CITY OF Albany GEORGIA

HUMAN RESOURCES POLICY & PROCEDURES MANUAL

City of Albany
Human Resources Policy and Procedures Manual

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RECEIPT OF HUMAN RESOURCES MANUAL EMPLOYEE ACKNOWLEDGEMENT FORM

Human Resources Policies and Procedures Manual Edition Date: 05-01-2018

This Human Resources Manual is provided to you as an employee of the City of Albany to allow you to familiarize yourself with important information about the human resources policies of the City of Albany, Georgia. You should consult your supervisor or the Office of Human Resources if you have questions that are not answered in this manual.

I understand that I became an employee at the City of Albany, voluntarily. I understand and acknowledge that there is no specific length to my employment at the City of Albany and that my employment is "at will". I understand and acknowledge that "at will" means:

1. Employment is for no particular duration or rate of pay or number of hours per week;
2. I may terminate my employment at any time, with or without advance notice; and
3. The City of Albany may terminate my employment at any time, with or without cause or advance notice.

I understand and acknowledge that:

- The information in this manual represents guidelines only;
- There may be changes to the information, policies, and benefits in the manual;
- The only policy that the City will not change or cancel is its employment-at-will policy;
- The City may add new policies (whether or not described in this manual) as well as modify, replace, suspend, or cancel existing policies at any time;
- The City may require and/or increase or decrease contributions toward various benefit programs.

I understand and acknowledge that this manual is not a contract of employment, neither express nor implied, between myself and the City of Albany; nor is this manual a legally binding document. Only the City Commission of the City of Albany can enter into an employment contract, and such contracts must be in formal, written format and signed by both the Director of Human Resources, City Manager and the City Commission.

I have received the manual and I understand that it is my responsibility to read and follow the policies contained in this manual and all changes that may be made to it.

Employee's Name (PRINTED): _____

Employee's Signature: _____ Date: _____

INTRODUCTION

All employees are expected to use this manual as a source of guidance and information. The policies, practices, procedures, and benefits described herein do not create a contractual obligation on the part of the City. The City expressly reserves the right to add new policies, modify, discontinue, or otherwise change the policies, practices, procedures, and benefits outlined in this manual at the discretion of the City. While the City recognizes the importance of having equitable human resource policies and procedures, nothing in this manual should be construed as conveying any property rights or any expectation of continued or tenured employment.

The term "policy" as used in this manual is inclusive and is meant to include the concepts behind the words policies, procedures, processes, practices, operating instructions and all other similar terms.

A. Human Resources Manual

The City of Albany Human Resources Policies and Procedures Manual has been voluntarily established by the City officials to help provide a fair, equitable, and productive work environment for those employees covered by the Manual, and may be amended or cancelled at any time, at the sole discretion of the City of Albany.

The Human Resources Manual is a system of policies and procedures designed to reflect generally accepted principles of good human resources practices. It is the City's belief that fair and equitable employment practices lead to greater job satisfaction and productivity, and enhance the employment conditions in the City of Albany. However, since all jobs are not identical, all aspects of employment will not necessarily be the same. The human resources policies and procedures have been adopted by the City officials to be consistent with the following principles:

1. Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skill in order to obtain a highly qualified workforce;

2. Establishing pay rates consistent with the comparable and competing labor markets in the area;

3. Training employees, as needed, to assure high-quality performance;

4. Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance is to be corrected;

5. Assuring fair treatment of applicants and employees in all aspects of human

resources administration without regard to political affiliation, race, color, national origin, sex, age, religion, disability or any other classification protected by law;

6. Establishing a procedure for the presentation and adjustment of employee grievances based on alleged inequitable treatment because of some conditions of their employment; or based on alleged discrimination because of a protected category;

7. Assuring employees protection against partisan political coercion and prohibiting their use of official authority for interfering with or affecting the results of an election or the nomination for an office;

8. Establishing common terms and definitions, uniform standards and practices, and uniform benefits, for human resources administration;

9. Encouraging high morale for the employees of the City, and high productivity for the citizens of the City.

By establishing these policies and procedures, the governing authority of the City of Albany is **not:**

- Creating a property interest for employees that leads to the expectancy of continued employment at any time, in any position, at any particular rate of pay;
- Creating a merit system;
- Creating tenure for covered employees;
- Creating a contract of employment.

The provisions in this Manual replace and supersede all other similar existing policies, procedures, Police and Fire Standard Operating Procedures (SOP) to the extent that the specific policy is covered in this Manual.

The policies contained in the Human Resources Policies and Procedures Manual are for internal use only, and are not intended to enlarge an employee's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of the Human Resources policies, if proven, can only form the basis of a complaint or disciplinary action by the City of Albany, and then only in a non-judicial administrative setting.

B. Coverage

These Human Resource Policies and Procedures apply to all full-time, part-time, temporary, and seasonal City employees, with certain exceptions as listed below.

The following list of persons and/or positions are generally **not** covered by these Human Resource Management policies, unless specifically enumerated in a specific policy:

1. Elected officials (Mayor and City Commission);

2. Members of appointed boards (i.e., Alcohol Review Board, Zoning Appeal Board, Planning Commission, etc.);

3. Appointed professional positions (i.e., City Attorney, City Clerk, etc.);

4. Persons providing contracted services.

C. Administration of Policies

The City Manager as Chief Executive Officer of the City is responsible for administering policies on a City-wide basis, with Department Directors (and their designees) responsible for administering polices within their respective Departments. The City Manager may, as he/she decides, delegate portions of policy administration to the Office of Human Resources.

These policies are intended to cover most human resources issues, but the City Manager and/or Director of Human Resources, shall interpret these policies as applied to events, which may not be specifically covered.

D. Availability of Human Resources Manual

This Human Resources Manual will be maintained by the City's Director of Human Resources. A link to access this manual will be issued to each City employee. Review copies will be available--at least one in each Department, one in the Office of Human Resources.

E. Policy Changes

City Officials reserve the right to change, modify, replace, interpret and/or cancel these policies at any time. Department Directors may issue additional or clarifying human resources procedures to respond to the unique needs of their Department; provided that such additional directives are reviewed by the Director of Human Resources before they are issued by any Department. The City Manager and/or the Director of Human Resources will consult with City Commission and the City Attorney as appropriate. Policy changes will be communicated to the employees.

F. Resolving Conflicts between Law, Administrative Regulations, Administrative Directives and Contracts

In the event of conflict between law, administrative regulation, directives, and contracts, then:

1. Law takes precedence over administrative regulations. (Example: Federal and State law would take precedence over Georgia P.O.S.T. Council regulations);

2. Law of the higher jurisdiction may take precedence. For example, Federal legislation and court decisions may supplant state legislation. And state law may also supplant local legislation;

3. City-government directives take precedence over Department directives. (Example: City-wide human resources policies take precedence over Department human resources policies);

4. Contracts take precedence over written directives (Example: Insurance contract takes precedence over this manual's description of coverage).

I. Purpose: To effectively, equitably and promptly consider and review employee grievances.

II. Scope: This policy applies to all full time employees of the City of Albany, Georgia. This policy does not apply to the following:

- Temporary, seasonal, and initial probationary employees;
- Regular part time employees;
- Department Heads;
- Any employee that is required to process their grievance under another existing procedure, such as the Complaint Process and Procedure for a discrimination, harassment or retaliation claim in section 2.2.

III. Policy Statement: The goal of this policy is to respond to employees quickly and in a consistent manner, without the need for third party intervention.

Problems, misunderstandings, and frustrations may arise in the work place. Any employee who is confronted with a problem has various means available, which may be used for resolution or clarification of the issue involved, including this formal grievance procedure.

IV. Responsibilities and Administrative Procedures:

A. Determination of Grievance

1. Upon a formal submission by an employee, if there is a dispute or disagreement about whether an act is a grievance, such dispute shall be submitted to the Office of Human Resources. The Director of Human Resources shall make a determination on whether the conduct or act complained of is grievable at any point during the grievance process.

2. A general feeling of dissatisfaction with City employment is not grievable, nor is the application of a policy or rule established by the Mayor and Commission. A grievable act may involve, but may not be limited to any of the following employment conditions or relationships:

a. Disciplinary actions;

b. Application of human resources policies, procedures, rules and regulations;

c. Methods and conditions of job performance.

d. Retaliation for participation in this procedure.

3. Non-grievable complaints may mean any of the following:

a. Establishment and revision of wages or salaries, position classifications or general employee benefits;

b. Oral reprimands;

c. Contents of ordinances or statutes, human resources policies, procedures, rules and regulations;

d. Work activity accepted by the employee as a condition of employment or which may reasonably be expected to be a part of the job content;

e. Termination, demotion, layoff or suspension of duties because of lack of work, reduction in force, or job abolishment;

f. Performance Evaluations (this is an objective judgment based on supervisor's evaluation).

B. Formal Submission.

Step 1: Informal Discussion

Supervisors and employees are expected to make every effort to resolve problems as they arise and address grievances informally and encourage discussion between employees, supervisors, managers and Department Directors.

Step 2: Supervisory Level

1. Any employee who feels he or she has a grievance must complete, sign and date a grievance form and submit it to the employee's supervisor. This form may be obtained from the Office of Human Resources or from any Department Director. If the grievance involves a supervisor, such grievance shall be filed directly with the Department Director, as provided in Step 3.

2. The employee shall describe and state on the form, with specificity, the action complained of, the date the action occurred and all persons involved in the alleged grievance, as well as the remedy sought by the employee.

3. An employee must submit a grievance to the supervisor within five days of the grievable act. The Office of Human Resources shall resolve all disputes involving timing.

4. The supervisor shall meet with the employee to discuss the grievance and submit a written decision within five business days. Such decision shall be submitted to the Office of Human Resources, the grieving employee and the Department Director.

5. While the City of Albany is an at-will employer, the City will grant employees below Department Head level a pre-termination hearing (a name clearing hearing). Within five (5) days of receipt of this written recommendation for termination, employees may request a termination review before the City Manager or designee by completing and returning the prescribed forms to their Department Head. All termination reviews shall be at the discretion of the Manager and the Manager's decision shall be final.

   A termination review is informal and is not a legal proceeding to which any employee is entitled. It is simply a request to consult with the Manager and present information, before the Manager makes a final decision regarding termination. Until the final decision is made, the employee will be suspended without pay effective immediately. If the employee fails to submit a completed request for termination review by the Manager within a timely manner, there will not a pre-termination hearing by the Manager.

   If an employee chooses to request a review, and after making a proper request, the employee will be contacted by the Manager's Office regarding the review. If the employee is granted a review, the Manager will make a decision within ten (10) days of the review. If the Manager makes a final decision and in so doing decides not to grant the employee an in-person review, the employee will be notified in writing within ten (10) days of the request for a review.

