fellow employees.
- G. Failure to report for duty at the assigned time and place.
- H. Unexcused absence.
- I. Creating or contributing to unsafe or unsanitary conditions.
- J. Failure to obtain or maintain a current license or certificate required for performing the job.
- K. Failure to use safety equipment or to comply with safety requirements.
- L. Gambling on City property or City work sites.

- M.** Improper use or abuse of PTO.
- N.** Violation of the City's Anti-Discrimination, Anti-Harassment, or Anti Retaliation Policies.
- O.** Conduct unbecoming of a City employee, including any conduct which affects the employee's reputation, or which reasonably could undermine public confidence or otherwise create concern on the part of fellow employees, residents, or other agencies with which the City interacts.
- P.** Misappropriation of City funds.
- Q.** Falsification or misrepresentation of information in City records or destruction or removal of City records other than in accordance with applicable records retention schedules.
- R.** Participation in any action that disrupts or disturbs the operation of the City or any segment of City government.
- S.** Visiting without invitation or trespassing at the home of any City official or employee for the purpose of harassing or for the purpose of discussing job-related matters.
- T.** Committing an act that endangers the personal well-being and/or property of others while on the job.
- U.** Possession of unauthorized firearms or weapons on the job.
- V.** Possession and/or use or being under the influence of alcohol, drugs or other intoxicants while on the job.
- W.** Release of confidential information from official records without proper authority.
- X.** Engaging in incompatible outside employment or other activities which creates a conflict of interest or gives the appearance of a conflict of interest.
- Y.** Using or attempting to use personal or political influence to secure promotion, leave of absence, transfer, change of pay rate, disciplinary action or in any manner related to one's work.
- Z.** Violating any of the provisions or policies of this Personnel Manual.
- AA.** Violating departmental policies, procedures, standard operating procedures, directives, etc., by an employee of that department.
- BB.** Violating an ordinance of the City or federal or state law.
- CC.** Engaging in any conduct that constitutes a felony under federal or state law or a crime involving dishonesty or moral turpitude.
- DD.** Any other reason, which in the City's sole discretion, warrants disciplinary action, up to and including termination of employment.

XIII. Notification of Citation or Arrest

An employee who is the subject of a criminal investigation, or has been arrested, indicted, or convicted of any federal, state or local offense, other than a minor traffic offense, must promptly notify their department head, except that employees who are required to operate a motor vehicle within the scope of their employment are required to promptly notify their department head upon receipt of any traffic citation. Department

heads are required to report such information to the Human Resources Department and city manager upon receipt.

IX. Political Activities

The City encourages its employees to become active in matters of local concern within the community. However, employees or officers of the City offering as a candidate for any elective or appointive political office of this state or a political subdivision of this state, board, commission, authority, political party or political organization, shall confer with the city manager prior to qualifying for election or accepting appointment, to ascertain whether the office sought poses the potential for conflict with the employee's job responsibilities to the City. The city manager may consider the following factors in balance with an employee's First Amendment right to offer for public office in making their determination:

- A.** The elected office or position's potential for conflict with employee's job duties.
- B.** The potential for conflict between jurisdictional authority of the City and the office or position sought (including the political subdivision or entity which such public office serves).
- C.** The time constraints of the elected office or position in contrast with time requirements and responsibilities of the employee's job (which is considered primary), and whether the office sought is partisan or non-partisan.
- D.** Any other factors lawfully permitted by applicable state or federal law.

Nothing herein shall affect the right of an employee to contribute to, hold membership in, serve as an officer of, or support a political party, to vote as they choose, to support or campaign for state or national political candidates, to express privately or publicly their opinions on all political subjects and candidates, to maintain political neutrality, or to attend political meetings.

That said, no employee or covered person, while outwardly identifiable as a City employee (such as by way of uniform, badge, or operating a marked City vehicle) or under color of office or position, while on duty, shall participate in political activities to support the candidacy of individuals running for, or holding any city, county, special district, school, state or federal elected offices (which means endorsing candidates, signing or circulating petitions or participating in fund-raising activities). Employees may not use City time, supplies, equipment, or property to aid a political candidate, political party, or political cause, or use a City position to persuade, coerce, or intimidate any person in the interest of a political candidate, political party, or political cause.

X. Loss of Job Requirements or Certification(s)

Any employee who is unable to perform the duties of his or her job because of a loss of or failure to fulfill a condition of employment including any loss of any required licenses, loss of insurability by the City's insurance carrier, certifications, or loss of the individual's ability to perform the essential job functions with reasonable accommodation, or failure to meet minimum fitness for duty requirements of their position, including a positive, confirmed test for controlled substances, may be subject to job transfer, reduction in pay, demotion, or disciplinary action, up to and including termination of employment.

Any employee whose position requires driving a departmental vehicle, or any employee who on occasion drives a City vehicle, whose driver's license has expired, or who has lost their license for any reason, shall report the loss of license to their department head or department head's designee no later than the beginning of the next business day. Employees shall not operate a City vehicle without a valid driver's license. A loss of license may subject employee to a temporary reassignment of duties, suspension without pay, or termination of employment depending on the circumstances surrounding the loss of license.

XI. Cell Phones and Text Messaging

Employees are to limit their use of personal cell phones while on duty. The use of a cell phone should not interfere with the performance of duties or have an adverse impact on the City's professional image. Employees who are issued City cell phones are to utilize these phones in accordance with City policy. Employees are not authorized to wear ear buds or headphones while conducting City business and interacting with the public. Individual departments have the discretion to prohibit the use of ear buds and headphones on a job site or while operating City equipment. Ear buds or headphones worn in the office cannot interfere with, or distract, an employee or coworker's work performance or productivity.

Employees are to limit personal text messaging while on duty. Employees may not delete or otherwise destroy work-related text messages whether on a City-issued cell phone or on their personal cell phone. Use of cell phones (personal and City-issued) while operating a City vehicle shall be in compliance with City policy and applicable law.

Employees violating these policies will be subject to disciplinary action, up to and including termination of employment.

XII. Recording Work-Related Conversations

It is the policy of the City that work-related conversations may not be recorded without the consent of all participants.

Employees may not make audio or video recording of work-related conversations, except as provided herein. This policy applies to all work-related conversations, including departmental meetings, one-on-one conversations, employee counseling meetings, and all other work-related conversations. This policy also applies regardless of whether the conversation is in person, by phone, over a web medium, or through some other medium. The policy applies whether the conversation takes place on City property or at any other location and encompasses recording by recording devices of any kind, including personal smart phones, digital or other recording devices, and any form of video device.

This policy does not, however, limit the recording of work-related conversations under the following circumstances:

- A.** When members of the public or news media lawfully record work-related communications;
- B.** The recording of communications in the Police Department through the permissible use of City-issued body camera, dash cameras, or other means, including emergency calls to the City's 911 Center;
- C.** Recording as a reasonable accommodation to an individual with a disability upon notification to other parties of the recording, and approval by the Human Resources Department;
- D.** Recording for training purposes;
- E.** Recording of any public meeting; or
- F.** Any other use approved by City policy or by the city manager.

If an employee or department wishes to use a recording device, they must submit a request to the city manager who may approve or deny such request.

XIII. Abuse and Misuse of City Equipment and Supplies

Employees are entrusted with the use of public equipment and supplies. Under no circumstances should City property be employed for the personal use of any employee without express written permission of the city manager, or as otherwise permitted under these policies. Under no circumstances should an employee sell City property for personal gain. City property means all equipment, supplies, and other items purchased by the City regardless of its current function or usability. Equipment or supplies that are broken or are considered scrap and thrown into the trash or dumpster are still considered City property. The abuse, misuse, or misappropriation of City equipment, supplies, or funds may result in disciplinary action, up to and including termination.

Chapter 3: Categories of Employment, Attendance, Classification, Compensation Plan, Overtime, and Payroll Practices

I. Categories of Employment

It is the City's intent to clarify the definitions of employment classifications so that employees understand their employment status with the City. These classifications do not guarantee employment for any specified period of time or otherwise modify the "at will" status of City employees. The right to terminate the employment relationship at will at any time is retained by both the employee and the City.

A. Regular Full-Time Employees

Regular full-time employees are not in a temporary status and are regularly scheduled to work a full-time schedule of at least forty (40) per week. Generally, they are eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefit program.

B. Regular Part-Time Employees

Regular part-time employees are not in a temporary status and are regularly scheduled to work less than thirty (30) hours per week. Benefits and paid holidays are not offered to part-time employees, unless otherwise required by law.

C. Temporary Employees

From time to time, the City may hire temporary employees to assist in the completion of a specific project, temporarily supplement the workforce, or perform a specific position for a short duration or as a short-term replacement because of staffing or other business needs. Temporary employees may be hired in part-time or full-time capacities but are not eligible for City provided benefits or paid holidays. Employment beyond any initially stated period does not in any way imply a change in a temporary employee's employment status.

D. Volunteers

The City understands that employees may wish to perform hours of service on behalf of the City for civic, charitable, or humanitarian reasons. Employees must submit a written application to their department head or their designee for approval for each City event that they wish to serve as a volunteer. Employees who are approved to volunteer for the City outside of their normal work schedule and assignment for special events sponsored by the City will be paid. Volunteer hours must be reported just as normal work hours are reported. Any overtime will be calculated in accordance with the City's

Compensation Policy. Exempt employees will be eligible to flex their work schedule for volunteer work under this policy.

II. Attendance

Regular and consistent attendance at work is an essential part of each employee's job. If an employee fails to maintain adequate levels of attendance at work without prior approval, the conduct will result in disciplinary action, up to and including termination of employment. Department heads are encouraged to work with the Human Resources Department to ensure compliance with all applicable laws, administrative regulations and policies governing attendance and absence from work.

A. Required Work Hours

The City requires that all its employees promptly begin work as scheduled and to reasonably complete their tasks, projects and responsibilities by the end of their scheduled business day. Required hours may be further defined at the direction of the department head.

B. Reporting for Duty

If an employee will be late to work, the employee shall advise their department head or the department head's designee, usually a direct supervisor, of their late arrival within one hour of their regularly scheduled business day. If an employee will be away from their workstation for an extended period of time, they must give prior notification to their department head or the department head's designee, usually a direct supervisor. The expected return time must also be given. Habitual tardiness or absenteeism will be addressed through disciplinary action.

Failure to report for duty, including immediately following the expiration of authorized leave, will be grounds for discipline. Failure to report for three (3) consecutive business days without prior authorization shall be grounds for termination for job abandonment.

Employees who will be absent from work for reasons other than previously approved leave must report the absence to their department head or the department head's designee on each day of absence within thirty (30) minutes of their regularly scheduled business day either verbally or by any variation of reporting criteria set forth by the department head. Employees who fail to report to work when scheduled and fail to report an absence for each day of absence through the appropriate channel of communication are subject to disciplinary action, up to and including termination. Employees with a doctor's excuse for a specified number of days do not have to report their absence each day unless the specified days on the doctor's excuse change.

III. Classification, Compensation, Work Time/Overtime, and Payroll Practices

A. Classification Plan

The city manager and the human resources director will establish procedures for maintaining and classifying a complete inventory of all positions in the City's service as well as accurate descriptions and specifications for each paygrade of employment. The city council will allocate the number of positions and approve the compensation ranges of such positions as part of the City's annual budget.

B. Compensation

The City complies with the requirements of the Fair Labor Standards Act (FLSA) and any applicable law with respect to hours worked and wages earned by employees. Please understand that there may be times when you will need to work overtime so that we may successfully provide government services to the residents, businesses and patrons of the City. However, all overtime must be approved in advance by your supervisor or department head or their designee.

Overtime is work performed by non-exempt employees beyond their scheduled work cycle as provided by the FLSA. We expect that all employees who are scheduled to work overtime or who are called in to work on a special project, situation or event will report to work unless specifically excused by their supervisor or department head. Failure to report for scheduled overtime work or to receive approval to work overtime may result in discipline, up to and including immediate termination of employment.

For purposes of calculating overtime hours, only actual hours of work will be counted. Any form of paid leave shall not be considered as hours worked for purposes of calculating overtime pay.

1. Exempt Employees. Exempt employees are not eligible for overtime pay as specified by the FLSA. Exempt employees are generally executives or managers, professional, or administrative salaried employees, as defined under the FLSA, who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria under the FLSA established by the U.S. Department of Labor. These employees generally include senior level City employees, including department heads. Exempt salaried employees are subject to deductions from their salaries only for lawful reasons.

2. Partially Exempt 7(k) Law Enforcement Employees. Regular, full-time law enforcement officers typically work a forty-two (42) hour per week schedule or at least one hundred seventy-one (171) hours during a twenty-eight (28) day work period, or such other full-time schedule as determined by the Police Department. Civilian employees such as dispatchers, radio operators, apparatus and equipment maintenance and repair workers, janitors, clerks, and stenographers are not law enforcement employees. The City's regular, full-time law enforcement officers receive overtime pay at one and a half times (1.5x) their regular rate of pay for any hours worked over 86 (eighty-six) in a 14-day (fourteen-day) work period. Upon approval of the mayor and city council, eligible Police Department employees may receive a night shift premium for hours worked between 6:45 p.m. and 6:45 a.m. The beginning and end of each fourteen-day (14-day) work period will coincide with the Sunday 7:00 a.m. start and Sunday 6:59am end of each bi-weekly payroll period.

3. Non-Exempt Employees. Non-exempt employees are those employees who are eligible for overtime pay as specified under the Fair Labor Standards Act (FLSA). Non-exempt employees receive overtime pay at a rate of one and a half times (1.5x) their regular hourly rate of pay for any hours worked over 40 (forty) in a seven (7) day work period. This policy is not applicable to employees subject to the 7(k) Law Enforcement Exemption described herein or to part-time employees working less than thirty (30) hours in a seven (7) work period. The seven (7) work period, for purposes of calculating overtime, will begin on Sunday at 7:00 a.m. and will end two Sundays later at 6:59 a.m.

C. Recording Time Worked

The City wants to be sure that all employees are paid fairly for all hours of work. In addition, when employees accurately report all hours worked, the City can identify and address staffing needs. To accomplish these goals, the City must have accurate records of the time that employees work. To ensure that the City has accurate time records and that employees are paid for all hours worked in a timely manner, all full-time and part-time non-exempt and partially exempt 7(k) Law Enforcement Exemption employees are required to accurately record all hours worked on an electronic timesheet where hours worked are tracked by fifteen (15) minute increments and rounded to the nearest quarter (1/4) hour. Except for sworn law enforcement and Communications-911 personnel, employees shall record any unpaid break time exceeding fifteen (15) minutes and unpaid meal breaks. Supervisors will review their employees' time records and ask their employees to verify their timesheets at the end of each pay period.

Employees must ensure all time is recorded accurately. "Off-The-Clock" work is strictly prohibited. Non-exempt employees must not begin work before their scheduled start time, or continue working after their scheduled end time, unless otherwise approved in advance by their immediate supervisor.

Fraudulent timekeeping and falsification of time records are subject to discipline, up to and including termination of employment. 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 your timesheet), you are directed to refuse and to immediately report the situation using the City’s Problem-Solving and Grievance Procedure, which is contained in this Personnel Manual.

Using or accessing any timesheet or time record other than your own or tampering with a timesheet or time record in any way, will result in disciplinary action up to and including termination of employment. Any change or omission from a timekeeping entry must be approved by your supervisor. At the end of each pay period, you are required to approve your time worked and any leave hours recorded for the pay period by submitting your timesheet for approval via electronic recordkeeping. If you believe any of the information reflected on your timesheet is incorrect, you will have the opportunity to explain the issue, which then will be reviewed by your supervisor prior to payroll processing. By submitting your electronic timecard, you are certifying that the information you submitted is truthful, complete, and accurate. You may be subject to disciplinary action up to and including termination for submitting any inaccurate information on your report. Once your timesheet has been approved by your supervisor, if you feel that any of the information reflected on your timesheet is incorrect, refer to the City’s Problem-Solving and Grievance Procedure contained in this Personnel Manual.

1. Meal and Rest Breaks

a. Meal Breaks. Hourly City employees may take a minimum of thirty (30) minutes unpaid for a meal break per shift, or, with approval from the employee’s immediate supervisor, may take two (2) paid fifteen (15) minute breaks in conjunction with their thirty (30) minute unpaid lunch for a total meal break period of one (1) hour. However, there are some positions that may necessitate meal and other break periods different from that which is described herein, and the break criteria for those positions will be established by the individual departments.

There may also be an occasion when City operations and business necessitates an employee work through a meal break, and in those cases the employee will be compensated for that time worked. The schedule for meal breaks will be set by the department head. Employees are expected to take their meal break at the specified time unless prior approval to alter the schedule has been received.

Generally, meal periods are not paid because the employee is completely relieved from duty for the purpose of eating a meal. However, if a meal period is interrupted by a “Call-To-Duty” and the employee is unable to take a thirty (30) minute uninterrupted meal break, then the entire meal period will be paid as time worked. Rare and infrequent contacts by the employer or residents during a meal period are not the same as a “Call-To-Duty,” and do not make the meal period compensable for pay.

Hourly employees are not allowed to clock out and take their meal break, then clock back in and eat their meal on City time. Hourly employees must clock out for lunch even if

they remain in the building for lunch. This policy is not applicable to emergency response personnel and 911 dispatchers who are paid during any meal break.

b. Rest Breaks. Formal paid break periods are not designated, mandatory, or guaranteed. If and when breaks are given depends on the department involved and the operating needs of the department as determined by the supervisor and/or department head. These rest or break periods should not exceed fifteen (15) minutes in duration and should not exceed two (2) fifteen (15) minute paid breaks per shift.

The timing and duration of breaks will be set by the supervisor and/or department head. Employees on break generally may leave the work area. In departments or assignments where it is necessary to have someone on duty at all times, it is the employee's responsibility to ensure that work assignments are covered to the approval of their supervisor. The needs of the job must be satisfied before breaks can be granted.

In some departments or assignments, breaks may not always be possible. Breaks are a privilege granted by each individual department based on work situations. Further, employees may not forego breaks in order to accumulate extra time off in the future, or to make up for tardiness or previous absence. Break periods cannot be combined or used as a means to leave work prior to the end of a shift.