Step 3: <u>Departmental Head Level</u>

1. If the grievance is not resolved at Step 2, or the grievance involved the employee's supervisor, the employee may submit the grievance form, along with all written documentation from Step 2, including the written decision, to the Department Director within five days of receipt of the decision at Step 2, or within five days of the occurrence of the grievance if it involves a supervisor.

2. The Department Director shall review and analyze the facts and/or conduct an investigation, including interviewing the grieving party and anyone involved in the grievance.

3. The Department Director shall meet with the employee to discuss the decision, and submit a written decision, within 10 days, to the grieving employee and the Office of Human Resources.

4. If the grievance involves a Department Director or an employment action amounting to a termination or demotion or other discipline (Section 11.1) not identified as "non-grievable" in Section 2.1, IV.A, above, and/or has not been resolved, the employee may proceed to Step 4.

Step 4: <u>City Manager Level</u>

1. If the grievance, meeting the requirements of Step 3, paragraph 4, is not resolved at Step 3, the employee shall submit to the City Manager a written request for hearing, along with all written documentation from the previous Steps, including each written decision, within five business days of the last decision or of the occurrence of the grievable act if it involves a Department Director. If the grievance begins at the City Manager Level, the employee should submit any information regarding the occurrence of the grievable act, including a written account of the facts.

2. The City Manager shall schedule a hearing within 30 calendar days from the date of the request for hearing.

   The City has the burden to establish, by a preponderance of the evidence, the basis for the disciplinary action taken. The grieving employee shall establish any defense or response sufficient to negate or mitigate the disciplinary action taken.

3. Any witness who is an employee of the City shall attend the hearing when the grieving employee requests the presence of the witnesses and such witnesses have knowledge relevant to the grievance. Requests for attendance of City- employed witnesses shall be made to the Office of Human Resources. If granted, the employee will be charged administrative leave.

4. Within 15 business days of the conclusion of the hearing, the City Manager will render a decision on the grievance, which decision shall be final.

5. Copies of the decision shall be transmitted to the grieving employee, any other party to the grievance, the Director of Human Resources and the City Attorney.

B. Rights and Conditions:

1. **Extensions of Time.** Time limits may be extended by agreement of both parties involved. Notice of such extension shall be provided to the Director of Human Resources and approved by the City Manager or designee.

2. **Human Resources Records.** All records relating to an employee's grievance shall be kept on record in the Office of Human Resources.

3. **Non-grievable Acts Covered by another Complaint Process.** If an employee has a complaint that is covered by another procedure, such as a complaint involving discrimination or harassment, they are to use the appropriate procedure that governs the issue. If an employee cannot identify the proper procedure, the employee should consult a Department Director or the Office of Human Resources. Issues involving discrimination, harassment and retaliation shall be processed under the Complaint Process and Procedure (section 2.2).

C. Non-Retaliation

No employee shall be discriminated against or retaliated against for the proper use of this grievance procedure.

D. Violations/Waivers:

1. Failure to initiate a grievance within the time specified in this policy acts as a waiver of the grievance.

2. Failure, at any time during the grievance procedure, to submit a grievance to the next step within the time limit, acts as an acceptance of the decision at that step.

3. Failure of a grieving employee to cooperate, participate or meet as requested, pursuant to this policy, shall result in a dismissal of the grievance. Any employee who resigns from their employment with the City shall be deemed to have waived their right to initiate or process a grievance.

4. Violation of this procedure, failure to comply with the rules governing this policy or failure to cooperate with this procedure, may lead to discipline up to and including termination from employment.

E. Office of Human Resources Open Door Policy

The Office of Human Resources will maintain an open-door policy for issues which may be brought to its attention.

I. Purpose: To provide a complaint process for employees of the City when it is alleged that there is discrimination, harassment, or retaliation for reporting or participating in an investigation of discrimination or harassment in the workplace.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: It is the policy of the City of Albany that all complaints regarding discrimination, harassment, or retaliation for reporting or participating in an investigation of discrimination or harassment in the workplace shall be handled fairly and timely.

IV. Responsibilities and Administrative Procedures:

A. Written (or verbal) Complaint. When it is alleged that an incident of discrimination, harassment, or retaliation occurs, the incident should be reported in writing (preferably), as soon as possible, to the Department Director. If the complaint is against the Department Director or the reporting employee is uncomfortable approaching the Department Director, the complaint may be made to the Director of Human Resources. If the complaint is against the Director of Human Resources, the complaint may be made to the City Manager.

B. Investigation. Upon receiving a complaint regarding discrimination, harassment, or retaliation, the Department Director shall immediately contact the Director of Human Resources. The Department Director and the Director of Human Resources, acting as a unit, shall take the following actions as directed by the Director of Human Resources:

1. At all times, maintain the confidentiality of the reporting employee and the accused;

2. Notify the City Manager that a complaint has been received and state the nature of the complaint;

3. Immediately investigate the nature and seriousness of the alleged discrimination, harassment, or retaliation, the circumstances under which it occurred, and whether the reporting employee has expressed, to the accused, objections concerning the behavior;

4. If deemed appropriate, separate the reporting employee and the accused, in an attempt to prevent further incidents from occurring, while the investigation is pending. As the investigation continues, it may be appropriate to assign the reporting employee or the accused to temporary duties.
5. Conduct interviews with the reporting employee, the accused and all other parties or witnesses who may have knowledge of the complaint or the behavior displayed. It will be emphasized that the City will not allow any retaliation against the claimant for bringing the complaint.

6. Complete a written report of the investigation's findings and a recommendation as to any disciplinary action or other remedial action within two weeks of the filing of the complaint. Notify both the reporting employee and the accused, in writing, of the results of the investigation.

7. Where disciplinary action is determined to be warranted, institute such action and notify the person subject to such disciplinary action, of any appeal process under the City's rules and regulations.

C. Employees found to have knowingly made a false or malicious complaint of discrimination, harassment, or retaliation shall be subject to appropriate disciplinary action up to and including termination from employment with the City. Retaliation against any employee for filing a complaint in good faith or for participating in an investigation of discrimination, harassment, or retaliation is strictly prohibited and anyone who so retaliates shall be subject to disciplinary action up to and including termination from employment with the City.

D. The investigation and results of the investigation will be treated as confidential, with release of information limited to those individuals with a need to know and as needed to complete the investigation except as otherwise required by law.

E. Allegations of discrimination, harassment, or retaliation will be investigated even if no formal complaint is filed.

I. **Purpose:** To define the acceptable use of bulletin boards within the City of Albany facilities.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** One of many methods we use to communicate to employees is bulletin boards. Bulletin boards are used to communicate news, announcements or other business related information. No postings can be made to the bulletin boards without clearance through the Public Information Officer. The bulletin boards are not to be used by outside organizations or individuals and are the only locations approved for postings.

Acceptable items for posting include:

- Required city, state and federal workplace posters;
- Management and human resources announcements such as promotional and educational opportunities;
- Notices of organizational social events

IV. **Responsibilities and Administrative Procedures:**

A. Any employee who wishes to have an item posted must submit it to the Department Director.

B. The Director will determine the acceptability of the posting and the time to be posted and will notify the employee of same.

I. **Purpose:** To control the solicitation of employees by other employees and non-employees in order to minimize the impact on City operations and maintain a positive work environment.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** The City of Albany prohibits solicitation of any type and for any purpose during the working time of the soliciting employee or the employee being solicited. Working time does not include break periods, mealtimes, or other specified periods during the workday when employees are not engaged in performing their work tasks. Distribution of circulars, handbills or literature of any kind during working time is not permitted.

IV. **Responsibilities and Administrative Procedures:**

A. All supervisors and managers are responsible for identifying potential violations of this policy and reporting this to the City Manager or the Office of Human Resources.

B. Non-employees and employees found to be soliciting in violation of this policy will be required to cease the activity.

C. Employees found to be soliciting will be subject to disciplinary action if they continue the solicitation after warning.

I. Purpose: The purpose of this Policy is to describe the City employment status of employees with the City of Albany.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: City of Albany employees, who do not have a separate, employee-specific written employment contract that has been executed by both the City and the employee, are employed at the will of the organization for an indefinite period, and either the organization or the employee may terminate the relationship at any time for any reason or no reason declared or undeclared.

Completing a "probationary period" of employment and transferring to "regular" or "part-time" status does not change the at-will status of the employee nor does it restrict or change in any way the organization's right or the employee's right to terminate the employment relationship.

Statements made in this Manual relative to "grounds for termination" or "just cause for termination" are stated for example purposes only. The examples cited are not all-inclusive lists, and are not intended to restrict the organization's right to terminate the employment relationship at-will, with or without cause.

IV. Responsibilities and Administrative Procedures:

A. Supervisors/Managers/Department Directors will:

1. Not modify this Policy for any employee or potential employee (applicant), or enter into an agreement, oral or written, contrary to this Policy;
2. Not make any statement or promises during pre-hire interviews or discussions stating the discharge from the organization will occur only "for cause;"
3. Exercise extreme caution to avoid inaccurate representation as to the employee's or applicant's employment; specific or limited grounds for termination; and procedures for discipline or termination; and
4. Not make an express or implied contract of employment for a definite period of time to any employee or applicant.

B. Employees will:

1. Sign employment applications and/or other letters;
2. Sign acknowledgment form acknowledging their understanding that they are employed at the will of the organization and are subject to termination at any time, for any reason, with or without notice and with or without cause; and
3. May resign from the city at any time, for any reason, with or without notice.

C. Office of Human Resources will:

Provide Management with the necessary guidance to support the City's public employment Policy.

I. Purpose and Intent: The purpose and intent of this policy is to establish guidelines for employees and/or volunteers who engage in social media activity as defined herein.

II. Definitions: For purposes of this policy, the term "social media" is defined as the online technologies through which employees and/or volunteers and other individuals engage in "social media activity" as defined below. In most cases, the term refers to internet-based websites such as MySpace®, Facebook®, Twitter®, LinkedIn®, Google+®, YouTube®, Tumblr®, and Blogger®. 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.

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

III. Scope of Policy: This policy applies to all employees and/or volunteers of the City 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.

IV. Policy Statement: This policy is not intended to prohibit any employee's and/or volunteer'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 the employees' and/or volunteers' 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.

It is essential that each employee and/or volunteer accept his or her role as an ambassador of the City. In doing so, each employee and/or volunteer should strive to maintain public trust and confidence, not only in his or her professional capacity, but also in his or her personal and on-line activities. While those in senior leadership positions (grades 11 and above) are held to higher standards,

the on-line activities of all City employees should reflect such professional expectations and standards.

V. Responsibilities and Administrative Procedures:

Prohibitions on Social Media Activity

A. All employees and/or volunteers of the City 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.

B. Each employee and/or volunteer of the City who engages in social media activity should take personal responsibility for ensuring that such activity is consistent with all policies of the City, 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 of an employee and/or volunteer of the City, bringing discredit to the City, or interfering with or detrimental to the mission or function of the City.