2. Nursing Employees. The City will provide reasonable break time for an employee to express milk for their nursing child for one (1) year after the child's birth, each time the employee has the need to express their milk. The City will make reasonable attempts to provide a room or other location, other than a bathroom, to express their milk in privacy. Breaks shall, if possible, run concurrently with any break time already provided to the employee. Breaks exceeding the employee's allotted break time or taken at any time other than during a scheduled break will be unpaid. Please direct all requests regarding this policy to the Human Resources Department so that arrangements can be made. This policy should be interpreted to comply with applicable federal, state and local laws. If you have any complaint regarding this policy, please utilize the City's Problem Solving and Grievance Procedure, which is contained in this Personnel Manual.

3. Call-In/Call-Back Pay. Effective December 20, 2019, if a non-exempt employee is called in to work outside of their normal working hours, the employee will be guaranteed a minimum of three (3) hours of Call In/Call Back pay, which will be paid at a rate of one and a half times (1.5x) the employee's hourly rate. Any hours worked beyond the three (3) hour minimum in Call In/Call Back status will also be paid at a rate of one and a half times (1.5x) the employee's hourly rate. Call-In/Call-Back Pay does not count towards the computation of overtime.

4. **On-Call Pay.** Effective March 15, 2020 non-exempt personnel, including sworn law enforcement officers, who are subject to being On-Call during regularly scheduled time off will receive an On-Call premium of one (1) hour of On-Call pay per day Monday through Friday and two (2) hours of On-Call pay per day from Saturday through Sunday. On-Call Pay will be calculated at the employee's normal hourly rate of pay and does not count towards the computation of overtime.

5. **Pay Deductions.** There are two (2) types of payroll deductions: those required by law and those authorized by the employee. Deductions required by law include income tax (federal, state and/or local); Medicare/Social Security; and any court-ordered or government-ordered request (such as tax levy, garnishment, child support, etc.). Deductions requested by an employee include medical insurance premiums; dental insurance premiums; vision insurance premiums, retirement plan contributions; flexible spending account contributions; checking/savings account deposits; voluntary insurance plans premiums; and any other miscellaneous deductions as authorized by the employee.

Requests for changes in authorized deductions must be made by the employee in Paycom or in writing within thirty (30) days of the effective date of the change. Written requests for change should be submitted to the employee's designated department liaison for processing by the Human Resources Department within thirty (30) days of the effective date of the change. Changes to deductions will be processed bi-weekly in accordance with payroll cutoffs. Employees are responsible for checking their paycheck stubs to assure that the proper deductions are being withheld for the benefits they have selected and reporting any deduction errors using the City's Problem Solving and Grievance Procedure, which is contained in this Personnel Manual. The City is not responsible for any loss of benefits due to an employee's failure to report such changes, unless otherwise required by law.

6. **Changes in Personal Information.** Employees are responsible for electronically updating their personal information in the Paycom system to reflect any changes in personal status such as:

- a. Name change
- b. Address change
- c. Beneficiary change
- d. Tax status change
- e. Qualifying Life Event changes in marital status, number of children, and other information needed for benefits purposes as defined by the

Some requested changes may require documentation be provided to the Human Resources Department.

7. **Pay Period.** The pay period for all employees is bi-weekly, regardless of the department or the assigned work period. Though the number of hours and days worked in a pay period may vary from department to department or position to position, effective March 15, 2020 the pay periods will begin bi-weekly each Sunday at 7:00 a.m. and will end two Sunday's later at 6:59 a.m.

8. **Compensatory Time.** No employee hired on or after September 13, 2019 shall be eligible to participate in Compensatory Time (aka "Comp Time"). Effective September 13, 2019, all previously accrued Compensatory Time hours will be added to a Compensatory Time accrual balance; thereafter, no new hours may be added to an employee's Compensatory Time accrual balance. Compensatory Time hours will be capped at twenty-five (25) hours on June 30, 2020 and zero (0) hours on December 31, 2020.

It is the employee's responsibility to manage their Compensatory Time hours in accordance with the above schedule and employees must exhaust all Compensatory Time hours before they can use accrued Paid Time Off (PTO). Upon budgetary approval, Compensatory Time hours may be eligible for payout annually until December 31, 2020. Notwithstanding the forgoing, the City reserves the right to pay out some, all, or none of an employee's Compensatory Time hours at its option at any time on or before December 31, 2020; therefore, employees should have no expectation that such payouts will be made.

To facilitate the employee's ability to effectively manage their Compensatory Time hours, all previous restrictions on the use of Compensatory Time hours are removed and such hours may be used in accordance with the terms and conditions applicable to the use of PTO as set forth in the City's Paid Time Off (PTO) Policy. This includes the provision that employees will no longer be permitted to transition directly from use of Leave Bank hours to retirement.

9. **Field Training Officer/K9/SWAT Pay.** Officers who are actively engaged in training a new police officer, caring for a K9 unit, or serving in a Special Weapons and Tactics (SWAT) capacity will receive an additional one (1) hour of pay for each shift worked, which will be added to the end of the employee's shift and will be paid at the employee's regular hourly rate and will not be counted as hours worked for purposes of calculating overtime pay. The Police Department will determine compensation for K9 officers for care of the dog in accordance with applicable law.

10. **Pay Advances.** The City does not make personal loans or payroll advances to employees.

11. Administrative Pay Corrections. The City takes reasonable steps to ensure that employees receive the correct amount of pay in each paycheck, and that employees are paid promptly on the scheduled pay date. In the event that there is an error in your paycheck, you should promptly bring the discrepancy to the City's attention by contacting your designated departmental liaison or by using the City's Reporting Procedure, which is contained in this Personnel Manual, so that adjustments in pay and/or deductions can be corrected as quickly as possible. The employee's designated department liaison will work with the Human Resources department to determine the correction needed as well as any applicable repayment or reimbursement schedules. Changes to employee pay will be processed bi-weekly in accordance with payroll deadlines.

Chapter 4: Employee Leave

I. Holidays

A. Holidays Observed

The City provides eleven (11) official paid holidays each calendar year. With the exception of the Police Department and other critical City operations that remain open during such holidays and during declared states of emergency, the City offices are officially closed on the paid holidays approved annually by the mayor and city council.

The City retains the discretion, at all times, to modify the holiday schedule (including whether a day is considered a holiday under this policy) with or without notice to employees. The city council may declare additional holidays, including "Staff Workdays", at its discretion.

Holiday pay is only available to regular full-time employees who work their scheduled shift before and after the holiday. Use of PTO or other forms of accrued leave on the day worked immediately before or immediately after the holiday shall not preclude any employee from receiving holiday pay.

B. Eligibility

All regular full-time employees of the City, including full-time employees still within their probationary period, will receive paid leave on officially designated holidays subject to the above-stated terms and conditions. Part-time and temporary employees shall not receive holiday pay on official holidays.

Eligible employees will receive eight (8) hours of holiday pay at their regular hourly rate of pay for each of the holidays set forth in Section A of this policy. Non-exempt employees, including non-exempt uniformed, sworn law enforcement personnel, who are required to work during on any holiday as defined above, shall be paid in accordance with their departmental policy, plus holiday pay equal to eight (8) hours at their regular hourly rate. Employees working a holiday have the option of being paid for their eight (8) holiday hours, or banking their eight (8) hours of holiday pay for use at a later date, as long as the accrued holiday hours are used on or before more March 31 of the calendar year following the holiday worked. Any accrued holidays that are not used on or before March 31 will be paid out on the next scheduled pay date.

II. Paid Time Off (PTO) Policy

A. Statement of Policy

1. **Purpose and Intent.** Effective January 1, 2020, the City will offer Paid Time Off (PTO) in lieu of vacation and sick leave. PTO is an all-purpose time off policy that the City provides to regular full-time employees, which combines traditional vacation and sick leave accruals into one flexible, PTO Policy. Subject to the terms and conditions of this policy, PTO is intended to be used for vacation, personal illness or injury, medical/dental appointments or to care for an immediate family member who is ill or injured, or necessary time to attend to other personal business which cannot be conducted during off-duty hours. This PTO Policy is intended to add greater flexibility to help employees maintain a work-life balance, encourage employee retention, promote recruitment, improve morale, and benefit employee relationships within the City.

2. **Earning PTO.** The amount of PTO earned by an employee at the end of each pay period will be based on their length of service with the City as set forth herein and is considered an accrued fringe benefit. PTO is granted at the start of the pay period following PTO accrual. PTO is paid at the employee's regular rate of pay in effect for the employee's regular job on the day in which the employee takes PTO.

B. Eligibility

1. **Regular, Full-Time Employees.** All regular, full-time employees are eligible for PTO in accordance with the terms and conditions of this policy.
2. **Probationary Regular, Full-Time Employees.** While newly-hired probationary employees will accumulate PTO for administrative purposes in the same manner as non-probationary employees, any PTO accumulated by a probationary employee whose employment is terminated prior to successful completion of probation (including any extended period of probation) shall not be deemed earned or accrued. Therefore, no such PTO shall be paid upon termination unless such payment is expressly approved by the city manager.

Upon successful completion of probation, any accumulated but unused PTO shall be deemed earned and accrued as of the employee's first day of non-probationary status.

3. **Non-Regular Full-Time Employees.** PTO is not available to any other employee classifications, such as part-time or temporary employees. With supervisory or departmental approval, leave may be taken without pay by non-regular full-time employees.

C. PTO Accrual Rate

After January 1, 2020, the accrual of PTO begins the end of the employee's first pay period in the case of a newly hired full-time employees. For all current full-time employees, the accrual of PTO begins at the end of the first pay period of January 2020. All regular, full-time employees will continue to accrue paid leave credits while out on any authorized paid leave, but PTO shall not be accrued during any leave of absence without pay.

Except as otherwise may be provided herein, full-time employees accrue PTO on a calendar year basis and the amount of PTO accrual increases based on completed years of service as follows:

<u>Years of Service</u>	<u>Accrued Hours Per Calendar Year</u>	<u>Hours Per Biweekly Pay Period</u>
0-5 Years	160 Hours	6.15
6-10 Years	200 Hours	7.69
11+ Years	240 Hours	9.23

Accrual rates change beginning at the pay period in which a full-time employee's 6th and 11th full-time service anniversary dates occur.

D. Carryover of PTO

The City encourages employees to use their accrued PTO each calendar year to maintain a work-life balance, encourage employee retention, improve morale, and benefit employee relationships within the City. That said, the City permits employees to carryover unused PTO at the beginning of each calendar year.

Although an employee may carryover unused PTO from year to year, there is a cap on the amount of PTO that an employee can accumulate. Employees may accumulate PTO up to a maximum of four-hundred and eighty (480) hours. Once the maximum accrual of four-hundred and eighty (480) hours is reached, an employee will not accrue any additional hours of PTO until they use accrued PTO hours and their PTO falls below the four-hundred and eighty (480) hour cap.

E. No Advancement of PTO

Except as may otherwise be provided herein, the City does not advance PTO to employees under any circumstances. If it is necessary for employees to be absent from work and they do not have any PTO or other accrued paid leave available, they must request leave without pay.

F. Requesting PTO

Except in special circumstances, or in case of unexpected sickness or illness, employees should submit requests for PTO within Paycom for approval by their department head or their designee, at least 2 (two) calendar weeks prior to the requested

date. Special circumstances will be determined at the sole discretion of department head, the Human Resources Department, and/or the city manager.

When possible, employees will be allowed to take PTO at times they request, subject to the department head's assessment of operating, staffing, and scheduling needs or of whether the employee's absence would otherwise cause an undue burden on the City. The City also reserves the right to limit the number of employees that may be absent from a given department at any given time. In case of a conflict in the leave choices of two (2) or more employees who, in the view of the department head and Human Resources Department cannot be spared at the same time, the department head, in consultation with the human resources director, will determine who will take leave.

In the event an employee's need for PTO is unplanned such that they are unable to submit the PTO request at least two (2) calendar weeks in advance, the employee must contact their supervisor at least sixty (60) minutes in advance of their scheduled starting time with the reason for the absence. With prior approval, or upon request of the Human Resources Department, the employee may be required to provide medical or other appropriate documentation to the Human Resources Department supporting the need for PTO and the inability to comply with the notice requirements.

An employee who fails to comply with the notice and/or documentation requirements of this policy may be denied the use of PTO and, as such, may not be paid for the time taken prior to notification.

G. Charging of PTO Hours

1. PTO shall be charged in accordance with the employee's regularly scheduled hours. For example, employees scheduled to work an eight (8) hour day will be charged 8 hours of PTO for each full day of approved and paid personal absence, whereas employees scheduled to work a twelve (12) hour day may be charged twelve (12) hours of PTO. PTO may not be charged in excess of the duration of the employee's regularly scheduled hours.
2. PTO shall be used and charged in fifteen (15) minute increments for each partial day of approved and paid personal absence.
3. An employee's PTO shall not be charged for any approved City paid holiday that occurs during the period an employee is on authorized PTO.

H. Termination of Employment; When Accrued PTO Forfeited

1. **Resignation.** Regular, full-time non-probationary employees who resign from employment with the City will be paid for all accrued PTO up to the maximum amount of four-hundred and eighty (480) hours provided they have submitted a written notice at least two (2) weeks before their resignation date and worked during the entire notice period. Non-compliance with these requirements will result in forfeiture of the accrued leave (unless such requirements are waived by the city manager). However, if an employee

resigns while under investigation for a potential violation of a City policy, including but not limited to the City's Standards of Conduct Policy, the City reserves the right to withhold the employee's pay for accrued PTO. In the event of an employee's death, a payment of the accumulated PTO up to this maximum amount may be paid to the duly appointed representative of the employee's estate.

2. Retirement. Employees will not be permitted to transition directly from PTO to retirement. An employee who retires from employment with the City will be paid for all accrued PTO up to the maximum amount of four-hundred and eighty (480) hours provided they have submitted a written notice in accordance with the applicable retirement plan or at least two (2) weeks before their retirement date, whichever is greater, and provided further that they have worked during the entire notice period. Non-compliance with these requirements will result in forfeiture of the accrued leave (unless such requirements are waived by the city manager). However, if an employee retires while under investigation for a potential violation of a City policy, including but not limited to the City's Standards of Conduct Policy, the City reserves the right to withhold the employee's pay for accrued PTO.

3. Discharge. An employee who is terminated from employment with the City for violation of a City policy, including but not limited to the City's Standards of Conduct Policy, will not be paid for their accrued PTO. In the event any person who separated from the City under circumstances where their accrued PTO was forfeited thereafter becomes re-employed by the City, the previously accrued PTO does not carry over and the employee upon reemployment shall thereafter accrue and use PTO in the same manner as if a new employee.

III. Leave Bank

No employee hired after December 31, 2019 shall be eligible to participate in the Leave Bank. Effective January 1, 2020, all previously accrued sick and vacation hours will be added to the Leave Bank; thereafter, no new hours may be added to an employee's Leave Bank. Leave Bank hours will be capped at six-hundred and forty (640) hours on December 31, 2020, four-hundred and eighty (480) hours on December 31, 2021, three-hundred and twenty (320) hours on December 31, 2022, one-hundred and sixty (160) hours on December 31, 2023, and zero (0) hours on December 31, 2024.

It is the employee's responsibility to manage their Leave Bank hours in accordance with the above schedule and employees must exhaust all Leave Bank hours before they can use accrued Paid Time Off (PTO). Upon budgetary approval, Leave Bank hours may be eligible for payout annually until December 31, 2024. Notwithstanding the forgoing, the City reserves the right to payout some, all, or none of an employee's Leave Bank hours at its option at any time on or before December 31, 2024; therefore, employees should have no expectation that such payouts will be made.

To facilitate the employee's ability to effectively manage their Leave Bank hours, all previous restrictions on the use of Leave Bank hours are removed and such hours may be

used in accordance with the terms and conditions applicable to the use of PTO as set forth in the City's Paid Time Off (PTO) Policy. This includes the provision that employees will no longer be permitted to transition directly from use of Leave Bank hours to retirement.

IV. Bereavement Leave

A. Statement of Policy

Regular, full-time employees are eligible to receive up to forty (40) paid hours of Bereavement Leave per calendar year due to the death of an immediate family member.

Bereavement Leave is only available on days that an employee would normally be scheduled to work. There is no accumulation or accrual of Bereavement Leave and there is no payment of unused Bereavement Leave upon separation from City employment.

B. Approval

Approved Bereavement Leave days do not have to be taken consecutively, but they must be approved ahead of time by the employee's supervisor or department head. If an employee is already out of work and is receiving pay for any other form of leave, they are not eligible to receive additional pay or time off if Bereavement Leave occurs during the same time period. In order to use Bereavement Leave, an employee must provide documentation of death for the immediate family member. To demonstrate a death in the immediate family, an employee must provide one of the following:

1. Death certificate
2. Obituary
3. Funeral program
4. Memorial prayer card

If an employee's immediate family member does not have the same last name as the employee, the employee will need to provide documentation to establish the relationship. This documentation may take the form of a birth certificate, court document, marriage certificate, etc.

Should an employee require additional leave after exhaustion of their yearly Bereavement Leave, an employee may seek approval from their supervisor or department head to use other forms of accrued, paid leave or, if no paid leave is available, request unpaid leave under the City's Leave of Absence Policy.

C. Immediate Family Member Definition

For purposes of this Bereavement Leave Policy, an employee's immediate family includes any of the following in relation to the employee: spouse, parents and grandparents, children and grandchildren, brothers and sisters, mother-in-law and father-in-law, brothers-in-law and sisters-in-law, daughters-in-law and sons-in-law including adopted, half, and step members. Extenuating circumstances other than immediate family members will be handled at the discretion of the human resources director or city manager (e.g., death of a relative serving in active military, extended family, etc.).

D. Deferred Bereavement Leave

Deferred Bereavement Leave may be approved in those cases where a funeral, memorial service, etc. is not held near the date of death of an immediate family member and the employee does not use Bereavement Leave at that time. An example of this would be if the immediate family member was cremated and a memorial service is scheduled for a later date, a memorial service is delayed due to transportation of the remains by the military, where a memorial service is delayed accommodating the travel of family members and other attendees, etc. In those circumstances, it is permissible for the employee to use Bereavement Leave as outlined above. An employee must use deferred Bereavement Leave within six (6) months of the death of an immediate family member. Employees are not eligible to use Bereavement Leave for memorial services held in subsequent years in honor of a deceased loved one.

V. Voting, Witness, and Jury Duty Leave

The City recognizes that employees take pride in performing civic duties, and the City endeavors to assist employees in the performance of those civic duties and responsibilities.

A. Voting Leave

In accordance with Georgia State Law O.C.G.A. § 21-2-404, all employees are eligible for a maximum of two (2) hours of unpaid leave to vote. Unpaid leave to vote can be used in any municipal, county, state, or federal political party primary or election for which the employee is qualified and registered to vote. Time off to vote is generally not available to employees whose scheduled work hours begin at least two (2) hours after the polls open or end at least two (2) hours prior to the closing of the polls. However, although polls are open most of the day, we realize that in some instance's employees are required to work overtime and may find that these hours are insufficient to get to the polls. If you have a problem in this regard, notify your supervisor so that arrangements can be made for you to have the necessary time to vote.

If an employee needs time off to vote, the employee must provide reasonable notice to their supervisor and the supervisor may specify the hours during which the employee may take time off to vote. Time off to vote is unpaid, but the employee, in their discretion, may use PTO or any other form of accrued leave for this time; provided, however, that before doing so, the employee must have exhausted all accrued Leave Bank hours.

B. Witness Leave

The City recognizes that, from time to time, employees may be subpoenaed or summoned to participate in a legal proceeding, including in connection with their employment with the City.

1. Notice of Subpoena or Summons. Employees who are subpoenaed, summoned, or otherwise required by court order or other legal process to participate in a judicial, administrative, or other legal proceeding as a witness or otherwise must provide a copy of the subpoena or summons to their supervisor and department head immediately upon receipt so that the City can plan for continuance of operations with as little disruption as possible.

2. Official Capacity Court Appearance. Employees who are subpoenaed, summoned, or otherwise required by court order or other legal process to participate in a judicial, administrative, or other legal proceedings as a witness or otherwise in an official capacity on behalf of the City, the State of Georgia, or the Federal Government will be compensated at their regular rate of pay for the required duration of such leave.

3. Other Court Appearances. Under all other circumstances, employees who are subpoenaed, summoned, or otherwise required by court order or other legal process to participate in a judicial, administrative, or other legal proceeding in a personal capacity may be granted unpaid leave. For any workweek in which they perform any work for the City, salaried employees will be paid their normal salary during such witness leave. All other employees, including hourly and part-time employees, may use PTO or other forms of accrued leave.

4. Exception. No employee is entitled to witness duty leave or pay in connection with judicial, administrative, or other legal proceedings in which they are charged with a crime.

An employee who is released from witness duty before the end of their regularly scheduled shift is expected to call their immediate supervisor as soon as possible and report to work if requested.

C. Jury Duty Leave

Employees who are summoned for jury duty will be granted leave from work in order to serve their jury summons. All regular, full-time employees selected for jury duty

shall be entitled to receive up to 40 hours of leave with pay per calendar year as compensation for their regularly scheduled hours during which they are serving jury summons, except that on any day when such employee is excused from service, the employee will be expected to report for duty at the employee's regular place of work or be charged personal leave for time missed after being excused from jury duty. Likewise, any period of time for which an employee is excused from jury duty because of illness shall be charged to personal leave. An employee may be required to present a statement from the court verifying jury service. When an employee's jury duty exceeds forty (40) hours in a calendar year, the employee may use accrued leave for that time, if available, otherwise, the leave will be unpaid. The employee shall tender jury or witness fees to the Finance Department within five (5) business days of receipt of such fees, unless the fees cover hours for which the employee is not being paid by the City (i.e., hours exceeding 40 per calendar year).

VI. Parental Leave

A. Statement of Policy

The City recognizes that employees, regardless of their gender, may need to be absent from work due to the pregnancy-related condition of the employee or the other parent of the employee's unborn child, or to care for the employee's newborn or newly adopted child. The purpose of the policy is to give parents additional flexibility and time to bond with their new child and adjust to their new family situation. The City believes that these flexible and family-friendly policies are essential to cultivating an atmosphere where employees can thrive professionally without sacrificing essential family obligations, and that providing these fringe benefits contributes to a positive atmosphere, improves morale, and promotes long-term employee retention.

The City provides Parental Leave to all eligible employees, as defined herein, in conjunction with any similar leave the employee may be entitled to receive under the Family and Medical Leave Act (FMLA), Pregnancy Discrimination Act (PDA), Americans with Disabilities Act (ADA), and/or federal, state or local law.

B. Definition

Parental Leave is permitted as follows:

1. To care for the employee or the other parent of the employee's child (pre and post birth) who is incapacitated due to pregnancy, pregnancy-related conditions, or childbirth; or
2. To bond with or care for a newborn or the placement of a newly adopted child within an employee's home.

Medical certification is required for the employee's pregnancy or pregnancy of the other parent of the employee's child. Eligible employees may use up to one-hundred sixty (160) paid working hours of Parental Leave per year on a rolling calendar basis from the first date of leave, or the birth or placement of a child, whichever occurs first. The provisions of this policy shall not be retroactive. Only leave defined herein, and which takes place on or after the policy's effective date, shall be eligible for paid Parental Leave.

An employee receiving Parental Leave will have no obligation to reimburse the City of Chamblee for the payment of Parental Leave if, on the sixth (6th) month anniversary of the first date of leave or the birth or placement of a child, the employee has not voluntarily resigned from employment with the City of Chamblee.

C. Eligibility

To qualify for Parental Leave under this policy, the employee must meet the following conditions:

1. The employee must have been employed by the City for at least twelve (12) months and be classified as a regular, full-time employee.
2. The employee must also meet one of the following criteria:
 - a. Be expecting and/or has a newborn; or
 - b. Has adopted a child who is seventeen (17) years old or younger.

D. Use of Leave

If you need to take Parental Leave, you should provide advance notice and documentation of pregnancy or adoption to your supervisor and department head, departmental liaison, and/or the Human Resources Department. When possible, you should give at least thirty (30) days' notice of your request for leave. If thirty (30) days' notice is not possible because of medical necessity or for other reasons, you should give as much advance notice to the City as possible. Written notice is preferred, but not required.

If you are suffering from a pregnancy-related condition and require a reasonable accommodation (which may include leave), please follow the steps set forth in the City's ADA Reasonable Accommodations Policy. You may be required to submit a medical certification.

E. Compensation during Leave

During Parental Leave, employees will continue to be paid at their regular base rate of pay. Parental Leave runs concurrently with FMLA, and any other applicable leave, and may be used to offset any applicable Short-Term Disability, which may be available for birth mothers. Parental Leave can be taken intermittently. Please see the Human Resources Department for information about Short-Term Disability insurance, including eligibility requirements.

F Benefits during Leave

During Parental Leave, all benefits provided under an employee's benefit plan are governed by the terms and conditions of the applicable employee benefit plan documents and in accordance with applicable law. Nothing in this policy requires the City to reemploy individuals who are not eligible for reemployment rights under applicable law. The City may take disciplinary action, up to and including termination, against an employee who uses Parental Leave for purposes other than those described in this policy.

G. Anti-Discrimination and Anti-Retaliation

The City prohibits and will not tolerate discrimination or retaliation against any employee because of that individual's use of Parental Leave. Specifically, employees shall not be denied promotion or any other benefit of employment or be subjected to any adverse employment action based on the employee's Parental Leave status. In addition, employees shall not be disciplined, intimidated, or otherwise retaliated against because they exercised their rights under this policy or applicable law.

The City is committed to enforcing this policy against discrimination and retaliation. However, the effectiveness of our efforts depends largely on employees telling us about inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately via the City's Reporting Procedure. If employees do not report such conduct, the City may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action. For more information regarding discrimination and retaliation, please refer to the City's Anti-Discrimination and Anti-Retaliation Policies.

VII. Military Leave of Absence

A. Statement of Policy

The City recognizes that employees may from time to time be called to military duty and allows those employees time off from work to fulfill those duties in compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and/or Georgia State Law O.C.G.A. § 38-2-279. In recognition of such service, the City provides those called to military duty with the ability to receive a Military Leave of Absence.

B. Employee Obligations

At the commencement or conclusion of any Military Leave of Absence, an employee is expected to provide notice in accordance with this policy. Any employee who fails to report to work or apply for reemployment within the required time limits is subject to the City's rules concerning unexcused absences, including any disciplinary policies.

1. **Notice upon Commencement of Service.** An employee called to duty, as defined under USERRA and/or Georgia law, is expected to notify their supervisor, department head, departmental liaison, and the Human Resources Department of the call-to-duty and to provide their departmental liaison or Human Resources Department with a copy of the military orders, including any military training notice, as soon as possible. Except in times of military necessity or other times where advance notice is impractical, every employee should provide at least thirty (30) days' notice of the need for a Military Leave of Absence.

2. **Notification upon Completion of Service.** Upon the completion of a Military Leave of Absence, the employee should notify their departmental liaison or City's Human Resources Department as well as their supervisor and department head of their intent to return to a position of employment with the City as follows:

- a. **Periods of service of up to thirty (30) consecutive days.** For periods of service of up to thirty (30) consecutive days, the employee must report back to work for the first full regularly scheduled work period on the first full calendar day following the completion of the period of service and safe transportation home, plus an eight (8) hour period for rest. If reporting back within this deadline is "impossible or unreasonable" through no fault of the employee, they must report back as soon as possible after the expiration of the eight-hour period.
- b. **Period of service of thirty-one (31) to one-hundred eighty (180) days.** After a period of service of thirty-one (31) to one-hundred eighty (180) days, the employee must submit a written or verbal application for reemployment to the Human Resources Department and department head not later than fourteen (14) days after the completion of the period of service. If submitting the application within fourteen (14) days is impossible or unreasonable through no fault of the employee, they must submit the application as soon as possible thereafter.
- c. **Period of service of one-hundred and eight-one (181) days or more.** After a period of service of 181 days or more, the employee must submit an application for reemployment not later than 90 days after completion of the period of service to the Human Resources Department and their department head. These deadlines to report to work or apply for reemployment can be extended up to two years to accommodate a period during which an employee was hospitalized for or recuperating from an injury or illness that occurred or was aggravated during a period of military service.

C. Compensation During a Military Leave of Absence

1. Accrual and Use of Paid Leave. For an employee on a Military Leave of Absence, the City provides up to eighteen (18) workdays of paid military leave each federal-fiscal year (October 1 – September 30), or, in the case that the Governor of the State of Georgia declares a state of emergency, the City shall provide up to thirty (30) workdays of paid military leave each federal-fiscal year (October 1 – September 30). After the exhaustion of the 18-day period of paid leave (or up to 30-day period when applicable), an employee on a Military Leave of Absence may, at their option, use any or all accrued paid Compensatory, Leave Bank, Paid Time Off, or Holiday time. Employees do not accrue any form of leave during periods of an unpaid Military Leave of Absence.

2. Continuation of Benefits. USERRA is a federal law that protects the rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. Under USERRA, employees have the opportunity to elect continuation of group healthcare coverage for the shorter of up to twenty-four (24) months or the length of their leave for themselves and covered dependents under the applicable healthcare plan. Employees on leave for thirty (30) days or less will not be required to make a healthcare premium contribution for any more than their regular share of premium while on leave.

Employees on active duty for more than thirty (30) days may be covered by military healthcare along with their dependents. However, in the event that an employee on a Military Leave of Absence is not eligible or does not qualify for medical, dental and/or vision coverage through the U.S. Armed Forces, the City will continue to provide medical, dental and/or vision coverage for the employee and covered dependents under the same terms and conditions as they had at the time of the commencement of their military leave for a period of up to twenty-four (24) months.

3. Retirement Benefits. With respect to the City's retirement plans, upon reemployment, an employee who has taken a Military Leave of Absence will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Immediately upon reemployment, the employee may, at the employee's election, make any or all employee contributions that the employee would have been eligible to make had the employee's employment not been interrupted by military service. Such contributions must be made within a period that begins with the employee's reemployment and that is not greater in duration than three times the length of the employee's military service. Employees will receive all City contributions upon reemployment as well. The time frame for the City's contributions also begins with the employee's reemployment and is not greater in duration than three times the length of the employee's military service.

If you have any questions regarding the Military Leave of Absence Policy or questions about matters that are not addressed in this policy, please contact the Human Resources Department.

VIII. Administrative Leave

Employees may be placed on paid or unpaid administrative leave for purposes other than those that are disciplinary in nature at the discretion of the department head, human resource director, and/or city manager. When an employee is removed from the workplace pending a personnel investigation or for other administrative reasons resulting in the employee's temporary leave from a job assignment a department head, the human resource director, and/or the city manager may place the employee on a non-disciplinary administrative leave of absence.

Non-disciplinary administrative leave normally will be with pay; however, leave without pay may be imposed when maintaining the employee on the active payroll for an extended period of time would impose a hardship on the City or when the circumstances are otherwise deemed to warrant. Employees in unpaid administrative leave status are prohibited from using any form of paid accrued leave.

The employee may be maintained in this status for as long as deemed reasonably necessary to enable the department head, the human resource director, or the city manager to determine what other action, if any, is necessary or appropriate. Any non-disciplinary administrative leave exceeding three (3) business days must be approved by the human resource director and the city manager or their designee.

IX. Family and Medical Leave Act (FMLA)

A. Statement of Policy

The City will provide Family and Medical Leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA), as amended, and any applicable Statutes, Regulations, and Department of Labor Guidelines (FMLA Statutes). This FMLA Policy is intended to explain the FMLA Statutes, and any terms herein used that are defined in the FMLA Statutes carry the same definitions as in the FMLA Statutes. This policy neither adds to nor subtracts from the rights and obligations under the FMLA Statutes. To the extent this policy is inconsistent with the FMLA Statutes, the FMLA Statutes supersede this policy.

Under this policy, the City will grant up to twelve (12) weeks (or up to twenty-six (26) weeks of military caregiver leave to care for a covered service member with a Serious Injury or Illness) during a twelve (12) month period to eligible employees. The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy. When an employee is eligible for Family or Medical Leave under the FMLA, the City will designate the leave as FMLA.

B. Eligibility for Family and Medical Leave

All employees who have been employed for 1 (one) year, who have worked at least one-thousand two-hundred and fifty (1,250) hours during the 12 (twelve) month period immediately preceding a request for leave, and who work at a location where the City has at least fifty (50) employees within seventy-five (75) miles of the employee's worksite, are eligible for leave under the FMLA for the following reasons:

1. The birth of a child or placement of a child for adoption or foster care;
2. To bond with a child (leave must be taken within one (1) year of the child's birth or placement);
3. To care for the employee's spouse, child, or parent who has a qualifying Serious Health Condition;
4. For the employee's own qualifying Serious Health Condition that makes the employee unable to perform the employee's job;
5. For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent; or,
6. To care for a covered service member with a Serious Injury or Illness who is a spouse, child, parent, or next of kin of the employee (military caregiver leave).

C. Calculation and Duration of Family and Medical Leave

Except in the case of military caregiver leave, the twelve (12) month FMLA period will be measured on a "rolling" twelve (12) month period measured backward from the date an employee uses any leave under the FMLA.

1. **Military Caregiver Leave.** Eligible employees may receive up to 26 workweeks of unpaid, FMLA leave during a single, twelve (12) month period, as determined from the first use of such leave, to: care for a covered service member or veteran who is a spouse, child, parent, or next of kin; attend to qualifying exigencies arising out of an employee being on covered active duty involving foreign deployment in the Armed Forces; attend to qualifying exigencies arising out of an employee's spouse, child, or parent being on covered active duty involving a foreign deployment in the Armed Forces.

During a single twelve (12) month period, an eligible employee shall be entitled to a combined total of twenty-six (26) workweeks of Military Caregiver Leave under the FMLA for any reason. If two or more City employees intend to care for the same covered service member or veteran, they are limited to a combined total of twenty-six (26) weeks of FMLA leave.

2. **All Other Qualifying Forms of FMLA Leave.** Except in the case of Military Caregiver Leave, eligible employees may receive up to twelve (12) workweeks of unpaid leave during any "rolling" twelve (12) month period, measured backward from the date an

employee uses any FMLA qualifying leave. FMLA leave involving the birth or placement of a child for adoption or foster care must be concluded within twelve (12) months of the birth or placement of a child. Under the “rolling” twelve (12) month period, each time an employee takes leave under the FMLA, the remaining leave entitlement will be the balance of the twelve (12) weeks which has not been used during the immediate preceding twelve (12) months.

3. **Spouses Employed by the City.** Spouses who are both employed by the City and eligible for leave under the FMLA may be limited to a:

- a. **Combined Total of 12 (twelve) Weeks of Leave During the Twelve (12) Month Period.** Spouses employed by the City may be limited to a combined total of twelve (12) weeks of leave during the twelve (12) month period if leave is requested:
 - i. For the birth of a child and in order to care for such child;
 - ii. For the placement of a child with the employee for adoption or foster care and in order to care for the newly placed child; or,
 - iii. To care for an employee's parent with a Serious Health Condition.
- b. **Combined Total of 26 (twenty-six) Weeks of Leave During the 12 (twelve) Month Period.** Spouses employed by the City may be limited to a combined total of twenty-six (26) weeks of leave during the twelve (12) month period if leave is requested:
 - i. For Military Caregiver Leave; or,
 - ii. For a combination of Military Caregiver Leave and leave for other FMLA qualifying reasons.

E. **Definitions**

The following definitions apply to the administration of this FMLA Policy:

1. **Serious Health Condition.** A Serious Health Condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a Health Care Provider. A Serious Health Condition must also involve one of the following:

- a. **Hospital Care.** At least one (1) night's stay in a hospital, hospice or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to the inpatient care.
- b. **Absence Plus Treatment.** A period of incapacity of more than three (3) consecutive calendar days (including any subsequent treatment or

period of incapacity relating to the same condition), that also involves either:

- i. Treatment two or more times within thirty (30) days of the onset of the incapacity, provided that the first in-person visit with the healthcare provider occurs within seven (7) days of the onset of incapacity, by, or under the supervision of or pursuant to referral by a healthcare provider; or,
 - ii. Treatment by a healthcare provider on at least one occasion, provided that the first in person visit with the healthcare provider occurs within seven (7) days of the onset of incapacity, which results in a regimen of continuing treatment under the supervision of a healthcare provider. A regimen of continuing treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves, or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a healthcare provider.
- c. **Pregnancy.** Any period of incapacity due to pregnancy or for prenatal care.
- d. **Chronic Condition Requiring Treatment.** A chronic condition which:
 - i. Requires periodic visits (at least twice (2x) a year) for treatment by, or under the direct supervision of, a healthcare provider; and
 - ii. Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - iii. May cause episodic rather than a continuing period of incapacity (examples: asthma, diabetes, migraines, epilepsy, etc.).
- e. **Permanent/Long-term Conditions Requiring Supervision.** A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The individual must be under the continuing supervision of, but need not be receiving active treatment by, a healthcare provider (examples: Alzheimer's, a severe stroke, or the terminal stages of a disease).
- f. **Multiple Treatments.** Any period of absence to receive multiple treatment (including any necessary recovery period) by a Health Care Provider or by a provider of health care services under orders of, or on referral by, a Health Care Provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), and kidney disease (dialysis).