C. Employees and/or volunteers should refrain from engaging in any social media activity which disqualifies them from performing, or in any way reasonably calls into question their ability to objectively 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.

D. While any employee, at his/her 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.

E. 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.

VI. Limitations and Restrictions on Social Media Activity

A. Employees and/or volunteers are strongly discouraged from disclosing or otherwise revealing their status as employees and/or volunteers of the City through social media and, except as otherwise authorized in advance by the City Manager, are strictly prohibited from directly or indirectly representing themselves to be speaking on behalf of the City. Similarly, in the absence of prior approval, employee's and/or volunteer's 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.

B. Except as otherwise authorized in advance by the City Manager, if an employee's and/or volunteer's status as an employee of the City is disclosed, revealed, or otherwise made apparent in connection with his/her social media activity, his/her social media activity should include a prominently displayed disclaimer to the effect that the activity reflects only the employee's and/or volunteer'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. Employees and/or volunteers should recognize that social media activity is generally more likely to violate this policy and other policies of the City if their status as City employees and/or volunteers is disclosed or revealed in connection therewith.

C. Except as otherwise authorized in advance by the City Manager, no employee may utilize City computers or equipment for purposes of engaging in social media activity.

D. Except as otherwise authorized in advance by the City Manager, 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.

E. 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 Manager, employees and/or volunteers 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.

F. Exceptions to the above-stated limitations and restrictions may be authorized by the City Manager; provided, however, that any request for such an exception represents a promise by the employee and or volunteer 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 SOP's or rules adopted by his/her

department director, as well as any laws pertaining to copyrights, trademarks, trade secrets, patents, and privacy and reputational rights.

G. The City reserves the right to require any employee and/or volunteer 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.

VII. Application to Other Policies: All personnel policies of the City relating to employee and/or volunteer 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.

VIII. No Expectation of Privacy in Social Media Activity

A. City employees and/or volunteers 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.

B. The City reserves the right to inspect or monitor any social media activity engaged in by its employees and/or volunteers using City owned computers or other electronic equipment or devices. In addition, employees and/or volunteers 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.

IX. Workplace and/or On-Duty Usage: Because it recognizes that social media is an emerging form of communication, the City permits employees and/or volunteers using their own personal computers or equipment, to engage in limited social media activity in the workplace and/or while on duty, similar to receiving a personal text message or a telephone call of limited duration. Employees and/or volunteers choosing to do so, however, are expected and required to use proper judgment and discretion, recognizing that even very brief periods of social media activity can collectively amount to significant periods of time. Supervisors are authorized to restrict or prohibit workplace/on-duty social media activity, as appropriate.

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

A. Employees and/or volunteers 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 policies and procedures.

B. If an employee and/or volunteer is sued in part due to his/her 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.

XI. Interpretation and Application

A. Nothing in this policy is intended to or will be applied in a manner that violates any employee's and/or volunteer's constitutional rights, including rights to freedom of speech, expression, and association, or federal or state rights to engage in any statutorily-protected activity.

B. Any employee and/or volunteer unsure about the application of this policy to any particular social media activity should seek guidance from their Department Director, Assistant City Manager, or the Director of Human Resources.

C. 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 and/or volunteers. A violation of this policy by an employee and/or volunteer provides only a basis for corrective and/or disciplinary action against such employee and/or volunteer by the City.

I. **Purpose:** To define the procedure for handling inquiries from the media.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** To ensure that the City maintains the appropriate public image and that communications to the media (e.g. newspapers, television, radio, periodicals) are accurate and in line with applicable City policy, all contacts or inquiries from the media are to be referred to the Public Information Officer.

IV. **Responsibilities and Administrative Procedures:**

The City of Albany's Public Information Officer handles all general media requests through the Office of the City Manager, whereas Albany Police and Fire adhere to a strict chain of command regarding on scene media interaction. General media requests at the department level should be filtered to the PIO office ***through*** the Department Director ***prior*** to the actual media event. This includes radio, television, print, internet and phone interviews, as well as any written communication to either medium.

The Public Information Officer is the primary media point-of-contact (except for the Police & Fire Departments). He/she will direct further contact, if necessary, to the appropriate Department Director.

I. Purpose: To provide a clear explanation of the guidelines surrounding the use of e-mail signatures on the City provided e-mail accounts.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: E-mail, often used more than any other form of communication, is a form of business communication and is a reflection of the City. The format of one's e-mail should be professional in terms of signature and other formatting. E-mail signatures should follow certain guidelines to fit with the overall branding initiative with the City. As such, the style of address, tone, spelling, grammar and punctuation of all messages should reflect the standards of formal business communication.

Having a professional email signature is extremely important. While signatures may vary slightly from person to person based on their role and level with the organization, consistency across all City staff is the goal.

IV. Responsibilities and Administrative Procedures:

Standard Email Signature

Dwight L. Baker, DBA, IPMA-SCP
Director of Human Resources
Office of Human Resources

Phone: 229.431.2853
Fax: 229.434.2697
222 Pine Avenue, Suite 360
Albany, GA 31701

P.O. Box 447
Albany, GA 31702
www.albanyga.gov

PUBLIC RECORDS NOTICE: *Georgia has a very broad public records law. Most written communications to or from City officials regarding City business are public records available to the public and media upon request. Your email communications may be subject to public disclosure.*

I. Purpose: To ensure that the principles of equal employment opportunity are practiced and adhered to by every employee of the City of Albany.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: The City prohibits discrimination against employees or applicants in job application procedures, hiring, firing, advancement, compensation, job training and other terms, conditions and privileges in employment; or against any individual who may conduct or have business with the City. Conduct, which constitutes discrimination, is illegal and therefore prohibited by the City. Anyone with a complaint based upon a violation of this policy is to utilize the City's Complaint Process and Procedure, section 2.2 in this Manual.

Discrimination is defined as an act based upon impermissible criteria such as race, religion, color, sex, culture, age, national origin, disability, and veteran status which adversely affects the employment or promotional opportunities of an individual.

It is a violation of this policy for anyone to retaliate against an individual for opposing employment practices that discriminate based upon race, sex, age, religion, culture, color, national origin, disability, veteran status or for filing, in good faith, a discrimination or harassment charge, testifying or participating in any way in an investigation, proceeding, or litigation involving harassment or discrimination.

Employees found to have knowingly made a false or malicious complaint of discrimination and/or harassment shall be subject to appropriate disciplinary action up to and including termination from employment with the City.

IV. Responsibilities and Administrative Procedures:

A. Employees

1. Whenever possible, individuals who experience unlawful harassment or discrimination should make it clear to the offending person that such behavior is unacceptable.
2. All employees are responsible for ensuring that the workplace is free of conduct or expression which may be construed as discriminatory and/or harassing in nature.

B. Office of Human Resources

1. The Office of Human Resources has overall responsibility for assuring that the City of Albany is in compliance with Title VII, the Age Discrimination & Employment Act (ADEA) and the Americans with Disabilities Act (ADA).
2. The Office of Human Resources is responsible for posting notices in an accessible format to applicants and employees; providing information on discrimination and harassment to employees; and investigating complaints concerning discrimination and harassment.

C. Department Directors

1. Department Directors are responsible for providing a work environment where all employees and applicants are treated fairly and consistently in accordance with applicable rules and regulations.
2. Department Directors are responsible for making the employees in the department aware of the harassment and discrimination policies of the City; immediately reporting all allegations of harassment or discrimination to the Office of Human Resources; immediately conducting investigations of harassment or discrimination; and cooperating with the Office of Human Resources.

D. Supervisors

1. Supervisors are responsible for identifying harassment and discrimination and taking appropriate corrective action immediately.
2. Supervisors must monitor the work environment for compliance with the rules and regulations regarding harassment and discrimination.
3. Supervisors must keep the Department Director and the Office of Human Resources apprised of any issues that arise.
4. Supervisors are also responsible for disapproving and taking appropriate action for conduct that is prohibited by this section; correcting or counseling employees whose behavior may be offensive to others in a discriminatory and/or harassing way, even though an official complaint has not been made.
5. Supervisors who allow unlawful discrimination and harassment to continue and who fail to take appropriate corrective action shall be considered a party to the act/behavior and shall be subject to disciplinary action up to and including termination. .
6. The supervisor will be held accountable if the supervisor knew or should have known of such acts, or, having known of such acts, failed to take appropriate action.

I. **Purpose:** To create and maintain a work environment free of discrimination and harassment in employment.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** The City prohibits harassment against employees or applicants or against any individual who may conduct or have business with the City. Conduct, which constitutes harassment, is illegal and therefore prohibited by the City. Anyone with a complaint based upon a violation of this policy should utilize the City's Complaint Process and Procedure, section 2.2 in this Manual.

Harassment is defined as an act of engaging in unwanted verbal or physical conduct or expression, which has the purpose or effect of creating a hostile, offensive, or intimidating work environment.

Sexual Harassment is any unwelcome sexual attention, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when:

A. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; or

B. Submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual; or

C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance; or

D. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment.

Prohibited conduct that constitutes harassment in violation of this policy includes, but is not limited to the following:

A. Verbal or physical conduct or expression which evidences prejudice or bias on the basis of race, sex, age, religion, culture, color, national origin, disability, veteran status;

B. Verbal or physical conduct or expression which evokes negative stereotypes involving race, sex, age, religion, culture, color, national origin, disability, veteran status;

C. Any of the above or any unwelcome, verbal, visual or physical conduct

of a harassing nature, when a person involved feels compelled to submit to that misconduct in order to:

1. Keep such employee's position;
2. Receive appropriate pay;
3. Benefit from certain employment decisions; or
4. Such misconduct interferes with an employee's work or creates an intimidating, hostile, or offensive work environment.

It is a violation of this policy for anyone to retaliate against an individual for opposing employment practices that constitute harassment based upon race, sex, age, religion, culture, color, national origin, disability, veteran status or for filing, in good faith, a harassment charge, testifying or participating in any way in an investigation, proceeding, or litigation involving harassment or discrimination.

Employees found to have knowingly made a false or malicious complaint of harassment shall be subject to appropriate disciplinary action up to and including termination from employment with the City.

IV. Responsibilities and Administrative Procedures:

A. Office of Human Resources

1. The Office of Human Resources has overall responsibility for assuring that the City of Albany is in compliance with Title VII and any other applicable federal or state employment legislation.
2. The Office of Human Resources is responsible for posting notices in an accessible format to applicants and employees; providing information on illegal harassment to employees; and investigating complaints concerning harassment.
3. The Director of Human Resources will ensure that all Department Directors and Supervisors undergo periodic training in harassment avoidance.

B. Department Directors

1. Department Directors are responsible for providing a work environment where all employees and applicants are treated fairly and consistently in accordance with applicable rules and regulations.