2. **Covered Active Duty.** In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in Section 101(a)(13)(B) of Title 10, United States Code.
3. **Covered Servicemember.**
- a. A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a Serious Injury or Illness; or,
 - b. A veteran who is undergoing medical treatment, recuperation, or therapy, for a Serious Injury or Illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the five (5) year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran and was discharged or released under conditions other than dishonorable. For an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves) and who was discharged or released under conditions other than dishonorable prior to February 6, 2013, the period between October 28, 2009 and February 6, 2013 shall not count toward the determination of the five-year period for covered veteran status.
4. **Exigency of Deployment.** An Exigency of Deployment is a call to Covered Active Duty in which one of the following exists:
- a. **Short Notice Deployment.** Leave for up to seven (7) days may be taken if the military member receives seven (7) or fewer days' notice of the deployment.
 - b. **Military Events and Related Activities.** Leave may be granted to attend an official military ceremony or program or to attend family support or assistance programs and informational meetings sponsored or promoted by the military, military service organizations, or the American Red Cross, provided that all of the foregoing relate to the call to active duty.
 - c. **Childcare and School Activities.** Leave to arrange, in connection with the child (including step-children and adopted or foster children who are under the age of eighteen (18) or are age eighteen (18) or older and are incapable of self-care) of the military member, for alternative or changed childcare or schooling, to provide urgent or

immediate care (as opposed to routine or regular care), or to attend meetings with school or childcare staff when the need to make such arrangements or provide such care arises from the call to active duty.

- d. **Financial and Legal Arrangements.** Leave to make or update financial arrangements in connection with the military member's absence or, during active duty status and for a period of 90 days following the termination of the military members' active duty status, to act as the military members' representative in connection with obtaining, arranging, or appealing military service benefits.
- e. **Counseling.** To attend counseling by someone other than a healthcare provider for the employee, the covered military member, or the child of the military member in connection with the call to active duty.
- f. **Rest and Recuperation.** Leave for up to fifteen (15) calendar days in connection with each instance in which the military member is on short-term leave for rest and recuperation.
- g. **Post-Deployment Activities.** Leave to attend arrival ceremonies, reintegration meetings and events, and any other official ceremony or program sponsored by the military within ninety (90) days of termination of the military member's active duty status or to address issues arising from the military member's death.
- h. **Parental Care.** Leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility. The military member must be the spouse, son, daughter, or parent of the employee requesting qualifying exigency leave.
- i. **Additional Activities.** Leave to address other events which arise out of the call to active duty, provided that the City and the employee agree that such leave qualifies as an exigency and agree on the timing and length of the leave.
- j. **Serious Injury or Illness.**
 - i. In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
 - ii. In the case of a veteran who was a member of the Armed Force (including a member of the National Guard or Reserves) at any time during a period described in paragraph (ii) under "Covered Servicemember" above, means a qualifying (as

defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

- k. **Next of kin.** The nearest blood relative of that individual. Documentation may be required to establish the qualifying relationship.

F. Required Use of Paid Leave

FMLA leave is unpaid. The City, however, requires employees to use any accrued leave (including Leave Bank, compensatory time, TO, etc.) concurrent with FMLA leave. The City may elect the order in which employees use accrued leave. Employees receiving pay for the use of paid leave will be required to comply with paid leave policies. The substitution of paid leave for unpaid FMLA leave does not extend the 12 (twelve) or 26 (twenty-six) weeks (whichever is applicable) of the FMLA leave period. In no case can the substitution of paid leave for unpaid leave result in an employee's receipt of more than 100% of their salary.

Employees who are receiving workers' compensation and/or disability leave benefits and who are also eligible for FMLA leave, will not be required to substitute accrued paid leave for FMLA leave. Those employees may, however, opt to substitute any accrued paid leave to supplement the workers' compensation and/or disability benefits, but in no event may an employee use paid leave to exceed the employee's regular salary.

Use of FMLA leave does not result in the loss of any employment benefit that an employee earned or was entitled to before using FMLA leave. However, an employee does not continue to accrue paid leave while on unpaid FMLA leave. When an employee is out on FMLA leave, that employee will accrue paid leave during the period of time they are using paid leave such as Leave Bank or PTO. If an employee on FMLA exhausts all paid leave in accordance with the Duration of Leave Policy above, and remains unable to return to work, then the remainder of the family or medical leave will be unpaid. During the period of unpaid FMLA leave, the employee will not continue to accrue paid leave.

G. Intermittent and Reduced Schedule Leave

FMLA leave for the Serious Health Condition of the employee or a family member, for an Exigency of Deployment, or military caregiver leave, may be taken in increments or result in a reduced schedule of work, provided (except in the case of an Exigency of Deployment) the need for intermittent and/or reduced schedule leave is certified by the Health Care Provider on the approved medical certification form. If an employee needs

leave intermittently or on a reduced leave schedule for planned medical treatment, then the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the employer's operations.

In addition, if an employee takes intermittent or reduced schedule leave, the City has the right to assign the employee to an alternative position with equivalent pay and benefits if the alternative position better accommodates the need for such leave. Regardless of the manner in which any paid leave is taken by an employee pursuant to the City's policies, leave may not be deducted from an employee's "bank" of FMLA leave in increments of time that are greater than thirty (30) minutes.

In some cases, intermittent FMLA may be permitted related to the birth of a child or the placement of a child with an employee for adoption or foster care. If intermittent leave is permitted in these circumstances, it must be used within one (1) year of the birth or placement of the child.

Regardless of the manner in which any paid leave is taken by an employee pursuant to City policies, leave may not be deducted from an employee's "bank" of family or medical leave in increments of time that are less than one-quarter hour, or the smallest increment of time the City allows for the use of other forms of leave, and employees who are approved for intermittent FMLA must continue to comply with the City's regular absence reporting policies to the fullest extent possible.

H. When Notice is Required by Employee

An employee may notify or submit a request for FMLA leave to their supervisor, department head, departmental liaison, and/or the Human Resources Department.

When a supervisor, department head, or departmental liaison receives an oral or written request for FMLA leave, it must be immediately brought to the attention of the Human Resources Department.

When the need for FMLA leave is foreseeable at least thirty (30) days in advance, and the employee fails to give at least thirty (30) days advance notice of the need for leave with no reasonable excuse, the employee's FMLA leave may be delayed until thirty (30) days after the date notice was given. If the employee becomes aware of the need for FMLA leave less than thirty (30) days in advance, notice must be provided as soon as practicable under the particular facts and circumstances. The failure to provide timely notice may result in the delay of FMLA-protected leave. If FMLA leave is needed for a qualifying reason previously approved, the employee should specifically refer to that reason or specifically request FMLA leave.

When scheduling medical treatment, the employee should consult with the immediate supervisor and department head regarding their schedule so as to minimize undue disruption caused by the employee's absence(s). For employees who have obtained

FMLA leave approval, the City does not require or encourage the employee to disclose personal medical information to supervisors, department head(s), or fellow employees during the scheduling process. Rather, the decision and discretion to tell fellow coworkers about the reason for the leave is solely with the employee.

If a leave request in connection with an Exigency of Deployment is not accompanied by a copy of the military orders or other acceptable military documentation, such documentation will be requested in connection with the first request for leave for each deployment.

I. Medical Certification

If an employee is taking FMLA leave, the leave request should be accompanied by a medical certification of the need for leave on a form approved by the City. If the leave request does not include a medical certification, the City will request, in writing, that the employee provide medical certification. Failure to submit the certification may result in denial of FMLA leave or delay of the leave until the certification is submitted. Additional medical opinions may be obtained by the City at its option and will be binding in accordance with the FMLA Statutes.

The City requires that the employee provide subsequent medical certifications on the approved form. The re-certifications will be required no more often than every thirty (30) days. However, recertification may be required more or less frequently in accordance with the FMLA Statutes.

If an employee needs leave for planned medical treatments or care, then the employee must make a reasonable effort to schedule the treatment or care so as not to disrupt the City's operations.

J. Maintenance of Health Benefits

The City will maintain coverage for eligible employees and dependents (if applicable) during FMLA leave. This coverage will be provided if you or your family were covered under the plan before the leave was taken and on the same terms as if you had continued to work. Where appropriate, you must make arrangements to pay your share of health plan premiums while on leave.

Any employee on unpaid FMLA leave will be required to continue payment of health care benefit premiums during the time the employee is on FMLA leave at the beginning of each month in an amount equal to the monthly premiums that would have been deducted from the employee's pay were the employee not on FMLA leave. The City may cancel all health care benefits if the employee's premium payment is more than thirty (30) days late if it has provided fifteen (15) days' written notice to the employee prior to cancellation. The City will continue health benefits during these thirty (30) days.

If an employee fails to return to work after the employee's FMLA leave entitlement has been exhausted or expires, the City will be entitled under certain circumstances to recover the health care benefit premiums paid by the City during the period of unpaid FMLA leave. An employee must return to work for a minimum of thirty (30) days in order to qualify as "returning to work." For more information, refer to Chapter 4: Employee Leave, Section XI – Continuation of Benefits While on Leave.

K. Return to Work Certification

An employee with a Serious Health Condition who has been out on FMLA leave must provide certification that the employee is fit to return to work. The employee will be provided with a list of the essential functions of their job with the City's response to a request for FMLA leave. For certain positions, an employee on intermittent leave may be required to submit a fitness for duty certification every thirty (30) days due to safety concerns. The City may delay restoration until the certification is provided. For more information, refer to Chapter 4: Employee Leave, Section XII – Return to Work from Leave.

L. Reinstatement

On return from FMLA leave, the employee is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits pay, and other terms and conditions of employment, provided the employee is able to perform the essential functions of the position. An employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave period.

At the time FMLA leave is requested, the City may designate an employee as a "key employee" if that employee is among the highest paid ten percent (10%) of City employees at the time the FMLA leave is requested.

1. If the City believes that reinstatement may be denied to a key employee, the key employee will be given a written notice at the time FMLA leave is requested, or as soon as practicable thereafter, that the employee qualify as a key employee. In addition to informing the employee that they qualify as a key employee, the employee will also be informed of the potential consequences with respect to reinstatement and maintenance of health benefits.
2. When the City decides that substantial and grievous economic injury to its operations will result if a key employee who has requested or is using FMLA leave is reinstated, the City will notify the employee as soon as practicable in writing of its determination, stating that it intends to deny restoration to employment on completion of the FMLA leave (Notice of Intent). This Notice of Intent will explain the basis for the City's determination and will provide the employee a reasonable time in which to return to work, considering the

circumstances, such as the length of the leave and the urgency of the need for the employee to return.

3. If an employee does not return to work in response to the Notice of Intent, the employee will continue to be entitled to maintenance of health benefits during the remainder of the FMLA, provided that the employee is paying their premiums as set forth in this policy, and the City will not recover its cost of health premiums.
4. After the Notice of Intent is given to the employee, the employee will remain entitled to request reinstatement at the end of the leave period. The City will then again determine whether there will be substantial and grievous economic injury from reinstatement, based on the facts at that time.
5. Any written notices given to a key employee must be either sent by certified mail or given in-person.

M. Dual Call-In Procedure

The City requires any employee taking FMLA to comply with the City's requirements for requesting leave, absent unusual circumstances. In this regard, when an employee becomes aware of a need for FMLA leave less than thirty (30) days in advance, the City requires an employee to provide notice as follows:

1. **Less than Thirty (30) Days.** When an employee becomes aware of a need for FMLA leave less than thirty (30) days in advance, it should be practicable for the employee to provide notice of the need for leave the same day or the next business day after learning of the need for leave.
2. **Less than Twenty-Four (24) Hours.** When an employee becomes aware of a need for FMLA leave less than twenty-four (24) hours before their scheduled shift, the City requires the employee to provide notice of the leave in accordance with the City's Reporting for Duty Policy. An employee's failure to timely report their leave where there are no unusual circumstances justifying the delay (e.g., medical emergency, incapacity, etc.), may result in the denial or delay of otherwise FMLA-protected leave, as well as disciplinary action in accordance with the City's Disciplinary Action Policy.

N. Failure to Return from Leave or to Comply with City Policy

An employee may be subject to disciplinary action for:

1. Failure to return to work as scheduled following the end of a medical or family leave without express prior approval from the City;

2. Providing false or misleading information, or omitting certain information in connection with a leave; or,
3. Violation of any of the City's rules and regulations relating to leave (or any other City policy or performance standard).

If you have any questions regarding the City's FMLA Policy or questions about matters that are not addressed in this policy, please contact the Human Resources Department.

X. Leave of Absence Without Pay

An employee who needs time off from work for medical or other personal reasons, but who is not entitled to leave under the Family and Medical Leave Act (FMLA) or other law and has exhausted all forms of accrued, paid leave, may apply for an unpaid leave of absence with the Human Resources Department. Any request for a leave of absence without pay is to be submitted in writing by the employee to the Human Resources Department stating the reason for requesting leave and the approximate length of time off the employee desires. Requests should be submitted as far in advance of the first day of leave as possible.

An employee who is on an approved leave of absence without pay shall not accrue any form of paid leave. Employees may continue, at their expense, their group health and dental insurance coverage while on leave of absence without pay in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA). Employees must contact the City's Finance Department to arrange for payment of insurance premiums. An employee who is granted an unpaid leave of absence without pay has no right to reinstatement. Any unapproved leave of absence without pay result in disciplinary action, up to and including termination of employment.

XI. Benefits Continuation While on Leave

All regular, full-time City employees are eligible for benefits continuation during an authorized leave of absence, provided (1) they comply with any legal requirements for their specific type of leave; (2) the City is notified of the employee's departure date, return to work date, and contact details during absence; and (3) the employee maintains payment of insurance premiums during leave. It is the employee's responsibility to notify the Human Resources Department and complete any required paperwork at least thirty (30) calendar days in advance of their leave or as otherwise stated herein. Failure to notify the Human Resources Department in accordance with this policy, and/or failure to timely pay premiums, may result in cancellation of benefits coverage during leave of absence.

XII. Return to Work from Leave

The City strives to assist employees in returning to work from leave at the earliest possible date following an accident, injury or illness. To return to work or to obtain "light duty work," employees must obtain, and have their physician complete, a Release to Return to Work form. This form may be provided by the employee's departmental liaison or the Human Resources Department. To obtain authorization to return to work or to return to work in a "light duty work" status, the employee's physician must review the employee's job description and release the employee to return to work. The employee cannot return to work without the release of their physician and approval from the Human Resources Department. For certain positions or circumstances, an employee on leave may be required to submit a fitness for duty certification every thirty (30) days due to safety concerns. The City may delay restoration until the certification is provided.

When possible, "light duty work," will be made available to injured workers to minimize or eliminate time lost from work. The City cannot guarantee "light duty work" and is under no obligation to offer, create or encumber any specific position or work for purposes of offering placement. In the event an employee refuses work made available by the City, the City is not obligated to provide alternative work. In such cases, the City will notify any applicable insurance carriers of the employee's refusal to return to work.

Chapter 5: Employment

I. Statement of Policy

In order to effect full utilization of its available human resources, the City has established a policy to select the most suitable person for the task to be performed, with appropriate attention to such factors as educational and training background, previous experience, demonstrated skills, and character traits. All positions in the City are established and maintained through a personnel budget each year in accordance with established budgeting and accounting procedures. The establishment of new or additional positions requires approval by mayor and council.

II. Position Requests and Vacancies

Each time a request for a newly created position, or a request to backfill a position vacancy, occurs, the position shall be reviewed by the department head to determine whether the position has merit or need for change. If so, the department head shall submit any applicable position requests, or recommendations for changes to existing job descriptions, to the Human Resources Department. Prior to submission to the city manager, the human resources director shall review the submitted information and recommended any changes to the position title, job description, and/or classification assignment. The city manager will then approve, modify and approve, or deny any recommendations made by the human resources director. As applicable, the city manager will place finalized requests for new positions on the agenda for mayor and council approval. Once position requests or changes are approved by the city manager and/or mayor and city council, the Human Resources Department will post the position opening and coordinate with designated departmental liaisons to screen applicants, schedule interviews, coordinate pre-employment screenings, and determine new hire start dates.

III. Immigration Law Compliance

The City is committed to employing individuals who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship, national origin, or immigration status. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present required documentation to establish identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the City within the past three years, or if their previous I-9 is no longer retained or valid.

IV. Examinations

As determined by the city manager and/or the department head, the selection process may include, but not necessarily be limited to, one or more of the following: oral interviews; evaluation of experience and training; written basic skills test; credit, driver and/or criminal history checks; reference check; and background checks. Police Department applicants will also be tested on physical agility and may be subject to polygraph testing as well.

V. Physical Examinations

Some job positions require that applicants complete a medical and/or fitness for duty examination. After a conditional offer of employment has been made to an applicant entering a designated job category, a medical examination will be performed at the City's expense by a health professional designated by the City. Public Safety applicants may also be subject to psychological testing depending on the position. The offer of employment and assignment to duties is contingent upon satisfactory completion of these exams. Current employees may be required to take medical examinations to determine fitness for duty. Such examinations will be conducted only when determined to be job-related, and consistent with business necessity, and will be scheduled at reasonable times and intervals and performed at the City's expense.

VI. Final Selection of New Employees

The final selection of the person to fill each vacancy shall be made by the city manager or their designee. Notwithstanding any other provision of this Personnel and Policy Manual, the city manager or human resources director is authorized to approve the advancement of PTO, up to and including two-hundred and forty (240) hours, and/or the granting of service credit for PTO purposes to the extent deemed necessary or appropriate to the recruitment of a qualified employee to fill a key vacancy.

VII. Probationary Period

A. Purpose and Duration

Upon placement into a new position in the City, employees shall serve a probationary period of six (6) months. During the employee's probationary period, the employee's work habits, abilities, attitude, promptness and other pertinent characteristics will be observed and evaluated by the employee's supervisor and department head.

B. Failure to Successfully Complete Probation

1. Newly-Hired Probationary Employees. If a newly-hired employee fails to successfully complete their initial probationary period, their employment normally will be terminated; however, upon recommendation of the department head and/or the human resources director, and with the city manager's approval, the employee's probationary period may be extended by a period not to exceed the duration of the initial probationary period of six (6) months. While newly-hired probationary employees will accumulate PTO for administrative purposes in the same manner as non-probationary employees, any PTO accumulated by a probationary employee whose employment is terminated due to their failure to successfully complete the probationary probation (including any extended period of probation) shall not be deemed earned or accrued and shall not be paid upon termination unless such payment is expressly approved by the city manager; provided, however, that upon successful completion of probation, any accumulated but unused PTO shall be deemed earned and accrued. The department head's approval is required prior to dismissal of an employee who is terminated during their probationary period. Nothing in this policy shall prohibit the City from terminating a probationary employee prior to the expiration of the initial or extended probationary period when determined to be in the City's best interest.

2. Newly-Promoted Probationary Employees. In the event that a newly-promoted probationary employee fails to meet required standards of performance for their new position, their probationary period may be extended by a period not to exceed the duration of the initial probationary period upon recommendation of the department head and/or the director of human resources, and with the city manager's approval. An employee who fails to successfully complete their probationary period (including any extension thereof) may be restored to the position from which they were promoted or to a comparable position, if available, or terminated if, in the city manager's sole discretion, no other alternative is considered practical.

C. Transition from Probationary Status

An employee's probationary period does not end until the department head has approved the successful completion of the employee's probationary status. Transition out of probationary status does not alter the employee's status as an at-will employee.

VIII. Nepotism

Two (2) or more members of a family shall not be employed within the same department. If two (2) members of a department should become family, as defined herein, one (1) member will be required to resign from City service or request a transfer to a vacant position in another department for which the employee is qualified. Approval of the transfer request is not guaranteed and will be determined by the city manager. If the family members cannot agree on who will resign or request a transfer, the family member with the least amount of City service will be terminated.

The term “family” for purposes of this policy shall include spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild or member of a family by the remarriage of a parent. This policy shall apply to all persons employed by the City regardless of date of hire, except for family members who have written acknowledgement grandfathering their relationship from the city manager.

IX. Dual Employment

No full-time employee in City service shall accept outside employment, whether part-time, temporary or permanent, without prior written approval from the respective department head. In each instance in which dual employment is approved, employment with the City shall be regarded as the primary employment.

A. Requests for Approval / Annual Renewal Required

The request and approval for outside employment must be in writing. Each change in outside employment shall require a separate written request and approval. Copies of all such written requests and approvals must be promptly forwarded to the Human Resources Department for inclusion in the employee’s personnel file.

Requests for approval may be made using the Request for Dual Employment form, an equivalent form (as may be required by the department) or method of documentation, whether in physical or electronic format, so long as it records all required information and is approved by the department head and forwarded to the Human Resources Department.

B. Standards for Approval

Each department shall establish its own standards for permissible dual employment and the information that must be provided by any employee requesting approval of dual employment. Approval may not be granted and may be rescinded if the department head determines that it conflicts or interferes with, is likely to conflict or interfere with, or gives the appearance of a conflict with, the employee’s service to the City, it will or is likely to negatively reflect upon the reputation or credibility of the City or the employee’s department, or it is high-hazard or fatiguing work which will or is likely to affect the employee’s job performance or attendance for the City.

C. Suspension of Approval

Outside employment approval is suspended for employees who are serving disciplinary suspensions or who are on any type of approved leave of absence due to their own health condition (including but not limited to PTO or FMLA leave) for the period they are on such leave. The department head may grant an exception where the outside

employment is not inconsistent with the reason for the leave and suspension of approval would result in undue hardship to the employee.

D. Off-Duty Only

Employees shall not engage in any activity relating to outside employment while on duty. For purposes of this prohibition, outside employment includes any recurring outside activity that generates revenue (e.g., consulting, lawn maintenance, accounting/bookkeeping/tax preparation services, or computer repair services for a fee or in exchange for goods, services or other consideration, or online sales-related activities through standalone websites or platforms such as eBay or Amazon).

Chapter 6: Employee Benefits

I. Benefits

Regular, full-time employees may be eligible for a number of benefits offered by the City.

The City retains the right to amend, modify, change, replace, suspend or cancel any of these benefits at any time, with or without cause, and with or without notice.

II. Insurance

Regular, full-time employees including probationary period employees, are eligible for participation in group Life, Medical, Dental, Vision, Accidental Death & Dismemberment, Short-Term Disability, Long-Term Disability, and other insurance programs as authorized by the mayor and council. Part-time employees who meet a threshold level of hours worked may be afforded certain benefits to the extent required under applicable law. Employees may be enrolled in the programs upon their request, in accordance with the provisions of the insurance contracts, or as specified by law. The City may cover the cost of some or all of the programs as determined from time to time by the mayor and council. Employees are responsible for any costs not covered by the City. The Human Resources Department maintains a listing and explanation of all available insurance benefits.

III. Group Health Benefits

The City may provide health, dental and vision programs for eligible employees. The City may also choose to offer increased levels of health and dental insurance at an additional cost to interested eligible employees. Dependent care coverage may be available to all eligible employees wishing to choose such a benefit at additional cost.

Insurance coverage for eligible employees and their dependents is set forth in the terms of the current health insurance plan. All employees should familiarize themselves with the plan definitions. Employees may be asked to prove that an individual listed as a dependent actually meets the definition. This may mean providing marriage or birth certificates or other proof. The City provides covered employees with Summary Plan Descriptions and other materials relating to its plans. In the event of a conflict, the insurance contract or plan documents will prevail over other documents, including this handbook. Assistance or additional information regarding these programs may be obtained from the Human Resources Department.

IV. Short-Term / Long-Term Disability Benefits (STD / LTD)

The City provides group short-term and long-term disability benefits for eligible full-time employees. Check with the Human Resources Department for more information regarding qualifying disabilities and reimbursement policies. Currently, the City pays for the full cost of the short-term disability benefit. The City provides covered employees with Summary Plan Description booklets and other materials relating to its disability plans. In the event of a conflict, the insurance contract or plan documents will prevail over other documents. Assistance or additional information regarding these programs can be obtained from the Human Resources Department.

V. Education Assistance

All regular, full-time employees who have completed their probationary period are eligible to receive reimbursement for the actual cost of tuition and books incurred in the completion of approved course work, classes, vocational training, etc., meeting the following criteria:

- Courses, classes, training, etc., must be job-related or a required course in an accredited degree, licensing, certification program for which the employee is officially enrolled. Documentation of enrollment and completion is required. All courses must be approved by the appropriate department director and the city manager (or their designee) in advance of enrollment.
- Courses must be taken during the employee's off-duty hours unless specifically authorized during duty hours by the department director and city manager or their designee.
- Only the actual cost of tuition and required textbooks are eligible for reimbursement. An employee must submit a tuition reimbursement form to be reimbursed for these expenses.
- Eligible tuition and book costs will be reimbursed in accordance with the following schedule:
 - Course grade of A or B = 100 percent reimbursement
 - Course grade of C = 80 percent of reimbursement
 - "Pass" grade = 100 percent of reimbursement
 - Course grade below C, "Fail" grade, or course withdrawal = 0 percent reimbursement

Employees leaving City employment must reimburse the City for the cost of any educational assistance paid to the employee during the previous twelve (12) month period. Maximum annual reimbursement from the City to each employee is \$2,500. Employees who withdraw from a course due to the City's needs or requests will receive full reimbursement. College degree programs addressed in this policy cover accredited degrees up to, and including, a master's degree so long as the degree is job-related

VI. Benefits Continuation/COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. The Human Resources Department or its designee provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employee's rights and obligations.

VII. Retirement

All regular, full-time City employees are eligible to begin enrollment in the City's retirement plan during new hire orientation as a means of preparing financially for eventual retirement. All provisions of the City's retirement plan are contained in a contract between the City and the provider. Regardless of information communicated to employees in any other form, the terms of the City's retirement plan will be controlling.

Chapter 7: Performance Evaluations

The City has adopted an employee performance evaluation and analysis system to aid supervisors and employees in understanding their job-related performance standards and goals in order to accomplish their work more effectively and efficiently. The performance evaluation process is used to establish specific goals which the employee should attain; to evaluate the employee's efforts in accomplishing their job; and to determine eligibility for Merit Increases or Incentive Pay in compensation by the employee's supervisor and department head.

Please understand, however, that a positive performance review does not guarantee an increase in compensation, a promotion, or continued employment since 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.

I. Employees Subject to Evaluation

Performance evaluations are conducted for all regular full-time employees of the City. Unless otherwise approved by the city manager or their designee, employees conduct self-evaluations and supervisors conduct employee evaluations annually for comparison and discussion. Performance evaluations shall be completed, reviewed with the employee and signed by the employee, supervisor, and department head within the Paycom system. The employee's signature does not necessarily indicate agreement with the rating. If the employee refuses to sign, it will be so noted by the supervisor. The purpose of employees completing a self-evaluation is to provide the opportunity for a separate documented response to the employee's performance evaluation. Once completed, the performance evaluations will be included in the employee's electronic personnel record and maintained by the Human Resources Department. Employees in their probationary period may be evaluated at three (3) months and six (6) months from the start of their probationary period, or at any other time (generally via verbal coaching and feedback). Performance evaluations may be conducted at any other time that the City deems appropriate.

II. Review by Department Head

The department head shall review all evaluations prior to the supervisor's discussion with the employee. Should the department head be the supervisor conducting the evaluation, the human resources director and/or the city manager or their designee will be the reviewer prior to the evaluation being discussed with the employee.

III. Incentive Pay

Employees may receive pay over and above their base earnings in reward for performance or as a result of a one-time (1x) pay adjustment. Incentive Pay is based on budgeted funds approved by the mayor and city council for employees who have an overall performance ranking of Substantially Exceeded Expectations as indicated in their annual performance

evaluation or as indicated in a mid-year performance justification submitted by their department head to the city manager for approval. Such recommendations must be supported by documentation describing the special achievement or overall performance and the basis for the recommendation. Consideration will be given to how the special achievement or overall performance exemplifies excellence in City government. The amount of the Incentive Pay, if any, will be determined by the city manager in accordance with the budgeting process, the pay plan approved annually by the city council, and other relevant financial and economic considerations. Given the various factors that must be taken into consideration, it may not be possible for Incentive Pay to be awarded each year.

All Incentive Pay will be distributed in a block amount on the first scheduled pay date after approval or as a base rate increase on the first scheduled pay period of the following calendar year. Incentive Pay amounts shall be at the discretion of the city manager and all Incentive Pay must be approved by the city manager.

Chapter 8: Workplace Safety

I. Safe Workplace

The City is committed to maintaining a safe work environment and requires that every employee assumes the responsibility of individual and organizational safety. Employees are expected to comply with the City's commitment to safety by working in a safe manner, encouraging others to work in a safe manner, and abiding by all federal, state, local, departmental, health, and industry regulations, laws, and/or policies. It is also the responsibility of employees to complete a Safety and Risk Management Incident Report for each safety or health infraction that occurs by employees or that employees witness. Employees have an obligation to identify and familiarize themselves with their department's safety, risk management, and emergency plans, policies, and protocol for their work area(s) and position(s) as well as to report immediately any unsafe conditions that might result in an accident or safety hazard. All such reports should be made using the City's Problem-Solving and Grievance Procedure, with initial notification made to the employee's immediate supervisor.

The City provides information to employees about workplace safety and health through regular internal communication channels such as supervisor-employee meetings, departmental policies, bulletin board postings, memos, e-mails, and other communications. Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees who violate safety or health standards and policies, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury or damage to City property or equipment, or other property or equipment, regardless of how insignificant the accident may appear, employees should immediately notify their supervisor. Such reports are necessary to comply with laws and initiate insurance claims, Workers' Compensation benefits, or Safety and Risk Management procedures.

II. Use of Tobacco, Electronic Cigarettes, and Vaping Products

The City recognizes the hazards caused by exposure to environmental tobacco smoke, as well as the life-threatening diseases linked to the use of all forms of tobacco. We are committed to providing a safe and healthy environment for our staff, residents and visitors. In keeping with the City's intent to provide a safe and healthy work environment, the use of tobacco products, electronic cigarettes, or any vaping product is prohibited in or within fifty (50) feet of any City building and City-operated park or recreation area, and in City vehicles as set forth in City Code: Section 58-133.

This policy specifically prohibits the use of products to include cigarettes, cigars, pipes; all forms of smokeless tobacco; clove cigarettes; any smoking device that uses

tobacco such as hookahs or simulates the use of tobacco such as electronic cigarettes. The policy applies to both employees and visitors of the City. The decision to provide or not provide designated smoking and tobacco use areas outside of City buildings will be at the discretion of the city manager or their designee in accordance with applicable City, State, and Federal law. Smoking and tobacco use is restricted to the employee's privately-owned vehicle, as long as it is parked more than fifty (50) feet from any City building and City-operated park or recreation area, or any other area that is more than fifty (50) feet from any City building and City-operated park or recreation area where smoking is otherwise authorized by law. The cleanliness and safety of designated tobacco use areas must be maintained by its users at all times. Failure to maintain designated tobacco use areas may result in the City's elimination of that designated area for the purposes of future tobacco use.

No employee shall use tobacco products, electronic cigarettes, or vaping products in a City vehicle or while operating any City equipment such as tractors, lawnmowers, weed eaters, jack hammers, etc., and such products shall only be used at work during authorized rest or meal breaks.

III. Use of Intoxicants

The City considers the possession or use of illegal drugs or alcohol while on the job or while performing job duties to be an unsafe and intolerable work practice. Therefore, employees shall not:

- A.** Possess, consume, or be under the influence of any intoxicating drug such as alcohol, illicit drugs, or prescription drugs that could impair the employee's performance or judgment during work hours or while On-Call;
- B.** Use or consume intoxicants while on duty, including meals or other breaks;
- C.** Report to work under the influence of controlled substances or have a blood alcohol level greater than .00 in violation of the City's Substance Abuse Policy

Refer to the City's Substance Abuse Policy for Testing Procedures. Violations may lead to disciplinary action, up to and including termination of employment.

IV. Workplace Violence

The City will not tolerate any threats, threatening behavior, acts of violence, or any related conduct that 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.

Conduct prohibited by this policy includes conduct against persons or property that is sufficiently severe, offensive, or intimidating that it disturbs, interferes with, or prevents normal work functions or activities. Specific examples of prohibited conduct include, but are not limited to, the following:

- A.** Hitting or shoving an individual.
- B.** Threatening to harm an individual or their family, friends, associates, or their property.
- C.** The intentional destruction or threat to destroy property owned, operated, or controlled by the City.
- D.** Harassing or threatening individuals through any form of written or electronic communications.
- E.** Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City.
- F.** Harassing surveillance of another City employee.
- G.** Making a threat that places another person in reasonable fear of their safety; or
- H.** Unlawful possession of firearms, weapons, or any other dangerous devices on City property.

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 Reporting Procedure, which is contained in this Personnel Manual.

V. Weapons and the Workplace

It is the policy of the City to foster and maintain a work and business environment that minimizes workplace violence, security risks, and manages other such elements within the confines of prevailing law.

A. Statement of Policy

This policy applies to all City employees other than sworn or unsworn employees of the Police Department or employees who otherwise work under the supervision of the Chief of Police. The Chief of Police shall implement a standard operating procedure

regulating and determining the possession, carrying, and transportation of firearms and other weapons by employees working under the Chief's supervision, in accordance and consistent with state and federal law. Except as specifically provided herein, this policy shall apply to all employees regardless of any license or permit that such employee may have, including a valid Georgia Weapons Carry License. This policy does not apply to firearms issued to employees by the City for use during employment.

B. Prohibited Conduct

No employee shall carry, possess, or transport a firearm, while on duty or otherwise acting in the course of their employment, including inside any City government building and on the grounds of any City property. No employee, whether on or off-duty and whether or not acting in the course of their employment, shall carry, possess, or transport a firearm inside a City government vehicle. No employee who is off-duty or otherwise not acting in the course of their employment shall wear any uniform, shirt, jacket, hat, or other visible article of clothing or other item that identifies him or her as an employee of the City while carrying, possessing, or transporting a firearm. The purpose of this prohibition is to prevent misunderstandings or confusion among members of the general public as to the identity, position, authority, duties, or responsibilities of an off-duty employee of the City and to make clear that such an employee is not carrying, possessing, or transporting the firearm in the course of their employment.

C. Exceptions to Prohibited Conduct

Employees with a valid Georgia Weapons Carry License may keep a firearm in a non-City motor vehicle that is parked on City property that provides parking as long as the weapon is contained in a locked compartment, locked container, or in a locked firearms rack. Employees may possess a firearm for personal protection while traveling out of town on City business provided that, if the weapon is one for which State law requires a license, said employee holds such license. In their sole discretion, the city manager shall be authorized to grant a temporary or limited exemption to an employee, in writing, upon a showing of good cause or other appropriate circumstances, provided that such exemption does not place the employee in violation of federal or state law.

D. Reporting Violations, Investigations, Disciplinary Action

Any employee with reason to believe that a co-worker is in violation of this policy shall be expected and required to report same to a supervisor. Reports of violations of this policy may be investigated, which investigation may require employees to allow the investigator access to their desks, lockers, purses, briefcases, bags, backpacks, etc. in the event there exists reasonable suspicion that such search may produce evidence of such a violation. Any employee found to be in violation of this policy shall be subject to disciplinary action, up to and including termination of employment.

E. Construction

This policy shall be construed and applied in a manner fully consistent with the United States Constitution, the Constitution of the State of Georgia, and Georgia law.

VI. Use of City Equipment and Vehicles

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property that belongs to the City, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines. All City personnel operating a City owned motorized vehicle or operating a personal vehicle for City business are required to wear seatbelts at all times the vehicle is in motion. Operators of City owned equipment are to wear issued safety equipment (e.g., safety goggles, hard-hats, gloves, earplugs, reflective vests, etc.) at all times during the equipment's operation.

Employees must report immediately to their supervisor or department head if for any reason they are unable to safely operate any City equipment or City vehicle.