2. Department Directors are responsible for making the employees in the department aware of the harassment policies of the City; immediately reporting all allegations of harassment to the Office of Human Resources; immediately conducting investigations of harassment; and cooperating with the Office of Human Resources.

C. Supervisors

1. Supervisors are responsible for identifying harassment and taking appropriate corrective action immediately.

2. Supervisors must monitor the work environment for compliance with the rules and regulations regarding harassment.

3. Supervisors must keep the Department Director and the Office of Human Resources apprised of any issues that arise.

4. Supervisors are also responsible for disapproving and taking appropriate action for conduct that is prohibited by this section; correcting or counseling employees whose behavior may be offensive to others, even though an official Complaint has not been made.

5. All supervisors who allow unlawful harassment to continue and who fail to take appropriate corrective action shall be considered a party to the act/behavior and shall be subject to disciplinary action up to and including termination. The supervisor will be held accountable if the supervisor knew or should have known of such acts, or, having known of such acts, failed to take appropriate action.

D. Employees

1. Whenever possible, individuals who experience unlawful harassment should make it clear to the offending person that such behavior is unacceptable or the employee should notify his or her supervisor.

2. All employees are responsible for ensuring that the work place is free of conduct or expression, which may be construed as harassing in nature.

I. **Purpose:** To provide a workplace free from unlawful discrimination and where all applicants and employees have equal opportunity in all areas of employment; to fully comply with the Americans with Disabilities Act (ADA).

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

Policy Statement: It is the policy of the City to comply with the ADA. The City prohibits discrimination against "qualified individuals with disabilities" in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment. The City will provide "reasonable accommodations" to qualified individuals with disabilities who are employees or applicants for employment, unless doing so would result in an "undue hardship" on the City. "Qualified individual with a disability" is defined as an individual who possesses the required experience, education, training and/or other requirements for the employment position that such individual holds or desires and who, with or without reasonable accommodation, can perform the essential functions of the employment position. "Reasonable accommodation" is defined as modifications or adjustments made for the known disability of an employee or applicant by structuring the job or the work environment in a manner that will enable the person with a disability to perform the "essential functions" of a job (i.e. the basic duties that an employee must be able to perform, with or without reasonable accommodation, where performing the function is the reason the position exists, to the extent that nonperformance of the function alters the nature of the position). Reasonable accommodation includes, but is not limited to, modifying written or oral examinations; making facilities accessible; adjusting work schedules; restructuring jobs; and providing assistive devices and/or services. "Undue hardship" is defined as an action requiring significant difficulty or expenses, when considered in light of the nature and cost of the accommodation in relation to the size, resources, nature and structure of the employer's operation.

Anyone with a complaint based upon a violation of this policy must utilize the City's Complaint Process and Procedure, section 2.2 in this manual.

Prohibited conduct that constitutes discrimination and violation of this policy includes, but is not limited to the following:

- Asking applicants if they are disabled or about the nature or severity of a disability;

- Making pre-employment inquiries about the medical/psychological status of an applicant;
- Requiring an applicant to take a medical examination before making a job offer;
- Inquiring if an applicant has previously filed a workers' compensation claim;
- Refusing to hire a qualified applicant or retain an employee because reasonable accommodation is required for the individual to perform the job, except when such act would cause an undue hardship or would result in a "direct threat" (a significant risk to the health or safety of the individual or others, which cannot be eliminated by reasonable accommodation) to the employee or others;
- Failing to interview or test a qualified applicant because of his or her disability;
- Rejecting a qualified applicant because he or she has a condition or illness which is, or is perceived to be, likely to become a disability at some time in the future.

The City may require a pre-employment medical and/or psychological examination only after an offer of employment has been made to a job applicant and prior to the commencement of the employment duties of such applicant, and may be a condition of the offer of employment pending the results of such examination. Pre-employment examinations may only be required if provided to all job applicants in the same job category regardless of disability.

It is a violation of the ADA and this policy for anyone to retaliate against an individual for opposing employment practices that discriminate based on disability or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADA. The City of Albany expressly prohibits such retaliation.

IV. Responsibilities and Administrative Procedures:

A. Office of Human Resources

1. The Office of Human Resources has overall responsibility for assuring that the City of Albany is in compliance with the Americans with Disabilities Act, and will ensure that there is reasonable access for individuals with disabilities to City facilities and employment programs.
2. The Office of Human Resources is responsible for posting notices in an accessible format to applicants, employees and citizens; providing information on the ADA to employees, supervisors and managers; monitoring reasonable accommodation efforts, and investigating

complaints concerning ADA violations.

3. The Office of Human Resources is also responsible for ensuring that job descriptions document the essential functions of the job and any mental/physical requirements.

B. Department Directors

1. Department Directors are responsible for providing a work environment where disabled employees and applicants are treated fairly and consistently in accordance with applicable rules and regulations.

2. Department Directors are responsible for monitoring ADA compliance within their respective departments, providing requested reasonable accommodations for employees in the respective department, in coordination with the Office of Human Resources.

C. Supervisors

1. Supervisors are responsible for identifying essential functions for each position under their supervision.
2. Supervisors must monitor the work environment for compliance with the ADA and keep the Department Director and the Office of Human Resources apprised of any issues that arise.
3. Supervisors are also responsible for disapproving and taking appropriate action for conduct that is prohibited by this section and the ADA.

D. Employees

1. Each employee of the City of Albany is responsible for providing quality service to all citizens and being sensitive to the needs of disabled members of the public and to the needs of other employees of the City.
2. Each employee or applicant is responsible for self-identifying and informing the City that an accommodation is needed and providing medical documentation, as required.

E. Reasonable Accommodation Procedures

1. In reviewing requests for accommodation, the Director of Human Resources will:
    a. Meet with the applicant or employee requesting the accommodation to identify and discuss the precise limitations resulting from the disability and potential accommodations that could overcome those limitations, and

b. Meet with the supervisor/Department Director to evaluate the potential accommodation(s) and cost.

2. In evaluating "reasonable accommodation," the Director of Human Resources may do any of the following:

a. Request a written statement from the disabled individual's physician to verify the disability and legitimate need for an accommodation;

b. Require the individual to be examined by a medical expert selected by the City to help identify effective accommodations;

c. If appropriate, require the individual to be evaluated by a psychologist, psychiatrist, rehabilitation counselor, occupational or physical therapist, or any other professional with knowledge of the person's disability and limitation, and/or

d. Require authorization from the individual to access his/her medical records.

3. The Director of Human Resources will review findings with the City Manager (and legal counsel) to determine the feasibility of the requested accommodation. The city will consider the preference of the individual to be accommodated. If there are two or more effective accommodations, the city, at its sole discretion, may choose the least expensive or easier accommodation that will provide equal opportunity for the applicant or the employee.

4. After a decision is made on how an accommodation will be implemented (installed), the supervisor will inform the applicant or the employee of the city's employment decision.

I. **Purpose:** To provide a recruitment and selection process that promotes equal employment opportunity for all applicants and provides departments with qualified applicants in a timely manner.

II. **Scope:** This policy governs the filling of all positions with the City. This process applies to hiring externally, as well as hiring internally.

III. **Policy Statement:** All regular full time vacancies will be advertised to ensure equal opportunities, except for emergency situations. At the discretion of the City Manager, positions may be advertised internally.

A. **Residence Requirements**

Individuals will be recruited from a geographical area as wide as is necessary to assure obtaining well-qualified candidates for the various types of positions. Employment, therefore, will not necessarily be limited to residents of Albany.

B. **Minimum Age for Employment**

The minimum age for employment with the City is generally age 18, except for sworn police officer positions, where the minimum age is 21. No one under the age of 18 will be employed in any job deemed hazardous by the Office of Human Resources (in compliance with the Child Labor laws).

Some exceptions for persons age 16-17 are allowed, such as for seasonal employees, and student interns from high schools as long as they meet the federal and state legal requirements. Persons in this age group must possess a valid work permit issued by the Georgia Department of Labor as issued through their school district.

C. **Pre-Employment Testing and Background Checks**

It is the policy of the City of Albany to require a pre-employment drug test, physical examination if related to the function of the position and criminal background check for all newly hired regular and temporary employees as a condition of employment. Credit History checks are run on Department Directors and persons in cash handling positions or other applicable positions.

Applicants must take a drug test and physical examination at the

City's expense after an offer is made and prior to employment.

All offers of employment are contingent upon verification of information by the applicant.

Hiring decisions will be made based on the type of criminal conviction, the length of time since the conviction, and the duties and location of the job assignment. Criminal convictions will not be viewed as an automatic bar to employment.

D. Job Posting

As vacancies occur, the Department Director will ask the Office of Human Resources to advertise the vacancy. Applicants may be sought through posting the vacancies at various locations, the City of Albany website, and other outlets.

E. New Employee Onboarding

All employees are required to participate in the New Employee Onboarding. A planned onboarding program provides a process of information sharing which will help all new employees feel welcome and comfortable, thereby furthering their initial adjustment to a new work setting.

F. Probationary Period

All regular appointees shall serve a probationary period of six months. Public Safety Departments may determine the probationary period based on the length of the initial training required for the new employee. Police promotions require a twelve (12) month probationary period. The purpose of the probationary period is two-fold:

- To provide a period of training, supervision and counseling by the supervisor to help the employee succeed;
- To make sure the employee can and will perform satisfactorily.

A probationary period may be extended upon recommendation of the Department Director and approval by the Director of Human Resources.

Newly hired employees shall receive evaluations from their immediate supervisors on or near the end of their probationary period. The supervisor is responsible for counseling the employee as to performance and for completing a performance appraisal for the period. The supervisor shall submit the appraisal to the reviewing supervisor.

IV. Responsibilities and Administrative Procedures:

A. Recruitment

1. The department seeking to fill a position initiates the recruitment process by completing and sending a requisition form to the Office of Human Resources. The form must identify the vacancy by position name and number and must be signed by the Department Director.

2. Requisition forms must be submitted to the Office of Human Resources prior to the week of posting.

3. If an applicant pool is not suitable, the department may return the applications to the Office of Human Resources and request to extend the advertising period.

4. All vacancies submitted for advertisement will be posted on the City's website and other outlets. If additional publications or advertisements are required, the requisition form must specify which publications in which to place the advertisements. Each department that submits a requisition form will be charged the costs associated with the advertisement.

B. Application Screening

1. Departments must provide input to the Office of Human Resources to establish the screening criteria for the position prior to the closing date for submitting applications.

2. The Department Director or designee shall work in conjunction with the Office of Human Resources to determine the pool of applicants to be considered further.

C. Interview Process:

1. Structured interview questions for all candidates must be consistent and related to the position to be filled and the job to be performed. All interview questions must be approved by the Office of Human Resources prior to being used in the interview process.

2. The interview panel (minimum of three people is the group of persons selected by the Hiring Manager to recommend the final candidate or candidates for consideration. The Office of Human Resources shall participate on interview panels at the discretion of the Human Resources Director and will remain available to assist in the process upon request.