Employees are to notify their immediate supervisor or department head if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor or department head can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

Employees may not use cell phones or other wireless handheld devices while driving a vehicle for City business except in the furtherance of City business and only to the extent allowed by applicable law. The City encourages employees to use a hands-free device. In addition to any applicable laws and regulations, it is City policy that if you are operating any motor vehicle on any public road or highway while on City business, you may never use or attempt to use a wireless telecommunications device to write, send, search or read any text based communication, including but not limited to a text message, instant message, electronic mail or Internet data.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment. Additionally, an employee may be required to pay for the cost of repairs to equipment and/or vehicles, which have been damaged due to the unacceptable operation of said items.

Equipment, vehicles, property and tools owned by the City are for use on City-authorized projects only and are not to be used for personal use, either by employees of the City or members of the general public.

Damage to City equipment, infrastructure, property, tools or vehicles by members of the public shall be brought to the immediate attention of the employee's department head for insurance, reimbursement and replacement purposes. Employees should notify their department head of any damaged equipment, infrastructure, property, tools, or vehicles in order that the items may be taken out of service, assessed for repairs, and repaired or replaced.

VII. GPS Monitoring Policy

A. Statement of Policy

1. The City, in its discretion, may install, activate, and utilize Global Positioning System (GPS) based automatic vehicle location systems on City vehicles. Such systems provide valuable fleet management information that can be used to improve operational efficiency and productivity, as well as for other legitimate governmental and business purposes including, but not limited to, coordinating multi-vehicle assignments, investigating complaints, locating vehicles under emergency circumstances, and assisting in the recovery of lost or stolen vehicles.

2. GPS systems can be used for personnel management purposes as well, such as monitoring the current or past locations, stops, or routes of City vehicles to determine compliance with City policies or departmental rules or to confirm performance of assignments. To the full extent of applicable law, the City reserves the right to use GPS systems for such purposes outlined herein.

VIII. Workers' Compensation

The City complies with all provisions of the Georgia Workers' Compensation Act. All City employees are covered by workers' compensation insurance, which may compensate an employee for wage losses, medical expenses and loss of life or dismemberment from an injury or illness arising out of or in the course of work.

An employee who is eligible to receive workers' compensation benefits due to a job-related injury or illness is entitled to sixty-six and two-thirds percent (66 $\frac{2}{3}$ %) of their gross wages during such period of eligibility up to the current maximum weekly compensation set by law. The first 7 (seven) days following a job-related injury or illness are not reimbursable unless the employee is unable to work for more than 21 (twenty-one) days. If the employee is unable to work for more than 21 (twenty-one) days, the first 7 (seven) days are usually paid at the end of the compensable period. The employee may use accrued PTO, including Leave Bank hours, during the initial 7 (seven) days of absence to supplement their weekly workers' compensation wages to maintain full pay. If it is necessary for employees to be absent from work and they do not have any PTO or other accrued paid leave available, they must request leave without pay. Approval and payment of Worker's Compensation claims is provided by the City's third-party insurer.

If an employee sustains a job-related injury or illness, the employee must notify their immediate supervisor who must then notify and coordinate with their designated departmental liaison. Finalized paperwork must be submitted by their departmental liaison to the Human Resources Department immediately. The supervisor will complete the First Report of Injury form input from the employee and submit the form as per the instructions on the First Report of Injury, copying the departmental liaison and Human Resources Department. In cases of true medical emergencies, employees should report to the nearest emergency room.

Worker's Compensation runs concurrently with FMLA. The use of PTO or other forms of accrued paid leave up to the amount of the employee's full salary while on Worker's Compensation may be permitted upon request by the employee.

Chapter 9: Substance Abuse and Drug-Free Workplace Policy

I. Statement of Policy

The City of Chamblee is committed to providing a drug-free workplace and has adopted a Drug-Free Workplace Policy. That commitment is jeopardized when any City employee illegally uses drugs on or off the job; comes to work under the influence; possesses, distributes or sells drugs in the workplace; or abuses alcohol on the job.

It is the position of the City that alcohol and controlled substance abuse is a significant health problem in the United States today. The costs involved with this problem include human costs, such as lost jobs, morale problems, injuries, illnesses, and deaths, as well as economic costs, such as property damage, absenteeism, tardiness, lost productivity, increased health insurance costs, and the costs involved in replacing and retraining new employees. Further, in professions and operations that serve the public, alcohol and substance abuse represents a real danger to the health and safety not only of the employees themselves, but also of the constituents served by those employees. For these reasons, it is the objective of the City to provide safe and effective public service.

To meet this objective, the problem of alcohol and controlled substance abuse must be identified, confirmed and defeated. In order to achieve this, the City has developed a comprehensive alcohol and controlled Substance Abuse Policy. Therefore, in accordance with Georgia State Law O.C.G.A § 34-9-410, the City has established the following policy:

- 1.** It is a violation of City policy for any City employee to use, sell, distribute, purchase, possess, or make offers in relation to illegal substances or alcohol in or on City property, vehicles and machinery;
- 2.** It is a violation of any City employee to report to work under the influence of, or while possessing in their breath, blood, hair, or urine, illegal drugs or alcohol in any detectable amount; and,
- 3.** It is a violation of City policy for any employee to use prescription drugs illegally or in a manner, or for a purpose, other than as prescribed. This policy does not preclude the appropriate use of legally prescribed medications.

II. Definitions

Within this Substance Abuse Policy, and on any accompanying forms, the following terms shall have the meanings associated therewith:

A. Controlled Substance

“Controlled Substance” shall have the meaning and include the substances defined as “controlled substances” in the Georgia Controlled Substances Act, Georgia State Law O.C.G.A. § 16-13-20 and 16-13-21(4) as said Act shall appear from time to time.

B. Safety Sensitive Positions

“Safety Sensitive Positions” shall be those positions where inattention to duty or errors in judgment by the employee or applicant while on duty will have the potential for significant risk of physical harm to the employee, other employees or the general public. Safety Sensitive Positions include, but are not limited to, those which, as a part of the essential job functions:

1. Require the performance of law enforcement duties as a POST-certified law enforcement officer;
2. Require or involve possession of a firearm;
3. Require or involve providing emergency medical, rescue, or fire suppression services;
4. Require or involve interacting with incarcerated persons;
5. Require or involve interacting with persons who are on probation for drug charges;
6. Directly involve the enforcement of drug laws;
7. Directly involve access to, the handling of or the testing of illegal drugs that have been seized by, confiscated by or taken into custody by law enforcement;
8. Require or involve performing duties essential to drug interdiction;
9. Primarily require or involve heavy machinery or heavy equipment;
10. Require the holding of a commercial driver’s license (CDL); and
11. Require or involve performing duties which directly affect public health, safety or security.

C. Confirmed Positive Result

Whenever an initial test for drugs or alcohol is found to be positive, the laboratory will carry out additional tests pursuant to laboratory testing guidelines to confirm that the initial positive indication was correct. If the second procedure also indicates the presence of drugs or alcohol, the test result will be considered a confirmed positive result.

D. Medical Review Officer

“Medical Review Officer” shall mean a properly licensed physician who reviews and interprets the results of drug tests and evaluates those results together with medical history and any other relevant information to confirm positive results.

III. Drug and Alcohol Use Prohibited

The City prohibits alcohol and controlled substance use by employees during assigned working hours, in the City’s buildings or on City grounds, or otherwise while on official business. This shall include the use or possession of controlled substances, the abuse of prescription medications, the possession of prescription medications by anyone other than the person for whom the medication was prescribed (except as required by official duty), and the use or abuse of alcohol. This prohibition (and the procedures set forth below) is in addition to any other Drug and Alcohol Use Policy, including any policies or programs required by federal, state or local law.

IV. Types of Testing to be Implemented

The City may conduct the following types of drug and alcohol testing:

A. Pre-Employment Testing

Pre-employment testing shall take place only after a conditional offer of employment has been made but before employment actually commences. Because substance abuse is not easily detectable in an applicant without the provision of a drug and alcohol screening, and because the safety and health of employees and the health and safety of residents depend upon a workforce free from drug and alcohol abuse, all job applicants being considered for employment in positions for which pre-employment drug and/or alcohol screening is allowed by law, shall be required to pass a drug and/or alcohol screening test prior to being hired. All job applicants shall be informed in advance that such testing shall be required, and postings for all jobs shall include a notice of this testing requirement.

B. Random and Periodic Drug Testing

Employees in all positions designated as Safety Sensitive Positions, involved in drug interdiction, or having unsupervised access to prisoners or contraband shall be required to submit to a drug and alcohol screening test at random or on a periodic basis from time to time as determined by their department head and the human resources director.

C. Reasonable Suspicion Testing

An employee shall be required to submit to drug and/or alcohol testing when there is reasonable suspicion to believe that such employee is under the influence or effects of drugs and/or alcohol immediately before, during, or immediately after assigned working hours or while otherwise on duty or in control of government property.

1. "Reasonable suspicion" means a reasonable belief based on specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Situations that may give rise to a conclusion that an employee is under the influence of drugs and/or alcohol include, but are not limited to, the following:

- a.** An employee is involved in a physical or verbal altercation on the job;
- b.** An employee has an excessive number of incidents or accidents on the job;
- c.** An employee exhibits unusual behavior such as slurred speech or unsteady walking or movement on the job;
- d.** An employee has an odor of alcohol or marijuana on their person on the job;
- e.** An employee is in possession of alcohol, drugs, or drug paraphernalia on the job;
- f.** An employee is observed using illegal drugs or alcohol or has exhibited the symptoms and manifestations of being impaired due to alcohol or drug use; or,
- g.** An employee has caused or contributed to an accident while on the job.

2. In the event a supervisor determines that reasonable suspicion exists that an employee is under the influence of drugs and/or alcohol, the supervisor shall immediately report the incident to their immediate supervisor, department head and the Human Resources Department. In addition, the supervisor shall complete the form entitled Observation Checklist (Exhibit A). Copies of this form may be obtained from the Human Resources Department. If a form is unavailable due to the timing of the incident, a written record shall be made of the observations leading to a drugs and/or alcohol reasonable suspicion test and shall be signed by the supervisor or City official who made the observations.

3. The determination of whether reasonable suspicion exists shall be made by the department head or, in their absence, by the highest-ranking supervisory staff on duty at the time. The human resources director may also make the determination.

4. Following the determination that reasonable suspicion exists, the facts underlying the determination of reasonable suspicion shall be disclosed to the employee at the time the demand to submit to testing is made. The employee shall be transported to and from an approved testing site by the employee's supervisor or a designee. Following

the testing procedure, the person transporting the employee shall make appropriate arrangements to transport the employee home. The employee will be placed on Administrative Leave pending the results of the testing.

5. Supervisors shall be required to document in writing, by the next working day, the specific facts, symptoms or observations that formed the basis for their determination that reasonable suspicion existed to warrant the testing of an employee. All documents and test results created in connection with the determination of reasonable suspicion shall be forwarded to the Human Resources Department.

D. Post-Accident Testing.

Absent reasonable suspicion, employees shall be subject to a drug and alcohol test when the employee is involved in an accident while on duty and (1) the employee is determined to be at-fault, and (2) there is resulting death or significant bodily injury requiring medical attention, or property damage exceeding \$10,000.

V. Prescription Drug Use

Any employees using prescription medication while on the job shall do so in strict accordance with medical directions. It is the employee's responsibility to notify the prescribing physician of the duties required by the employee's position and to ensure the physician approves the use of the prescription medication while the employee is performing their duties.

The abuse and/or inappropriate use of legally prescribed drugs, including the performance of duties when the employee knows or should know that they are potentially impaired due to prescription drug use, shall be prohibited and shall be deemed a violation of this policy. If any employee's behavior or job performance gives rise to a reasonable suspicion that the employee is abusing or inappropriately using prescription medication, the employee may be required to submit to drug testing and to take Administrative Leave until such time as the employee is cleared to return to work by the employee's physician, the medical review officer, and the Human Resources Department.

VI. Consent

Before a drug and alcohol test is administered, employees and job applicants will be asked to sign a Consent Form authorizing the test and permitting release of test results to the employer and the medical review officer. The Consent Form shall provide a space for employees and job applicants to acknowledge that they have been notified of the requirements of this policy.

VII. Refusal to Consent

A. Job Applicants:

Any applicant for a position for which pre-employment drug and/or alcohol screening is required who refuses to consent to a drug and/or alcohol test shall be denied employment, and any conditional offer of employment shall immediately be rescinded.

B. Employees:

Any employee who refuses to sign the required Consent Form or to submit to a drug and/or alcohol test as required shall be deemed to have violated this policy.

C. No show:

Employees who fail to appear at the designated collection site to submit to a required drug and/or alcohol test when so directed shall be deemed to have refused to submit to the test and in violation of this policy. A “no show” shall include any attempt to adulterate a test sample or otherwise frustrate, impair, or otherwise impede the testing process.

VIII. Testing Procedures

1. Alcohol tests shall be administered by a Breath Alcohol Technician (BAT) using an Evidential Breath Testing device (EBT), except that if the Department of Transportation Federal Highway Administration approves administration of tests by persons other than BAT's or approves the use of other methods or technologies for detecting the presence of alcohol, then the administration of tests by such other persons and/or the use of such other methods or technologies shall be permitted under this policy. Alcohol testing shall be conducted by an approved drugs/controlled substances testing site in accordance with valid procedure.

2. Drugs/controlled substances testing shall be conducted by a City approved drugs/controlled substances testing site in accordance with valid procedures.

Urine samples shall be provided in a private restroom stall or similar enclosure so that employees and applicants may not be viewed while providing the sample, unless circumstances require monitored testing. Outer garments, bags, briefcases, purses, or other containers will not be permitted into the test area.

If the drug and/or alcohol test is to be conducted using a specimen other than urine (e.g. hair, saliva, blood, etc.), the sample shall be collected in a manner consistent with the privacy of the employee and the need to minimize the possibility of adulteration and/or mislabeling of the sample.

Whenever an initial test for drugs and alcohol is found to be positive, the laboratory will then carry out additional tests pursuant to laboratory testing guidelines to confirm that the initial positive indication was correct. If the second procedure also indicates the presence of drugs or alcohol, the test result is considered a confirmed positive result and shall be reviewed by the Human Resources Department.

If any employee requires a reasonable accommodation concerning drug and/or alcohol testing, the employee should make the request in accordance with the City's ADA and Reasonable Accommodations Policy.

IX. Confidentiality of Test Results

To the extent allowed by law, all information from an employee's or job applicant's drug and alcohol screening shall be confidential and only available to the medical review officer, the Human Resources Department, and those whom the Human Resources Department determines have a need to know. Disclosure of test results to any other person, agency, or organization shall be prohibited unless written authorization is obtained from the employee or job applicant. In any case, the results of an initial positive drug or alcohol test shall not be released until the results are confirmed.

All drug and alcohol testing results will be maintained in strict confidence. Any person authorized to have access to such confidential information, who, without authorization, discloses it to another person will be subject to disciplinary action, up to and including, termination. The confidentiality of such information shall not apply to any use by or communication to the City's attorneys, or where the information is relevant to the City's defense in an administrative or civil action. Such information may also be disclosed to the extent required by any federal, state or local law, statute, ordinance or regulation.

X. Violations of this Policy

Any violation of this policy shall be handled in a manner consistent with the City's Disciplinary Procedures.

XI. Employee Assistance Program

The City of Chamblee offers an Employee Assistance Program (EAP) benefit for all full-time employees, and their dependents, enrolled in the City's medical insurance program. The EAP provides confidential assessment, referral and short-term counseling for employees, and their dependents, who need or request it. Services beyond initial assessment, referral and short-term counseling may be provided at an additional cost. Such additional costs are the responsibility of the employee. If an EAP referral to a treatment provider outside the EAP network is necessary, costs may be covered by an employee's medical insurance. The costs of such non-network services are the employee's responsibility.

No information regarding the substance abuse problems of an employee, or their dependents, will be made available to the City, except to the extent authorized by the employee, nor will any such information be part of an employee's personnel file. The EAP may be used with discipline but is not a substitute for discipline.

For more information regarding your EAP, contact your supervisor or the Human Resources Department.

XII. Drug and Alcohol Convictions

Employees shall report to their department head within 5 (five) working days of any arrest or conviction made under a criminal drug or alcohol law, and of any charge made under a drug or alcohol law for which conviction could cause the loss of driving privileges.

XIII. Test Result Dispute

Job applicants and employees who have a positive test result may explain or contest the result of a positive substance abuse test result within 5 (five) business days after the City contacts the job applicant or employee regarding the test result (the term "business day" is defined as Monday through Friday business days, excluding City holidays).

If you have questions or concerns regarding the Substance Abuse and Drug-Free Workplace Policy or what conduct is prohibited by this policy, please contact the Human Resources Department.

Chapter 10: Computer and Electronic Communications and Mobile Device Policy

I. Computer and Electronic Communications

This policy governs the use of the City's computer and electronic communications system, which includes telephone, voice mail, fax machines, Internet, electronic mail (e-mail), and other computer usage. City employees and other users are encouraged to use the City's computer and electronic communications system to assist them in performing their work responsibilities effectively, efficiently, and at the highest level.

Access to all networks and related resources require that each user be familiar with these policies and associated work rules. The City authorizes the use of computing and network resources by City staff, contractors, volunteers and others to carry out legitimate City business. All users of City computing and network resources will do so in an ethical, legal, and responsible manner. All use of technology resources must be consistent with the intent and requirements of all City policies and work rules. Etiquette and common sense should be exercised while using City technology resources. This policy provides general rules for appropriate use of resources.

All of the City's policies, including, but not limited to, its policies on Equal Employment Opportunity, Anti-Harassment and Anti-Retaliation apply to the use of the City's computer and electronic communication system. If any employee feels that they have witnessed or been the subject of any conduct in violation of these policies, the employee should utilize the City's Reporting Procedure, which is set forth in this Manual.

A. General Guidelines and Personal Use

The computer and electronic communications systems are the property of the City and may only be used for approved purposes. The City permits employees to use technology resources for incidental personal needs such as occasional, limited, appropriate personal use of the computer and electronic communications system is permitted if the use does not:

1. Interfere with the user's work performance;
2. Interfere with any other user's work performance;
3. Compromise the integrity of the computer and electronic communications system; or
4. Violate any other provision of this policy or any other policy, guideline, or standard of the City.

Personal use of the computer and electronic communications system is a privilege that may be revoked at any time. 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.

B. No Expectation of Privacy

Users do not have an expectation of privacy, and waive their right to privacy in their use of the City's computer and electronic communications system, including, but not limited to, the e-mail and voice mail messages they create, store, send and receive, and the Internet sites they visit while using City-owned equipment.