   The interview panel will generally consist of persons in an equivalent or higher classification as the position to be filled. At least one person on the panel must be from a department other than the hiring department.

3. Questions related to race, sex, age, religion, culture, color, national origin, disability, veteran status, financial, marital or parental status are

not permitted during the interview or any part of the hiring process.

4. No offer of employment shall be made to an applicant until all applicants selected for interviewing have been interviewed.

D. Offer of Employment

1. The Manager Department Director has the final authority for approving the selection of the final candidate.

2. The Office of Human Resources must conduct all required reference checks of the final candidate and ensure that the results are satisfactory.

3. The minimum of a pay range is generally appropriate for a newly hired employee. At the discretion of the Department Director, a salary above the minimum pay level for the position may be recommended, along with a form stating the criteria used to justify the recommendation. Any recommendations above the minimum salary for the position must be approved by the City Manager.

4. All offers of employment may be contingent upon a physical examination if related to the function of the position, and to a drug screening. Applicants must sign a consent form authorizing the City of Albany to obtain a criminal background history. In some instances, fingerprinting may be required. The consent form will be signed and notarized in Human Resources.

   a. Falsification of information on the employment application will result in the withdrawal of the job offer and/or termination of employment.

5. Upon confirming acceptance of the job offer from the candidate, agreement of the salary conditions, and the completion of any physicals, background checks and the drug screening, the Department Director will prepare an offer letter for review and approval by the Director of Human Resources.

   Human Resources will send rejection letters to all candidates that were granted interviews with the assistance of the hiring department.

6. The Department Director may be permitted to hire two or more candidates from the same pool of applicants. The vacancy must occur within six months of the original advertisement and be for a position of the same classification. The Department Director must submit a request in writing to the Office of Human Resources.

7. The Department Director is responsible for submitting the Hiring Packet to the Office of Human Resources. The Hiring Packet shall include copies

of rejection letters; the criteria for the salary offered; the final offer letter, which includes the salary offered and the position offered; and any other forms and documentation associated with the hiring process.

8. Department Directors employing persons working under a work permit must take special care to ensure working conditions do not violate the terms and conditions of the work permit or law. Employees under the age 18 also have restrictions on the types of activities they can perform. Contact the Office of Human Resources for additional information.

E. New Employee Onboarding (NEO)

Human Resources is responsible for ensuring all new employees are scheduled for onboarding. All new employees should be scheduled to attend onboarding at the time of or within one month of their initial employment.

I. Purpose: Family and other personal relationships between City employees and elected or appointed officials can result in conflicts of interest, favoritism, and appearance of favoritism all of which negatively impact the operation of the City and are to be avoided.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: It is the City's policy not to allow supervisor-subordinate relationships between relatives, which adversely affect City operation. A supervisor-subordinate relationship is defined as one wherein the supervisor has the authority to direct or evaluate the performance of the employee. Relatives include the employee's spouse (husband/wife), child(ren) (son/daughter), parents (father/mother) and siblings (brother/sister). The definition is also extended to include any other person who resides in the employee's household.

IV. Responsibilities and Administrative Procedures:

A. All applicants and candidates for employment or promotion shall disclose the name and department of any City employee, elected or appointed official who is a relative.

B. At no time may an employee be hired, promoted, demoted, transferred or reinstated into a position in which they would have direct supervisory responsibility or subordinate status with regard to a relative as defined above.

C. If an employee becomes a relative of someone with whom they have a supervisor- subordinate relationship or at the time of the passage of this policy is currently involved in such a relationship, the employee(s) shall immediately notify the Director of Human Resources who will report the situation to the City Manager. The City Manager will determine if a supervisor-subordinate relationship exists, and the potential for conflicts and adverse effects on morale or productivity in the affected department.

D. Elected or appointed City Officials shall not advocate for or cause the advancement, appointment, employment, promotion or transfer of a relative to any position of employment within the City. Elected or appointed City Officials shall not participate in any human resources decisions involving a relative who is an employee of the City.

I. Purpose: To define the policy regarding reemployment of former employees of the City.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: Former employees who have satisfactory work records with the City of Albany may seek reemployment. As with all other employment decisions, selection for jobs will be made based on the position requirements and the qualifications of the applicants to perform the duties of the jobs. See Hiring Process and Procedure, section 4.1.

A rehired employee is an employee who meets one or more of the following qualifications:

- Separated in good standing,
- Was not classified as a Temporary, Intern, Federal Work-Study and/or Graduate Student during their most recent service to the City,
- Was a former employee with a vesting certificate; the vesting certificate must be surrendered and previous service is credited upon rehire.

It is the individual's responsibility to self-identify as a former employee seeking reinstatement. The self-identification must occur at the time of application. Under no circumstances will an employee be eligible for the provisions of this policy if he/she failed to self-identify prior to re-hire.

Upon reemployment, an adjusted service date will be determined, based on the previous period of service and accounting for the time between the last day worked and the rehire date.

IV. Responsibilities and Administrative Procedures:

A. Human Resources

1. The Department Director in conjunction with the Director of Human Resources will make the recommendation to the City Manager.
2.
3. The City Manager shall make the final decision regarding re-employment.

I. Purpose: To define the employment categories for employees of the City.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: All employees will be designated as either full-time, or part-time, as follows:

A. ***Full-Time:*** These employees are scheduled to work 40 hours per week or 80 hours per biweekly pay period, except as otherwise specified positions (i.e., Firefighters and Airport Safety Officers).

B. ***Part-Time (997)*****:** These employees are in an "on-call" status for a particular job or jobs for 30 hours a week or less. Example: Civic Center ushers and ticket takers.

C. ***Part-Time (997A) –*** These employees are in an "on-call" status for a particular job or jobs for 30 hours a week or less. However, the employee hours worked is reimbursable by a third party. Example: Civic Center stagehand.

D. ***Regular Part-Time (998)*****:** These employees work a regular schedule, typically 20 to 30 hours a week. Example: School Crossing Guards, Transit Relief Drivers.

E. ***Temporary (999)*****:** These employees work a full 40-hour week to do a specific function/job for a specific timeframe. These temporary employees can be on the payroll for a maximum of three months. A three-month extension may be granted with management approval; however, in no instance will the temporary employee be on the payroll for a period over six (6) months. Any exceptions must have written approval from the City Manager. Example: A temporary employee hired to replace a hospitalized employee for the length of time the employee is certified by a licensed physician as unable to work.

IV. Responsibilities and Administrative Procedures:

A. Human Resources

Work with supervisors to ensure that all jobs have the appropriate

classification assigned.

B. Supervisors

1. Refer questions about their own or their employee's employment classification to Human Resources.
2. Monitor changes in the work schedules for their subordinates to ensure that jobs are accurately categorized and assigned within the appropriate status.
3. When creating new jobs, contact Human Resources to determine classification and status.

I. Purpose: The purpose of this policy is to ensure that the City of Albany complies with the requirements of the Immigration Reform and Control Act (IRCA).

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: In support of the U.S. Citizenship and Immigration Services (USCIS) of the Department of Homeland Security, City of Albany will ensure fairness in preserving jobs for those who are legally eligible to work (such as citizens, nationals and aliens authorized to work in the United States).

City of Albany supports legal immigration, and will comply with the law to verify the identity and employment eligibility of all those hired into the organization.

The City will not discriminate against individuals on the basis of national origin or citizenship, or require more or different documents from one particular individual than from another.

IV. Responsibilities & Administrative Procedures:

A. Human Resources

1. Ensure that all employees hired complete a Form I-9 when they start work;
2. Ensure that the employee fully completes section 1 of the Form I-9 at the time of hire;
3. Review document(s) establishing each employee's identity and eligibility to work, and fully and properly complete section 2 of the Form I-9 within three business days of hire;
4. Follow-up as required to ensure that employees with expiring employment eligibility renew the expiring status, and complete section three of the I-9 form before the reverification date;
5. Not use, attempt to use, possess, obtain, accept, or receive any forged, counterfeit, altered, or falsely made document;
6. Retain the Form I-9 and supporting documents for three years after the date the employee begins work or one year after the

employee's employment is terminated, whichever is later;

7. Make the Form I-9 available for inspection to an officer of the Immigration and Naturalization Service (INS), the Department of Labor (DOL), or the Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) upon request.

B. Supervisors

Equally consider all eligible, knowledgeable, and if required, credentialed, citizens and aliens who are authorized to work in the U.S. for open positions **(**advertised internally or externally).

C. New Hires and employees

1. Immediately declare their immigration status upon receiving an offer from City of Albany;
2. Complete a Form I-9;
3. Provide document(s) requested to verify identity and eligibility to legally work;
4. Not forge, counterfeit, alter, or falsely make any document to support one's employment;
5. Not use any document lawfully issued to a person other than the possessor (including a deceased individual) for the purpose of complying with the employment eligibility verification requirements.

I. Purpose: To define the City's policy and procedure regarding opportunities for promotion or transfer within the organization.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: The City of Albany is committed to the development of its employees and will make every effort to fill vacant positions with qualified City employees.

Promotions and transfers will be based upon the employee's knowledge, training, skills, and demonstrated ability.

Promotions

In the case where there is only one qualified applicant for the job position, that applicant is a current employee, and the employee meets the minimum qualifications that are required, the normal employment process may be dispensed with, upon concurrence of the City Manager.

In the case of a promotion, an employee shall begin the promotional probationary period. However, the restriction on vacation leave shall be waived, if the new hire probationary period has been completed.

The Police and Fire Departments may establish separate promotions procedures subject to the City Manager's review and approval. However, those procedures shall be subject to the rules, regulations and guidelines established by Federal and State equal employment opportunity law. The employment and promotion provisions of this manual shall prevail.

Transfers

Employees may transfer or be transferred to a similar or different position in a different or the same department/division when a vacancy arises. An employee may apply for a posted vacant position in accordance with the application process and compete with other applicants. If the employee meets the minimum qualifications of the position, then the employee may be considered for the position. Transferees shall be subject to another probationary period, however without the restriction on vacation time.

IV. Responsibilities and Administrative Procedures:

A. Human Resources

1. All job vacancies are posted by Human Resources for a minimum period of two weeks.

2. Human Resources will refer all applications of those who have applied for the position to the Department Director. Preference will be given to employees with qualifications comparable to those of external candidates.

3. When the job is filled, Human Resources will notify all employees interviewed in writing. Prior to a job offer, City of Albany references must be documented by the Office of Human Resources.

C. Employees

1. Employees who wish to apply for promotional opportunities must complete or update their application with Human Resources.

2. Interested employees may apply for the vacant job by following the instructions included in the posting.

I. **Purpose:** To define the policies of the City of Albany with respect to wage and salary administration.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** The City of Albany is committed to maintaining salary levels that are internally equitable, externally competitive, and in compliance with all applicable laws and regulations.

The City of Albany administers a classification and pay system whereby each employee is placed in the job classification, which accurately reflects his/her, responsibilities and is paid within the established pay range for his/her job.

The pay range assigned to each job classification is based on a job evaluation system and analysis of market salary data. Individual pay rates are determined by factors such as qualifications, length of service and job performance.

Employees are compensated fairly regardless of race, color, religion, sex, national origin, age, disability, veteran status or marital status.

A. **Minimum Wage** - The City of Albany will pay at least the current Federal minimum wage to all employees.

B. **Workweek** - A workweek is defined as a regularly recurring period of 168 hours, comprised of seven consecutive 24-hour periods. The City of Albany's workweek begins at 12:00 midnight on Saturday and ends on the following Friday at 11:59pm.

If a night shift overlaps the end of one workweek into the beginning of the next workweek, then hours worked should be recorded in the workday/week in which the shift began.

C. **Hours Worked** **-** Hours worked include all the time an employee is required or permitted to be on duty on the employer's premises or at a prescribed workplace. The City of Albany generally recognizes meal periods as unpaid time if an employee is completely relieved from duty (uninterrupted by work) for a period of at least 30 minutes. Short work breaks, usually 5 to 15 minutes, are considered as paid work time.

Full-time employees are those scheduled to work 40 hours per workweek,

generally for five eight-hour workdays. These eight hours are in addition to the meal period; however, they do include authorized work breaks. Individual work schedules are set by the department's management, based upon hours of operation and work requirements of the unit.

Attendance at lectures, meetings, training programs and similar activities is considered working time if it benefits the employer, is related to the employee's job and is authorized by the Department Director.

Travel that keeps an employee away from home overnight is work time when the travel time is within the employee's normal work hours. Travel time occurring on a Saturday, Sunday or holiday also is considered hours worked, if it is within the employee's normal work hours. Employees are not paid for time spent traveling from home to a local airport, bus depot or train station. If travel time and work time exceed 40 hours in the workweek, the time in excess of 40 hours is paid as overtime.

Time spent by an employee in travel as part of his/her normal activity such as travel from job site to job site during the workday, is counted as hours worked. When an employee is required to report to a particular worksite to receive instructions about work to perform, or to perform work there, the travel time from a particular worksite to the work place is a part of hours worked. Travel time from home to the designated worksite or vice versa is not considered work time.

Hours that an employee is "on call" off the employer's premises, and only required to leave word where he/she may be reached either by phone or by pager, are not considered hours worked. Hours that an employee is not actually working but is required to remain "on call" on the employer's premises, or so close thereto that the employee cannot use the time effectively for his/her own purposes, are considered hours worked.

D. **Fair Labor Standards Act (FLSA) Compliance**: City of Albany employees covered by the Fair Labor Standards Act are subject to its overtime and record keeping requirements. The Office of Human Resources is responsible for determining which job classifications satisfy the Fair Labor Standards Act exemption tests.

1. Exempt Status - Exempt employees are not covered by the Fair Labor Standards Act. Exempt status is based on the duties and responsibilities of an individual position, the required educational level and the salary received. Exempt employees must be paid on a salaried basis.

During the times when the Emergency Operations Center is activated and a State of Emergency has been declared, the City Manager has the authority to authorize payment of overtime for exempt employees designated as essential to the management of the emergency.

During periods of temporary vulnerability to peril that are less than declared states of emergencies, but may severely impede the City's ability to provide essential service delivery, promote public safety and/or comply with environmental health or other regulations, the City Manager has the authority to approve straight-time pay for hours in excess of 40 worked by exempt employees to include retroactive payment if applicable for the entire period of peril.

2. Non-Exempt Status - Non-exempt employees, who are covered by the Fair Labor Standards Act, are paid on an hourly basis and are entitled to overtime pay at one and one-half times their regular hourly rate for any hours they work in excess of 40 hours for general employees, 43 hours for Police Officers and 53 hours for Firefighters and Airport Safety Officers during the workweek.

It is the policy of the City of Albany to pay its exempt employees on a salary basis, and we prohibit deductions from salary that are not allowed under the federal Fair Labor Standards Act as amended April 23, 2004, or under applicable state law.

For exempt employees, time will be deducted from their pay only in the following circumstances:

1. For absences from work of one or more full days for personal reasons or due to sickness or disability beyond their entitlement to paid time off;

2. To offset pay received as a jury member or witness fees from the court or military pay;

3. For disciplinary suspensions of one or more full days for workplace conduct rule infractions;

4. For days not worked during the first and last week of employment;

5. For leaves taken under the Family and Medical Leave Act.

If an exempt employee believes that time has been improperly deducted from their salary, they should immediately report this to their supervisor or manager or to the Director of Human Resources. This will be investigated promptly, and if it is determined that an improper deduction has been taken, the employee will be reimbursed for the amount deducted in their next pay.

E. **Overtime** – For nonexempt employees, time worked in excess of 40 hours per week should be limited to urgent requirements which cannot be satisfactorily completed in another manner. Overtime hours should not be used routinely to complete regular job responsibilities. A nonexempt employee must be paid for all hours actually worked, whether specifically authorized or not.

Nonexempt employees are paid one and one-half times their regular hourly rate for all hours worked in excess of 40 during the workweek. Paid leave or other

hours paid but not considered to be work time are not considered to be hours worked for the purpose of overtime calculation.

F. **Time and Record Keeping** – Each department is responsible for maintaining accurate time and attendance records for all employees within the department using KRONOS.

Each departmental supervisor is responsible for correcting errors or omissions. Employees should report any mistakes, errors or problems to the supervisor immediately.

G. **Job Evaluation & Classification** – The basic components of this job evaluation process include job analysis, evaluation and classification. The job evaluation process requires an examination of compensable factors such as education, experience, accountability, supervisory responsibility, level of judgment, consequence of error, and budget responsibility, as well as a review of external market placement, in order to compare and rank a position appropriately.

Job analysis determines the job's function and involves research, which may include a review of current job descriptions (including comparable positions, benchmarks and/or other position within the department), comparisons with other municipalities, discussions with managers and observation of incumbents.

Position classification is the formal assignment of a specific position to a job title and pay grade.

I. **Pay Grade Structure** – The City of Albany maintains pay grade structures into which all classified job titles are placed. Each pay grade within a structure has a range that specifies the minimum and maximum for all positions assigned to that grade.

The minimum of a pay range is generally appropriate for a newly hired employee with the required minimum qualifications. Employees are paid at least the minimum rate to which their job title is assigned.

The maximum represents the highest pay rate that the City considers appropriate for employees with extensive experience and a demonstrated record of exceeding performance expectations. Employees at the maximum are not eligible for an increase to base rate; however, in recognition of meritorious performance, an employee at the range maximum may be considered for a lump sum payment.

J. **Market Structure Adjustments** – To ensure that the City of Albany salaries remain competitive, the Office of Human Resource may conduct periodic market studies of benchmark jobs. This involves reviewing published survey data to gather information for these benchmark classifications. The results are used to determine when and by what amount, if at all, pay ranges should be

adjusted in collaboration with the Finance Department.

K. **Starting Salaries** – Starting salaries offered to external candidates should be market competitive equitable and non-discriminatory. Consideration will be given to the minimum of the range, market based salary information, and pay rates of other employees, the candidate's education and related experience.

For jobs where the candidate's qualifications meet only the minimum requirement of the position, the starting salary offered will generally be the minimum of the pay range.

Starting salaries generally should not exceed the minimum of the range.

L. **Performance Increases** – Eligible employees with exceptional performance may receive merit increases. However, an employee's salary may not go beyond the maximum of the pay range in which his/her job is placed as a result of a performance increase. Employees at or over the maximum of the pay range may be considered for a lump sum amount in lieu of an annual increase to the base rate.

M. **Promotion** – A promotion occurs when an employee moves from a position in one job classification to another existing position, which is classified in a higher pay grade.

N. **Reclassification** – A reclassification involves the change of an existing position into a new pay grade due to a significant change in job scope, responsibility and content. This change must be based on more than an increase/decrease in work volume and pace or the addition/deletion of minor duties. The resulting pay increase is calculated in the same manner as a promotional increase.

O. **Lateral Transfers** - A lateral transfer occurs when an employee is transferred into another position within the same pay grade. This generally will not result in a salary change or a new probationary period.

Interim (Acting) Assignments – When an employee temporarily assumes a position classified in a higher grade than his/her current position and is projected to last 30 days or less, no pay increase is awarded. All percent increases must be approved by the City Manager.

The interim pay shall be the equivalent of one pay step within the current pay step.

When the interim assignment ends, the employee is returned to his/her original pay level. Exceptions to this rule, if any, shall be reviewed by the Finance Department for fiscal feasibility and a recommendation to approve/deny the request sent to the Director of Human Resources who will then submit it to the

City Manager.

P. **<u>Demotions and Downward Reclassifications</u>** – A demotion occurs when an employee moves from a position in one job classification to another position which is classified in a lower pay grade.

When a demotion results from an employee request, work performance, disciplinary action or ability issues, the employee's salary will be reduced by an amount equivalent to a promotion adjustment, in accordance with the guidelines associated with promotions and reclassifications. The resulting rate of pay will not exceed the maximum of the new range.

IV. Responsibilities and Administrative Procedures:

A. Human Resources is responsible for the administration of a uniform compensation program. Achieving the goals of equitable, fair and market competitive compensation is a responsibility shared by management and Human Resources.

B. Management level employees providing direct supervision are responsible for monitoring the appropriate classification of positions within their departments.

C. When a department is considering a new request for job classification, the Department Director will advise Human Resources. All requests for reclassification must be approved in advance by the City Manager. A proposed job description and organizational chart should be provided with a written request for classification review.

D. Human Resources will evaluate the recommendation in an effort to maintain consistency. If approved, the resulting classification title and pay grade will be communicated in writing to the requesting Department Director by the Director of Human Resources.

E. The Director of Human Resources is responsible for reclassification review and the exact amount of a corresponding salary adjustment (if any).

F. Human Resources is responsible for providing consultation to hiring departments to ensure that starting salaries are market competitive, internally equitable and non- discriminatory.

I. Purpose: To define the employee benefits provided to City of Albany employees and the responsibilities for administration.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: The Office of Human Resources will take a leadership role and provide service by promoting the concept that employees are the City's most valuable resource and will be treated as such.

The Office of Human Resources will act as catalysts enabling all City of Albany employees to contribute at optimum levels towards the success of City operations. In addition to a competitive salary, the City offers a generous benefits package that includes the following:

A. Health Plan

The City's Public Employees Group Health Plan consists of healthcare and dental benefits. Vision, short and long-term disability, accidental death and dismemberment, flexible spending accounts and employee life and dependent life insurances are also available. Full-time employees are eligible for insurance on the first day of the month following 30 days of employment.