C. Monitoring of Computer and Electronic Communications

The City's computer and electronic communications systems, including all data and files stored on or transmitted using the City's computer and electronic communications systems, 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 computer and electronic communications systems, such as computers, network servers, or e-mail servers. In addition, the City endeavors to ensure that public resources are not being wasted and to ensure that the City's information systems are operating as efficiently as possible in order to serve and protect the public interest.

As such, the City has the right to access, monitor, and inspect any and all aspects of its computer and electronic communications systems, including, but not limited to, monitoring sites visited by users on the Internet, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users. 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, and using an employee's personal device, such as a personal mobile phone, smartphone, or computer for work related reasons. This right applies both during an employee's employment with the City and after separation from employment for any reason, voluntary or involuntary. Such monitoring may be conducted without prior notice. Use of the City's computer and electronic communications system shall constitute consent to such monitoring.

D. Maintaining Professionalism

At all times, users have the responsibility to use computer resources in a professional, ethical, and lawful manner. Users should use the same care in drafting e-mail and other electronic documents as they would for any other written communications. The quality of writing reflects on the City. Users should always strive to use good grammar and correct punctuation, keeping in mind that anything created or stored on the computer system may be reviewed by others.

E. Inappropriate Use

Employees are expected to access and use the City's computer and electronic communications systems in a professional manner and in compliance with this and all other City policies. Under no circumstances should the City's computer and electronic communications system be used for sending, transmitting, intentionally receiving, copying, or storing any communication that is fraudulent, harassing, racially offensive, sexually explicit, profane, obscene, intimidating, defamatory, unlawful, or in the City's sole opinion, otherwise inappropriate. Users encountering or receiving this kind of material should immediately report the incident using the City's Reporting Procedure. Exceptions are limited to police investigations into criminal activities, which may require the use of the Internet for information and intelligence gathering. This is permissible with the prior approval of the Chief of Police.

Other prohibited uses of the City's computer and electronic communication systems, include:

1. Sending chain letters;
2. Compromising the integrity of the City and its business in any way;
3. "Moonlighting" or the advertisement of personal business;
4. 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 includes accessing any other person's computer, voicemail, files, or data without approval);
5. Making unauthorized copies of City files or other data;
6. 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;
7. Revealing, publicizing, or otherwise disclosing any confidential information belonging to the City without authorization;
8. 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 computer and electronic communication system;
9. Violating any local, state, or federal law, regulation, or order;
10. 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;
11. Illegally downloading, copying, transmitting, viewing, or accessing any material protected under copyright law or making such material available to others;
12. Intentionally propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm the City's computer and electronic communication system or that of another individual or entity;

13. Defeating or attempting to defeat security restrictions on any of the City's computer and electronic communication systems;
14. Causing congestion, disruption, disablement, alteration, or impairment of the City's computer and electronic communication system;
15. Installing any software without authorization; and
16. Using any of the City's computer and electronic communication systems for personal financial gain unrelated to one's employment with the City.

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 computer and electronic communication systems revoked and be subjected to disciplinary action up to and including termination of employment. The City has sole discretion to determine what constitutes inappropriate use or material under this policy. If you are unsure whether any use or material would be considered inappropriate, you should seek clarification from your supervisor before accessing or distributing such material. If you are in any doubt, do not access or distribute the material.

F. Misuse of Software

Without prior written authorization from the city manager or their designee, users may not do any of the following:

1. Copy software for use on their home computers or to other computers;
2. Provide copies of software to any independent contractors of the City or to any third person;
3. Install software on any of the City's workstations or servers;
4. Download any software from the Internet or other online service to any of the City's workstations or servers;
5. Modify, revise, transform, recast, or adapt any software; or
6. Reverse-engineer, disassemble, or decompile any software.

Users who become aware of any misuse of software or violation of copyright law should immediately report the incident.

II. Mobile Device Policy

The purpose of this document is to set policy as to the appropriate use, security, support of, assignment of, governance, and employee responsibilities for the use of mobile devices whether owned solely by City or supplied by the employees for any purpose germane to the work flow processes of the City government, associated authorities, contractors, agencies, courts, or any person or organization that receives any benefit by any City resource using a mobile device enabled with City provided resources such as e-mail, telephone, messaging of any type, and other forms of communication. This policy also

includes the use of intellectual property used, downloaded, stored, etc., by mobile technology and communication devices.

A. Mobile Device Defined

A “mobile device” is any device or medium not permanently connected to the City network and which is used for the purpose of receiving, sending, or storing information. This may include, but is not limited to, cell phones, laptops, computers, smart phones, tablets, and digital storage media (CD, DVD, thumb drive, floppy disk, hard drive, etc.).

B. Responsibilities and Enforcement of this Policy

The City has set forth this policy to meet organizational goals, improve employee satisfaction, and to improve efficiency for City departments, agencies, courts, authorities, officials, and employees by enabling the use of mobile devices, and enabling those devices to access to City resources (such as e-mail). Each employee using a mobile device enabled with City provided resources shall comply with this policy, as well as any other employee policy set forth within this Personnel Manual and any other applicable policies.

C. Mobile Devices (General)

All mobile devices purchased by City shall be purchased in accordance with and from approved vendors as established by the City’s purchasing practices, including any service contract accompanying any device.

Employees shall have no expectation of privacy to information maintained on a City-issued mobile device, or to information that is maintained on or transferred through any of the City’s networks. Employees using personal devices for City business only have an expectation of privacy in information maintained on their personal devices to the extent allowed by law. The City retains the right to review information utilizing a City-enabled resource on any employee’s personal mobile device used for City business.

The need for a City purchased mobile device and securing all necessary funds will be the responsibility of each department head and/or supervisor. Costs include any cost for the device, protective case/folio, monthly service fees, licensing fees, client access licenses, business applications, and Mobile Device Management (MDM) licensing.

Any mobile device that connects to the City network shall be managed by MDM (Mobile Device Management) software and licensing, chosen and managed by the Information Technology Department. This includes any device that accesses City e-mail, phone systems, or other systems or resources located within the City’s networks.

If at any time any e-mail enabled device is lost or stolen, the employee for whom the device is assigned is responsible for reporting the loss to the IT Department within 24

hours of discovering a lost/stolen device. The IT Department shall then remotely disable or lock the device, therefore rendering the device inoperable.

All devices with City e-mail access shall be required to automatically “lock” after a reasonable period of inactivity (no longer than 5 minutes) and must be password protected to “unlock” the device. This is to ensure the protection of City information from unauthorized access. All e-mail shall be archived and stored on central servers. E-mail may be accessed, but not permanently removed from central servers, archiving solutions, etc., in accordance with e-mail retention requirements.

All department heads and/or equivalent shall be aware of the FLSA provisions regarding compensation of employees for all time worked and ensure that non-exempt employees understand and are complying with the appropriate use of e-mail during non-scheduled work hours. Non-Exempt Employees granted access to e-mail on mobile devices shall strictly follow work schedules when replying to any e-mail request taking longer than five minutes. Replying when not at work or otherwise “on the clock” is not authorized for non-exempt employees without explicit written directions from the department head or equivalent and/or the city manager.

D. Applications (Apps) on Mobile Devices

Unless previously approved by the department head and budgeted for, no applications shall be downloaded to any device that would cause a charge, invoice, withdrawal, etc., to any City funding mechanism, credit mechanism, or purchasing mechanism. Consumer Grade mobile devices are generally capable of downloading and using applications (Apps) or programs. The City may at its discretion limit, restrict, or allow the capability for devices granted access to City network resources the ability to download and use commercially available Apps.

If at any point the City discovers any downloaded app has or has the potential to compromise security to the network, the City’s IT Department shall disable, lock, and/or wipe the compromised device as soon as possible, and render it unusable for network access. It shall be considered a violation of this policy for any device approved for connection to the City network to be “hacked”, “jail broken”, “rooted”, or making any changes to the operating system provided by the manufacturer. Any unauthorized changes to the operating system of any device compromises security and will result in termination of service to the device.

City-owned intellectual property (such as City developed applications) are the property of the City and may not be shared, traded, uploaded, etc. with anyone without express written permission of the property owner (i.e., mayor and council).

E. Safe Use of Mobile Devices

Use of mobile devices while operating a City vehicle must be in compliance with City policy and applicable law. Mobile devices left in closed vehicles during summer heat can damage the device. Moving the hot device into an air-conditioned space will cause condensation and possible other damage.

Chapter 11: Media Relations and Communications, Public Records Requests, and Use of Social Media

I. Media Relations and Communications

The City's goal is to keep the public informed. The news media plays an important role in the City's ability to communicate with and serve the public. As such, this Media Relations and Communications Policy is designed to achieve this goal.

A. Public Information Office

To ensure the City communicates accurately, effectively, and consistently with a variety of diverse audiences, including the general public and media, the Public Information Officer is the primary and official liaison to the news media. Inquiries from the news media are a high priority and shall be directed to the Public Information Officer as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate.

The Public Information Officer is responsible for the coordination of citywide media relations and for ensuring accuracy, consistency, and quality in the City's overall responses to media. To maintain accuracy and consistency, all inquiries for positions, statements or direction on matters related to the City must be directed to the Public Information Officer. In addition, the Public Information Officer is responsible for developing a media relations strategy, disseminating news, responding to requests for comment, and providing information to the news media about City employees, programs, accomplishments, events, and activities.

In consultation with the city manager and/or mayor and city council where appropriate, the Public Information Officer is to determine the extent of the presentation of the City's position on all matters. The Public Information Officer will refer news media inquiries it receives to the appropriate department and will coordinate a response on behalf of departments as necessary when responding to and aiding news media. The Public Information Officer is available for advice and consultation with departments on media relations matters. The City's policy is to treat all media outlets and reporters consistently in providing information permissible under applicable law. The City shall not require a staff member to conduct interviews with any reporter or media outlet.

B. Press Releases, News Conferences, and Events Planning

All press releases, statements on behalf of the City, news conferences, and media notifications or other efforts to attract media attention about a City or departmental event should be coordinated with the Public Information Officer. The Public Information Officer works with news media outlets on a frequent basis and has established relationships and lines of communication with news media.

C. Public Safety and Crisis Information

During a public safety incident, crisis, or major emergency, the city manager or their designee is the primary spokesperson. All media inquiries during this time must be directed to the Public Information Officer.

Department heads working with the Public Information Officer are responsible for ensuring that departmental emergency operations plans address the essential communications component. Plans should address who speaks for the department in an emergency, off-hour availability, and contact information of key staff, and training. Departmental plans also should include the development of fact sheets and similar materials on operations, issues, and services that are likely to be of concern in an emergency. These plans should be developed ahead of time and kept for a variety of situations.

D. News Media

Inquiries from the news media are a high priority and should be directed to the Public Information Officer as quickly and efficiently as possible. Every effort will be made to meet media deadlines and to ensure that all information released is accurate.

The City will respond consistently regardless of the type of media outlet and/or reporter. All media inquiries received by any City staff should be referred immediately to the Public Information Officer. If an employee receives a media inquiry, they should make an effort to obtain the reporter's name, media outlet, phone number, topic of story, and any relayed details and deadline if provided, so as to ensure an accurate and timely response.

1. Requests for Official City Position or Response All inquiries seeking an official City response or a statement on behalf of the City should be directed to the Public Information Officer. Authorization to speak on behalf of the City may only be given by the mayor and council and/or the city manager or their designee. No employee may make official statements on behalf of the City without consultations with, and express authorization from, the mayor and council and/or the city manager or their designee. Any employee who has not been so authorized by the City must direct inquiries from the news media to the Public Information Officer.

No employee is authorized to speak “off the record” on behalf of the City, or for background purposes, on any matter pertaining to the City. Nothing in this policy is intended to restrict the freedom of employees to engage in personal activities or other activities in their communities. Nor is this policy intended to affect individual employees’ rights, including rights to freedom of speech, expression, association, or federal, state or local rights to engage in any statutorily protected activity.

2. Corrections, Commentary, and Letters The City has an obligation to help the news media provide accurate information to the public. Therefore, factual errors should be corrected in an appropriate and timely way. Commentary, opinion columns, and letters to the editor that are written to represent the City’s view regarding operations, policies, or City positions must be coordinated with the Public Information Officer.

II. Social Media

Any content that is to be posted on any of the City’s social media outlets must be pre-approved by the Public Information Officer.

III. Public Records Requests

A. Open Government

The business conducted by the City is public, with few exceptions, and is therefore accessible as public information. Inquiries regarding pending or threatened litigation, pending negotiations of land acquisition, pending or incomplete criminal investigations and certain personnel-related matters and information are exceptions under state law and City policy.

B. Designated Officials

Requests from the media or the public for public records should be handled promptly and consistently through the City Clerk’s Office in accordance with the City’s Open Records Procedures. When there are questions about whether the information requested can be released, departments should consult with the City Clerk as well as the Georgia Open Records Act.

The Public Information Officer should be notified by the City Clerk’s Office when the media files an open records request.

IV. Personal Social Media Use

A. Purpose and Intent

The purpose and intent of this policy is to establish guidelines for employees who engage in social media activity as defined herein. This policy is not intended to prohibit any employee's personal expression in general or through social media activity in particular; however, because such activity can adversely affect the efficiency and effectiveness of City operations, as well as undermine public trust and confidence, a certain amount of regulation is necessary and appropriate. This policy therefore attempts to strike a reasonable balance between employees' interest in engaging in social media activity and the City's interest in preventing unnecessary disruption to or interference with its operations and relationship to the public it serves.

B. Definitions

1. **Social Media** For purposes of this policy, the term "social media" is defined as the online technologies through which employees and other individuals engage in "social media activity" as defined below. In most cases, the term refers to Internet-based websites, applications, or similar platforms such as, but not limited to, Facebook®, Twitter®, Instagram®, Pinterest®, LinkedIn®, Google+®, YouTube®, Tumblr®, and Reddit®. Online social media technologies covered by this policy also include, but are not limited to, such applications as web logs/blogs, video logs/vlogs, message boards, podcasts, and wikis.

2. **Social Media Activity** For purposes of this policy, the term, "social media activity" is defined as the act of sharing or providing information or otherwise communicating through social media, including, but not limited to, the posting, uploading, responding to, reviewing, downloading, and/or forwarding of text, audio recordings, video recordings, photographs/images, symbols, or hyperlinks.

3. **Statement of Policy** This policy applies to all City employees without regard to whether their social media activity is conducted in or outside the workplace, while on or off-duty, or anonymously or through the use of pseudonyms. This policy applies to all City employees without regard to job title, position or rank. However, with the approval of the city manager, or their designee, a department having special or unique concerns pertaining to its employees' social media activity may adopt and implement more restrictive standard operating procedures or other internal rules narrowly designed to address such concerns.

4. **Prohibitions on Social Media Activity** All City employees should remain mindful that, as public servants, they are generally held to higher standards than the general public with regard to their on-duty and off-duty conduct, professionalism, and ethics. As a result, certain social media activity that may be tolerated or even acceptable in the private sector may nevertheless constitute a violation of this policy.

Each City employee who engages in social media activity must take personal responsibility for ensuring that such activity is consistent with all City policies, including, but not limited to, those pertaining to making false or misleading statements, promoting or endorsing violence or illegal activity, promoting or endorsing the abuse of alcohol or drugs, disparaging individuals or groups based on race, ethnicity, national origin, gender, sexual orientation, religion, disability, or other characteristics protected by law, or otherwise engaging in conduct unbecoming an employee of the City, bringing discredit to the City, or interfering with or detrimental to the mission or function of the City.

Employees must refrain from engaging in any social media activity which disqualifies them from performing, or in any way reasonably calls into question their ability to perform any essential function of their jobs. Examples of such functions include, but are not limited to, testifying, making hiring or promotion decisions or recommendations, conducting performance evaluations, and determining eligibility for City programs.

While any employee, at their discretion, may engage in social media activity with any other employee(s) consistent with the prohibitions, limitations and restrictions, and guidelines of this policy, no employee may be required or otherwise compelled to engage in such activity with another employee.

No employee, whether for purposes of engaging in social media activity or otherwise, may disclose or otherwise reveal any privileged or confidential information of the City, any other current or former employee of the City, or any applicant for employment with the City.

C. Limitations and Restrictions on Social Media Activity

Employees are strongly discouraged from disclosing or otherwise revealing their status as employees of the City through social media and, except as otherwise authorized in advance by the City, are strictly prohibited from directly or indirectly representing themselves to be speaking on behalf of the City. Similarly, in the absence of prior approval, employees' social media activity should not reveal or depict the City's adopted logos, seals, symbols, uniforms, patches, badges, or similar items identified with the City.

Except as otherwise authorized in advance by the City, if an employee's status as an employee of the City is disclosed, revealed, or otherwise made apparent in connection with their social media activity, their social media activity should include a prominently displayed disclaimer to the effect that the activity reflects only the employee's personal views or opinions and not those of the City, provided, however, that no disclaimer will shield an employee from the imposition of appropriate corrective and/or disciplinary action for social media activity which otherwise violates this policy or other City policies. Employees should recognize that social media activity is generally more likely to violate this policy and other City policies if their status as City employees is disclosed or revealed in connection therewith.

Except as otherwise authorized in advance by the City, no employee may utilize City computers or equipment for purposes of engaging in social media activity. Except as otherwise authorized in advance by the City, no employee, whether for purposes of engaging in social media activity or otherwise, may post or upload any information, audio recordings, video recordings, photographs/images, etc. from City computers or equipment.

To preserve the continuity of the City's message, ensure accuracy, and avoid unnecessary confusion in the community, except as otherwise authorized in advance by the City, employees should refrain from engaging in any social media activity that purports or serves to announce or explain the details of City programs, projects, activities, initiatives, or events.

Exceptions to the above-stated limitations and restrictions may be authorized by the city manager or their designee(s) provided, however, that any request for such an exception represents a promise by the employee that, if approved, the disclosure of information, photographs, audio, video, etc. via social media activity will be fully consistent with the letter and spirit of this and all other policies of the City, any internal standard operating procedures or rules adopted by their department director, as well as any laws pertaining to copyrights, trademarks, trade secrets, patents, and privacy and reputational rights.

The City reserves the right to require any employee to remove immediately any posted or uploaded text, audio recordings, video recordings, photographs/images, etc. (even if previously approved) if such posted material constitutes a violation of this policy or other City policies.