B. Retirement Plan

An employee must be employed with the City of Albany for ten (10) years before they become vested.

C. Deferred Compensation

Employees participate in the GEBCorp (an ACCG Company) Pension. Employees make a pre-tax contribution and the City matches the employee contributions. Tax shelter plans are available that enable employees to provide for greater retirement security. Fund programs are available in both a 457 plan and an IRA Roth account.

D. Credit Union

Employees are eligible to become members of the Artesian City Federal Credit Union.

E. COBRA Benefits Continuation

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) helps

employees and their dependents to continue their health insurance if they are no longer eligible under our medical and dental insurance plans.

There are strict rules about when you can use COBRA. COBRA lets an eligible employee and dependents choose to continue their health insurance when a "qualifying event" occurs. Qualifying events include the employee's loss of coverage through resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death. Another qualifying event is when a dependent child ceases to be eligible for coverage under the health insurance, or when a spouse loses insurance coverage.

If an employee continues insurance under COBRA, they will pay the insurance premium at the City's group rates, plus an administration fee. When they become eligible for the health insurance plan, they are to receive a written notice describing COBRA rights.

NOTE: Refer to the "Benefit Summary" sheet for specific cost information. Contact the Office of Human Resources for more specific details on any benefit.

IV. Responsibilities and Administrative Procedures:

1. The relevant forms for employee benefits may be obtained from the Office of Human Resources or a Department Director.

2. Questions regarding employee benefits coverage, etc. should be directed to the Director of Human Resources.

3. See Human Resources to change beneficiaries, enroll for benefits (annual enrollment), and report family status changes that affect benefits.

I. **Purpose:** To provide an inducement that will eliminate or reduce No-Show's or last minute cancellations at the City of Albany Health & Wellness Center ("Clinic") by assessing employees and pre-65 retirees a surcharge whenever they or an eligible spouse or dependent is a No-Show or last minute cancellation for an appointment at the Clinic.

II. **Scope:** This policy applies to all employees, the spouse or dependent of an eligible employee, Pre-65 retirees, the spouse or dependent of the eligible retiree enrolled in the Public Employees Group Health Plan (PEGHP) of the City of Albany, Georgia.

Definitions

Eligible Employee – an employee who is enrolled in the Public Employees Group Health Plan (PEGHP).

Pre-65 Retiree – a retiree under the age of 65 who is enrolled in the Public Employees Group Health Plan (PEGHP).

Eligible Spouse or Dependent – the spouse or dependent of an eligible employee or pre-65 retiree who is enrolled in the eligible employee's Group Health Plan as the spouse or dependent of the eligible employee.

No-Show – an eligible employee, spouse or dependent shows up at the Clinic more than five minutes after a previously scheduled appointment with one of the providers.

Late Cancellation – an eligible employee, spouse or dependent fails to provide the Clinic with at least one hour's advance notice (from the originally scheduled appointment time) of a desire to cancel the appointment.

III. **Policy Statement:** The surcharge shall be assessed and deducted from an employee paycheck whenever the employee and/or eligible spouse or dependent is a No-Show or Late Cancellation for an appointment unless the employee's No-Show or Late Cancellation was due to a duty-related incident that could not be anticipated or avoided. The City Manager has the discretion to waive the penalty under extenuating circumstances.

IV. Responsibilities and Administrative Procedures

4. The Wellness Center management company shall provide the City of Albany with a weekly spreadsheet of all no-shows and late cancellations.

5. Within 7 days after receipt of the No-Show report, the Office of Human Resources shall provide a Notice of Surcharge to all employees whose names, including those of their eligible spouses and dependents, included on the report as a No-Show or Late Cancellation.

6. The Surcharge shall be $25.00 per incident.

7. In the case of a No-Show or Late Cancellation due to a duty-related incident that could not be anticipated or avoided, the surcharge will be waived when the Department Director provides Human Resources via email within 5 business days of the missed or cancelled appointment a reasonable explanation for same. It is the employee's responsibility to notify the Department Director within one business day of a missed appointment due to a duty-related incident. Surcharges will not be waived after the fifth business day.

8. The employee shall have 15 days from the date of the Notice of Surcharge to contact Human Resources to challenge in writing the accuracy of the Notice of Surcharge.

9. For active employees and their dependents, unless special circumstances exist, the Surcharge shall be assessed via payroll deduction during the first pay period that occurs 30 days following the date of the Notice of Surcharge.

10. Failure to remit payment of the surcharge in a timely manner may result in a loss of eligibility at the Wellness Center.

I. Purpose: The Employee Assistance Program (EAP) provides professional services designed to enhance the health, performance and well-being of individuals while fostering a greater sense of community.

II. Scope: In this capacity, it functions as a resource for all employees and a management support system for leadership. Services are provided in a place and manner which respect individual privacy and dignity.

Services are also available to family members and those who play a significant role in the life or create an issue for a covered individual. Family and others may utilize the program when accompanied by a program client and following the client's initial assessment.

III. Policy Statement:

1. Components

The EAP facilitates the ability of employees to discover and manage options and resources for dealing with any situation, behavior or concern, which is affecting or may affect their ability to live or work in a healthy manner.

Services include professional consulting and intervention for a wide range of human and organizational behaviors, issues and needs and are provided in three general areas:

- Mental and behavioral health and wellness
- Organizational dynamic, transition and intervention
- General health and wellness

2. Mental & Behavioral Health and Wellness Services

The EAP offers confidential and professional consulting, counseling, education and referral services which cover areas such as marital, family, relationship, parenting, aging parent(s) issues; the abusive effects of alcohol and other drugs; the abusive effects of other addictions; financial pressures; legal issues; depression; psychological matters; stress, conflict; and work dynamics. Individuals are encouraged to call the EAP before a concern becomes a crisis. Any change, however subtle, in productivity, competency, attendance or behavior is often the first indicator that help may be needed.

3. Organizational Dynamics, Transition and Intervention

The EAP also provides organizational development and facilitates management and departmental communications and effectiveness, while addressing the human and emotional impact of changes and transition. These process-consulting services are custom designed following an assessment of need(s).

4. Health and Wellness

The EAP also provides services to enhance individual and organizational health and wellness. A comprehensive program designed to deliver health education and wellness services. Contact Human Resources for additional information.

5. Accessing the EAP

EAP services may be accessed directly by individuals or through supervisory recommendations or referrals.

Individuals are encouraged to call the EAP directly for information or to schedule a private appointment or consultation.

The EAP seeks to maintain health and productivity by working with the individuals prior to an issue's impact on the person or the workplace. While the EAP does offer crisis intervention and debriefing services for individuals and groups it encourages utilization of its services early and often, before a crisis develops or before a change in productivity, attendance or behavior becomes a debilitating pattern.

6. Leadership and the EAP

The EAP is a resource whenever an individual indicates to leadership that a personal concern or problem exists, even though there may be no immediate or discernible impact on work performance. Leadership also is encouraged to recommend that an individual visit or consult with the EAP at the first indication of a change or difference – however subtle or slight in productivity, competency, attendance or behavior.

The EAP serves as a resource of education and information for Department Directors, supervisors and others in sorting through organizational or performance issues, identifying alternatives, or providing consultation in when and how to recommend the EAP or refer someone to the EAP.

The EAP services are confidential. Individuals generally control what they want to share about their situation and with whom they want to share information.

IV. Responsibilities and Administrative Procedures:

A. Supervisor

1. Determine if there is a work related issue with the employee and determine if:
   - **a.** the employee needs an EAP assessment
   - **b.** a medical health assessment referral to complement the EAP assessment or,
   - **c.** a referral for a complete Fitness for Duty mental health assessment.

2. If one of the above conditions apply, fill out the EAP Supervisor Referral Form on the employee being considered for the referral.

3. Discuss the reasons for the referral with your Department Director.

4. Discuss the reasons for the referral with the employee, in a private meeting, and obtain the employee's signature on the EAP Supervisor Referral Form.

5. Upon obtaining the employee's and supervisor's signatures, the form is forwarded to the Office of Human Resources so that the Director of Human Resources can sign the form.

6. Instruct the employee to report to the Office of Human Resources to meet with the Director of Human Resources or designee.

B. Department Director

1. Review the EAP Supervisor Referral Form and the reason(s) for the referral with the supervisor.
2. Concur or non-concur with the assessment and the need for a referral.

3. If there is a concurrence, support the supervisor in the process and provide time for the supervisor to speak with the Director of Human Resources about the referral.

4. If there is a non-concurrence, discuss what action(s) the supervisor will take to improve the situation.

C. Director of Human Resources

1. Review the EAP Supervisor Referral Form and the reasons for the referral with the supervisor.

2. Concur with or non-concur with the assessment.

3. If there is a non-concurrence with the assessment, discuss the objections with the Department Director and the supervisor.

D. Office of Human Resources

1. After the Director of Human Resources signs the form, City HR designee will instruct the employee to call the EAP toll free number and provide them with the employee's information, so that they can schedule the employee with a counselor (the number is on the back of the form).

2. Fax the form to Reach-EAP (the fax number is on the bottom back of the form).

3. Provide the employee with the toll free number and inform the employee that they have one business day to contact Reach-EAP to start their referral program.

E. ReachEAP

1. Perform an assessment on all referrals and obtain needed Releases of Information. In addition, the Reach-EAP Account Manager will discuss the expectations with the employee in a separate conversation.

2. Make a referral for the medical health assessment or Fitness for Duty mental health assessment after the initial employee EAP assessment to the Director of Human Resources.

3. If the case is not a Fitness for Duty request and the EAP counselor feels that a complete Fitness for Duty evaluation is needed, a recommendation will be made to the Director of Human Resources.

4. Facilitate ongoing case management and conduct return to work discussion with the Director of Human Resources (or designee). Information about specific recommendations, clinical disposition or types of problem(s) is not available to the City. However, if an employee signs a release of information consent form, then the EAP case manager can report general progress to the Director of Human Resources (or designee).

F. Payment of Services

1. If the employee is referred to Reach-EAP based on personal issues and requires a medical health assessment, the employee is responsible for payment by utilizing their insurance benefit.

2. If the employee is referred to Reach-EAP based on personal issues, but requires a complete Fitness for Duty mental health assessment, the employee is responsible for payment by utilizing their insurance benefit.

3. If the employee is referred to Reach-EAP based on work-related issues and requires a complete Fitness for Duty mental health assessment, the City is responsible for payment and will facilitate the payment process for the referral.

I. Purpose: To clarify the eligibility for paid time off for various classifications of full-time employees of the City of Albany, Georgia.

II. Scope: This policy applies to all full-time employees of the City of Albany, Georgia as specified below, except as otherwise specified by the Public Safety Department for Public Safety employees only.

III. Policy Statement:

A. Holiday Leave

Scheduled Holidays – The approved holidays for each calendar year will be communicated to employees by the Office of Human Resources once approved by the City Manager.