D. Application to Other Policies

All personnel policies of the City relating to employee conduct apply equally to conduct that occurs through social media. This includes, but is not limited to, policies relating to discrimination, harassment, retaliation, workplace violence, conflicts of interest, and political activity. Any conflicts or inconsistencies between this policy and any one or more other policies shall be resolved by the city manager or their designee.

E. Duty to Report

All employees have an ongoing duty to report any violations of this policy by any other employee. The City considers this duty to report to be a critical component of its efforts to enforce this policy, and thereby ensure the safety, well-being, morale, and efficiency of its employees, preserve its reputation and goodwill in the community, and avoid or minimize unnecessary disruptions to or interference with its operations and service to the public.

F. No Expectation of Privacy in Social Media Activity

City employees should be aware that social media activity is not secure or private, even if active steps are taken to restrict access. Once information has been posted or exchanged via social media, it is generally trackable, traceable, and accessible indefinitely. For this reason, employees should have no expectation of privacy in any social media activity conducted in the workplace and/or on duty or in any social media activity which otherwise directly or indirectly relates to or affects the City, any of its departments, or its employees.

The City reserves the right to inspect or monitor any social media activity engaged in by its employees using City-owned computers or other electronic equipment or devices. In addition, employees may be required to provide access to any social media websites or other applications in which they participate upon a determination by the City that there is reasonable suspicion to believe that such access will reveal evidence of a violation of this policy or any other City policy.

G. Workplace and/or On Duty Usage

Because it recognizes that social media is a form of communication, the City permits employees to engage in limited social media activity in the workplace using their own personal devices and limited to rest and meal breaks. Employees choosing to do so, however, are expected and required to use proper judgment and discretion. Supervisors are authorized to restrict or prohibit workplace/on duty social media activity, as appropriate.

H. Corrective and/or Disciplinary Action; Other Potential Consequences

Employees engaging in social media activity in violation of this policy will be held accountable, and corrective and/or disciplinary action, up to and including termination of employment, may be taken in accordance with the City's Disciplinary Procedures.

If an employee is sued in part due to their social media activity under circumstances where the City would ordinarily provide a defense and/or indemnify the employee, the City reserves the right to withhold or withdraw such defense or indemnification in the event any such activity is found to violate this policy or any other policy of the City.

I. Interpretation and Application

Nothing in this policy is intended to or will be applied in a manner that violates any employee's constitutional rights, including rights to freedom of speech, expression, and association, or federal, state or local rights to engage in any statutorily protected activity. Any employee unsure about the application of this policy to any particular social media activity should seek guidance from the Human Resources Department before engaging in such activity.

This policy is intended for internal use of the City only and should not be construed as establishing a higher duty or standard of care for purposes of any third-party civil claims against the City and/or its employees. A violation of this policy by an employee provides only a basis for corrective and/or disciplinary action against such employee by the City.

Chapter 12: Disciplinary and Corrective Action

I. Types of Disciplinary and Corrective Actions

Any supervisor may issue verbal counseling or written reprimand under appropriate circumstances to a subordinate employee. All other forms of disciplinary action must be made upon recommendation and approval of the subject employee's department head. The following types of disciplinary action may be considered, listed in order of severity:

1. Verbal Counseling
2. Written Reprimand
3. Suspension (without pay)
4. Transfer
5. Demotion
6. Termination

If an employee's absence during any period of suspension would impose a hardship on the department due to staffing issues or other circumstances, the employee's department head, with the prior approval of the city manager or their designee, may require the employee to report for duty during the suspension period or any portion thereof, in which case the employee will forfeit an equivalent amount of accrued PTO.

Depending on the facts and circumstances of a given situation, a supervisor may recommend and/or the employee's department head may impose, various forms of corrective action in conjunction with, or in lieu of, disciplinary action. Corrective action includes, but is not limited to, placement on performance probation/performance improvement plan, mandatory training, referral to Employee Assistant program (EAP) (e.g., for anger management), or reassignment. Because it is generally regarded as non-disciplinary, corrective action may also be imposed independent of any other form of discipline. Other forms of disciplinary action not expressly referenced in this policy may also be utilized in the discretion of the department head with the approval of the city manager or their designee.

II. Progressive Discipline

The City advocates progressive discipline – a process in which disciplinary action is taken in degrees of increasing severity – when appropriate. The action taken remains discretionary with the department head, however, and will depend on the nature, severity, and other relevant circumstances of the violation or performance issue. One or more levels or forms of discipline therefore may be omitted depending on the facts and circumstances of a given situation, as determined on a case-by-case basis. For example, progressive discipline will not be applied to situations where immediate dismissal, removal of managerial or supervisory authority, transfer, or other form of discipline is determined to be warranted and in the best interest of the City.

While this policy sets forth 6 (six) available levels or forms of discipline culminating in termination, this should not be construed to require a set number of incidents before the employee is subject to termination. Furthermore, if an employee engages in different types of misconduct or poor performance, each incident can result in increased levels or forms of discipline, even if the incidents of misconduct or poor performance are in different areas or otherwise unrelated to other previous incidents.

III. Documentation and Record-Keeping

All forms of corrective and/or disciplinary actions, including verbal counseling, shall be documented and promptly transmitted to the Human Resources Department for placement in the employee's personnel file.

Chapter 13: Termination, Resignation, and Layoffs

I. Voluntary Resignation

An employee who desires to resign from employment should notify his supervisor at least two (2) calendar weeks in advance of the last day of work. The City encourages employees to submit a letter of resignation stating the reason for the resignation. Regular, full-time non-probationary employees who resign from employment with the City with at least two weeks' notice will be paid for all accrued unused PTO hours in accordance with the City's Paid Time Off (PTO) Policy. If it is determined to be in the best interest of the City, the city manager may grant the employee "pay in lieu of notice" and not require the employee to work their notice period.

An employee who is separating from employment with the City for any reason may not use paid time off for any part of the employee's notice period, unless approved by the employee's department head.

After receiving written notice of voluntary resignation, the department head shall review the resignation and notify their designated departmental liaison for coordination of off boarding with the Human Resources Department. Employees who miss three (3) or more days of work without notice and/or prior supervisory authorization will be considered to have voluntarily resigned their position due to job abandonment, effective as of the third (3rd) no call, no show day, absent substantial mitigating circumstances.

II. Involuntary Termination

An employee who is involuntarily terminated for disciplinary or performance reasons will not be paid for accrued unused PTO hours in accordance with the City's Paid Time Off (PTO) Policy. The department head will notify the Human Resources Department of the intended termination and schedule an exit interview.

III. Layoffs

The City reserves the right to separate employees via layoff due to lack of work or funding or for any reason determined to warrant a reduction in force. Employees may also be separated via layoff if positions are eliminated due to City-wide reorganization, departmental or divisional restructuring, privatization, or other circumstances. The determination of whom is to be separated is in the sole discretion of the city manager or their designee in conjunction with the human resources director.

IV. Return of City Property

All City property assigned to an employee is considered an advance of wages and must be returned in good, working condition before a terminating employee receives a final paycheck. If not returned, the value of the items may be deducted from the employee's final check less minimum wage payout for all hours worked. By reporting for duty, the day after receipt of this policy, an employee consents to and authorizes this deduction.

Any employee who resigns or is otherwise separated under circumstances where they would be entitled to receive payment for accrued PTO hours will not receive such payment unless or until all assigned City property is returned in accordance with this policy.

Chapter 14: Expense Reimbursement, Travel, Transportation, and Training Policy

I. Statement of Policy

The City recognizes that, while performing official business on the City's behalf, employees may incur expenses related to travel, transportation, lodging, training, meals, etc. This policy, therefore, provides guidelines and procedures for employees who incur expenses while performing work on behalf of the City. The intent of the policy is to ensure that employees incurring such costs while on City business neither gain nor lose personal funds as a result of said expenses. Such costs are to be allocated and expended, within established budgetary limitations and, as funds to support such costs are limited by the City's budget, the City requires employees to obtain approvals from their supervisor or department head for reimbursement of travel expenses prior to incurring any such costs.

This section provides guidance on authorized expenditures for all departments. This section shall cover those costs incurred for travel and meal expenses by any City employee who travels on City related business. Operating guidelines and procedures for procuring travel and meal expenses shall be issued under separate cover(s) as they do not constitute or necessitate mayor and city council approval.

II. Budget Appropriation

As aforementioned, the mayor and city council must authorize department appropriations for incurred expenses related to travel, transportation, training, meals, etc. consistent with the annual adopted operating budgets. Departments shall not incur expenditures unless an appropriation is available, or budget amendment has been completed. If an employee or Department incurs any such costs in excess of the budget appropriation, the City shall not be responsible for reimbursing any such costs.

III. Expenditure Approval

All expenditures relating to travel and meals shall be processed consistently with procurement/purchasing guidelines as outlined in the City's Financial Policy. Once the Finance Department receives the proper documentation from the incurring departments, approval of the expenditure shall occur. The Finance Department shall only process transactions for payment based upon the proper approval for the dollar amount of the expenditure, including adequate documentation, received either electronically or in writing.

IV. Settlement of Disputed Reimbursement Claims

The Finance Department shall review expenditure documents for compliance and appropriateness with all City policies and procedures. Expenditure approval requests that are not in compliance with these policies and procedures shall be returned to the originating department with the Finance Department's recommendations for changes (e.g., travel issues, cellular phone use). In the event the originating department does not agree with the Finance Department's recommendations, the city manager shall make the final decision regarding whether to authorize the reimbursement.

V. Travel Expenses

The City shall reimburse or pay expenses incurred by elected officials and employees for travel relating to official business of the City. The submission of expenses related to such official business will be required in order to receive reimbursement. Such items may include expenses associated with meetings or business meals outside of the scope of the purpose of travel. The City reserves the right to reject any reimbursement requests if, within the City's discretion, the expense is deemed unreasonable or unnecessary.

All qualified expenditures relating to travel and meals must be processed consistently with procurement/purchasing guidelines. When City business travel requires advance payment to the employee for estimated travel expenses, a Travel Expense/Reimbursement form shall be submitted to the Finance Department no less than two (2) weeks prior to the travel date. Once the Finance Department receives the proper documentation from the incurring departments, approval of the travel expenses shall occur. The Finance Department shall only process transactions for payment based upon the proper approval for the dollar amount of the expenditure, including adequate documentation, received either electronically or in writing.

A. Lodging

Hotel/motel charges shall qualify for reimbursement. Accommodations must be approved by the employee's department head. Accommodations for travel less than a fifty (50) mile radius from the City shall be allowed based upon meeting schedules and attendance needs and as approved by the employee's department head.

B. Transportation

Approved modes of transportation include vehicle, air, rail, taxi, or public transportation. The method selected by the traveler shall be subject to the most economically feasible, taking into consideration the value of time. If a City vehicle is available, it should be used in lieu of a personal vehicle. Any expenses related to the use of a vehicle such as parking fees, tolls, etc. will be reimbursable.

1. Mileage. Miles traveled in personal vehicles shall be reimbursed at the rate designated by the Internal Revenue Service (IRS). Mileage shall be calculated using the employee's place of work as the origination point, so long as the employee reported to work prior to departing to the destination. In the event the employee does not report to work prior to traveling to the destination, mileage shall be reimbursed from the employee's origin, less their normal commute to the workplace. Expenses associated with employee's vehicles such as fuel, oil, tires, etc. (deemed normal wear and tear) shall not be subject to reimbursement and will be the responsibility of the traveler.

Miles traveled in City-owned vehicles shall not be subject to reimbursement to the traveler. However, expenses associated with the travel in City vehicles such as fuel, oil, tires, etc. shall be the responsibility of the City, and necessary purchases should follow normal purchasing guidelines and processes.

2. Rental Cars. Expenses associated with rental cars, i.e. rental expense and fuel, will be paid at cost, as long as receipts are provided. Employees shall rent mid-size or smaller vehicles, or an appropriate vehicle size based upon the number of employees needing transportation. Expenses associated with exceeding this car class will be the responsibility of the traveler. Employees should decline additional insurance coverage offered by rental car companies since the City's insurance coverage is applicable to car rentals.

3. Air/Rail. Travel will be limited to coach/economy classes of service. In the event the traveler chooses a class higher than coach/economy (business or first class) or to extend the trip and change departure or arrival dates, the difference of the expense shall be the responsibility of the traveler. Any reduction in the expense associated with transportation costs as a result of extended or modified travel dates for personal benefit shall not be provided back to the traveler. Baggage fees associated with air/rail travel are reimbursable as they relate to the length of time of the approved travel.

4. Taxi/Shuttle. Expenses associated with local transportation will be deemed eligible expenses.

C. Travel Meals/Incidentals (50+ Miles or Overnight)

Meal and incidental expenses (snacks, tips, etc.) shall be administered on a per diem basis by the City. Per diem rates shall be issued in an amount up to \$90 per business day, or as based on the following criteria, and as approved by the employee's department head:

1. Breakfast: up to \$20 per business day
2. Lunch: up to \$25 per business day
3. Dinner: up to \$45 per business day

Meals provided at conferences and trainings shall not be reimbursed under this policy. The city manager or their designee may require travel, conference, course or other itineraries, receipts, and/or information as part of the required pre-approval for per diem payout.

D. Program, Seminar, and Conference Fees

Charges relating to an employee's attendance at a particular event (training, conference, seminar, etc.) shall be paid by the employee's department, subject to the provisions identified for expenditures in the City's expenditure and purchasing policies. Any additional fees, over and above the originally advertised registration fee, resulting from late registration will be the responsibility of the employee, unless otherwise approved by a supervisor.

E. Telephone/Long Distance

Telephone, fax, long-distance, Internet, and communication expenses (including postage) shall be reimbursed when relating to the traveler's employment.

F. Laundry/Dry Cleaning

When travel is scheduled for more than five (5) consecutive days, reimbursement for laundry and dry-cleaning expenses will be allowed. Expenses shall be paid at the cost of the services provided, and receipts must be submitted to validate the amount.

G. Dependents/Spouses

Dependents/spouses accompanying employees on official business shall not be eligible for reimbursed expenses by the City. If a dependent or spouse accompanies an employee on an authorized business trip, only those expenses that can be directly attributed to the employee will be reimbursed. Per diem used for expenses other than those directly attributable to the employee will not be allowed; the per diem amount will not be increased because of dependent/spouse travel.

H. On-the-Job Injuries

Employees on official business shall follow the City's workers' compensation policies in the event of any on-the-job injury.

I. Non-Travel Meals

Expenses related to the furnishing of meals, snacks, or food should be limited to the following circumstances and reimbursed only with receipt:

1. A meeting hosted by the city or its representatives;
2. A meeting pre-approved by the city manager or their designee during regularly scheduled business hours required by law or which is anticipated to last more than four (4) hours and which is scheduled through normal meal times;
3. A business meal to discuss a specific item of City business; and
4. A meal that is an integral part of a scheduled meeting at which the individual is required to attend.

Receipts provided for meals within this category should detail the nature of the meeting and the people who were present for discussion.

APPENDICES

Appendix A

Acknowledgment and Receipt of City of Chamblee Personnel and Policy Manual

I certify that I have received a copy of the City of Chamblee Personnel and Policy Manual (Personnel Manual). I understand that it is my responsibility to read and comply with the Personnel Manual, including any subsequent revisions and amendments thereto, and that failure to comply with the City's policies and rules as set forth therein may result in disciplinary action, up to and including dismissal.

I understand that the Personnel Manual is not intended to be a contract of employment, express or implied, and that my employment is at-will, for no specific period of time, and may be terminated at any time by me or the City. I also understand that no manager or representative of the City has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the foregoing unless approved in writing by the city council.

I further understand that the City reserves the right to revise or delete any or all policies, procedures and benefits, in whole or in part, with or without notice at any time.

I understand that a copy of the City's Personnel Manual is available for review through the City's online Self-Service portal or by contacting the Human Resources Department. I also understand that if I have any questions about the Personnel Manual and the contents therein, I may consult with the Human Resources Department for assistance and clarification.

Employee's Printed Name

Employee's Signature

Date

Appendix B

EEO, Anti-Harassment, Anti-Retaliation, and Reporting Procedure Acknowledgment and Receipt of Policies

I hereby acknowledge that I have received the City of Chamblee's Equal Employment Opportunity (EEO) Policy, Anti-Harassment Policy, Anti-Retaliation Policy, and Reporting Procedure. By signing this Acknowledgment and Receipt, I admit that I have read and understand the City of Chamblee's EEO Policy, Anti-Harassment Policy, Anti-Retaliation Policy, and Reporting Procedure. I also recognize that I had the opportunity to ask any questions about the aforementioned policies prior to signing this Acknowledgment and Receipt of Policies.

I further understand that the City of Chamblee is committed to maintaining a workplace free from harassment or discrimination based upon race, color, creed or religion, sex (including pregnancy), marital or family status, sexual orientation, gender identity, national origin or ethnicity, citizenship, age, disability, genetic information, political affiliation, military or veteran status, or any other classification or status protected by applicable federal, state or local laws. I recognize that the City prohibits any verbal, physical or visual conduct, which could offend, intimidate, or create a hostile working environment for any individual, on the basis of race, color, creed or religion, sex (including pregnancy), marital or family status, sexual orientation, gender identity, national origin or ethnicity, citizenship, age, disability, genetic information, political affiliation, military or veteran status, or any other classification or status protected by applicable federal, state or local laws. I further recognize that the City's Anti-Harassment Policy specifically prohibits Sexual Harassment, as defined in the Anti-Harassment Policy.

I understand that if I feel I have been improperly harassed, discriminated against, or retaliated against that it is my responsibility to report such actions to my supervisor, my department head, or the Human Resources Department in accordance with the City's Reporting Procedure. I further recognize that if I feel that any other applicant or employee has been improperly harassed, discriminated against, or retaliated against that it is my responsibility to report such actions to my supervisor, my department head, or the Human Resources Department in accordance with the City's Reporting Procedure.

I acknowledge that the City encourages all applicants and employees to bring forth any concerns that the City's EEO, Anti-Harassment, and/or Anti-Retaliation policies have been violated in accordance with the City's Reporting Procedure. I further acknowledge that the City is committed to prohibiting retaliation against those who report, oppose, or participate in the investigation of alleged wrongdoing in the workplace.

I understand that any violation of the City's EEO, Anti-Harassment, and Anti-Retaliation policies may result in disciplinary action, up to and including termination.

With these acknowledgments in mind, I agree to conduct myself in accordance with the City's EEO, Anti-Harassment, and Anti-Retaliation policies and pledge not to violate said policies.

Employee's Printed Name

Employee's Signature

Date