Scheduled Work - Employees whose normal work schedule requires that such employee work on a scheduled holiday, may observe such holiday on another scheduled workday to be determined at the discretion of the employee's supervisor. However, employees who do not work on a holiday, whether scheduled to work such holiday or not, will not receive an additional day.

Weekend Days - When a holiday falls on a Saturday, the preceding Friday shall be observed as a holiday. When the holiday falls on a Sunday, the following Monday shall be observed as a holiday. Employees required to work holidays shall either be granted a workday of leave or be paid for the holiday.

Unauthorized Absence - Holiday benefits are forfeited for an unauthorized absence, for a work period immediately prior to or following the holiday, or an unauthorized absence when scheduled to work on a holiday.

Sick Leave - Employees who are required to work on a scheduled holiday shall be granted either an alternate day that does not interfere with their normal time off within two weeks after the pay period within which the holiday or holidays fall or be paid for the hours worked in addition to the pay for the holiday.

In order to receive pay for an observed holiday, an employee

- Must not be absent without authorization on either the work shift before or the work shift after the holiday.

- Must not have a suspension pending or be on suspension on the day of the observed holiday.

Religious Holidays - Full-time employees may charge religious holidays to either vacation or leave without pay. Departments should encourage employees to anticipate such holidays and to save current vacation credits for such purpose.

Do Your Own Thing (DYOT) Floating Holiday - The DYOT floating holiday for all employees will be a day off from work that does not conflict with an employee's normal day off. Employees may not elect to receive pay in lieu of taking a DYOT day. A DYOT day may be taken by any regular employee after not less than six months of current service from the date of employment. DYOT days may not be carried forward from one fiscal year to next year (July 1st- June 30th).

B. Vacation Leave

1. Vacation leave may be carried from one vacation year to another up to the maximum accrual as shown below:

Regular full time employees: Earn vacation leave on a bi-weekly basis as follows:

BI-WEEKLY VACATION LEAVE ACCRUALS
Employees Who Work 40 Hours per Week

Non-Exempt Employees (those who are paid overtime)
Exempt Codes 0 & 3

VAC: 40h Non-Exempt

Length of Service	Accruals Bi-Weekly
Less than 1 year	3.08 hours
1 to 10 years	3.08 hours
11 to 15 years	4.62 hours
16 years and over	6.15 hours

Exempt Employees (those who are not paid overtime)
Exempt Codes 1 & 4

VAC: 40h Exempt

Length of Service	**Accruals Bi-Weekly**
Less than 1 year	4.62 hours
1 to 5 years	4.62 hours
6 to 10 years	5.54 hours
11 to 15 years	6.46 hours
16 years and over	7.38 hours

a. **Contractual employees:** Vacation leave is pursuant to the individual employment agreement.

b. **Part time, Seasonal, Temporary employees:** Earn no vacation leave.

c. **New hires:** Not eligible to take vacation leave until completion of six months of active employment.

Vacation leave should be scheduled on a reasonable basis coordinating the part of the employee's department or division head to avoid an employee losing vacation leave due to exceeding the maximum accrual as shown below. Employees shall not accrue more than two (2) times their annual eligible personal leave. Prior to the first payroll of the calendar year, the Director of Human Resources shall review the vacation accrual records and shall reduce all accruals according to the table shown below:

40 Hour non-exempt	**Maximum Accrual**	**56-Hour non-exempt**	**Maximum Accrual**
< 1 year	80 hours	< 1 year	120 hours
1-10 years	160 hours	1-10 years	240 hours
11-15 years	240 hours	11-15 years	352 hours
16 + years	320 hours	16 + years	464 hours

40 Hour exempt	**Maximum Accrual**	**56-Hour exempt**	**Maximum Accrual**
< 1 year	120 hours	< 1 year	176 hours
1-5 years	240 hours	1-5 years	352 hours
6-10 years	288 hours	6-10 years	418 hours
11-15 years	336 hours	11-15 years	486 hours
16 + years	384 hours	16 + years	552 hours

Vacation accrual continues during authorized vacation, sick and special leave, military leave, injury leave, civil leave. Vacation leave does not accrue during

unpaid absences or suspensions.

In the event of the death of an active employee, accrued vacation leave shall be paid in lump sum to the employee's beneficiary as designated in writing on the Final Wages Beneficiary Form.

1. The following procedures apply to vacation leave:

a. The vacation year begins the first pay period of the calendar year and ends the last pay period of the calendar year. Regular full time employees may begin taking earned vacation time after completion of 6 months of service.

b. The above schedule and accruals are for uninterrupted service computed from the most recent date of employment.

c. Sickness while on vacation cannot be charged to sick leave. Supervisors are responsible for monitoring all leave times and are expected to allow employees an opportunity to take their vacation.

d. Vacation time can be taken in increments as small as one hour, as approved by the supervisor.

e. A regular employee terminating employment with the City for any reason who has satisfactorily completed their initial new hire probationary period shall receive payment for the total amount of vacation accrued but not taken up to the date of termination.

C. Sick Leave

In accordance with the SB201, employers shall allow an employee to use up to five days sick leave for the care of an immediate family member. Immediate family member means employee's child, spouse, grandchild, grandparent, or parent or any dependents as shown in the employee's most recent tax return.

1. Sick leave is accrued as follows:

a. Regular full-time 40-hour per week employee (2080 hours per year) and probationary employees: Each regular, full-time 40-hour per week (2080 hours per year) employee shall accumulate sick leave credits at the rate of 0.0461538 hours of sick leave per hour worked up to a maximum of 40 non-overtime hours per workweek for a maximum of 96 hours (12 days) per year.

All 40-hour employees accrue 12 days of sick leave during the entire

year. Each bi-weekly accrual is 3.70 hours.

Active sick leave will accrue up to a maximum of 7.5 times maximum annual accrual (720 hours for 40-hour employees).

b. Regular full-time 56-hour per week employee (2912 hours per week): 56 hour per week employees work 40% more hours than 40 hour per week employees. Therefore, each regular, full-time 56-hour per week (2912 hours per year) employee shall accumulate sick leave credits at the rate of 0.0461538 hours of sick leave per hour worked up to a maximum of 56 non-overtime hours per workweek for a maximum of 134.40 (96*1.4) hours per year.

Active sick leave will accrue up to a maximum of 7.5 times maximum annual accrual (1008 hours for 56-hour employees).

c. Contractual employees: Accrue as stated in employment agreement or if not stated, in accordance with a regular full time employee.

d. Part time, Seasonal and Temporary employees*:* Accrue no sick leave.

2. The following procedures apply to sick leave:

Sick leave can be used in any of the following instances:

1. For job-related injuries, after meeting the seven-day requirement, employees can elect to use their sick leave (and/or annual leave) in lieu of receiving indemnity benefits at 66.67%. This method will allow employee to receive his or her full pay at 100%.

2. Department Directors may require a certificate of the attending physician before paying any employee under this rule. Seven days is the maximum allowable time for medical emergencies in the immediate household, within any one calendar year, except for special cases approved in writing by the Director of Human Resources in advance of the sick leave.

3. Medical or dental examinations and appointments.

   a. Department Directors may, at their discretion, deny a request for sick leave. The City has the right to require a doctor's certificate of illness at any time deemed necessary, regardless of length of illness. The City shall not be obligated to pay for such examinations. The City also reserves the right to suspend sick leave benefits where evidence of abuse exists. The Office of Human Resources may waive

the requirements of this section if it appears that no abuse of sick leave is occurring.

b. Employees are responsible for notifying their supervisor in advance of an absence due to sick leave. If advance notice is not possible, such certification must be provided as soon as possible. Employees are responsible for reporting his or her status on a regular basis as designated by the employee's supervisor.

c. After the third consecutive day of sickness and before any payment of sick leave, an employee will be required by the Office of Human Resources to present a certificate from a physician showing the inability of the employee to work and the cause.

d. All full time employees who are absent on sick leave for a period of more than three consecutive working days must provide a certificate or statement from a licensed health care provider. At the discretion of the supervisor, clearance from a physician may be required before a return to work, following an employee's absence due to illness.

e. Employees hired after July 1, 2007 who terminate their City service, for whatever reason, shall not be paid for any accrued sick leave.

f. Any person who re-enters City employment within six months after a break in service shall be credited with any accrued sick leave balance remaining at the end of their previous service. No credit is given if the employee was out of service for more than six months, except in the case of military leave.

g. When all vacation and sick leave have been used and the employee is unable to return to work because of a medical condition, the employee must obtain a certificate or statement from a licensed health care provider explaining the nature of the medical condition and the date on which the employee should be able to perform regular duties. The Department Director, along with the Director of Human Resources, will make a decision, based upon the information submitted to the City and depending upon the needs of the department, whether the employee will be placed on leave without pay and the position will be held for the employee, or whether the employee will be terminated from employment.

h. Excessive absences may lead to disciplinary action. Excessive absences are based on 12 months from the day of the occurrence and not a calendar year. The Department Director, along with the Director of Human Resources, will determine whether absences

are excessive.

D. Workers' Compensation

1. All employees of the City of Albany are covered by the Georgia Workers' Compensation Act. All refers to **full-time** and **part-time** only - not temporary workers, interns, volunteers, etc. If an employee is involved in any type of incident or accident where such employee is injured while working for the City, the employee must immediately notify the employee's supervisor of the injury.

All injuries should be reported to the employee's supervisor, regardless of whether the employee believes the injury is serious.

2. The employee shall complete the Employee Accident Report (EAR) Form completely and accurately within 24 (but no later than 48 hours). The Supervisor should review and submit the Report to the Department of Risk Management. If an employee needs immediate medical attention, the Supervisor should contact the Department of Risk Management immediately for assistance.

3. The Department of Risk Management will ensure that the injured employee is taken to a medical facility listed on the City's Panel of Physicians.

4. An injured employee may not be covered by workers' compensation if such employee is not treated by a physician or medical facility on the City's Panel of Physicians.

5. Failure to comply with the City's Alcohol and Drug Abuse Policy or the Alcohol and Drug Testing Procedure may adversely affect the employee's rights under workers' compensation.

6. For questions or additional assistance, contact the Department of Risk Management.

E. Jury Duty

All regular full time employees called for Jury Duty will be granted a leave of absence for the period of the jury service and will be compensated the difference between the lower jury duty fee and the employee's regular salary in accordance with established procedures.

Police Witness Procedure – Police Officers of the City of Albany from time to time are required to testify in courts of law. In such cases, when appearance

is made during duty hours, the fee paid by such court must be paid into the Treasurer's Office.

In such cases where appearance is made during off-duty hours, the Police Officer shall be permitted to retain any fees paid by the court as compensation for time spent.

F. Bereavement Leave

1. When a death occurs in a regular full time or contractual employee's immediate family (i.e. employee's or spouse's mother, father, loco parentis, brother, sister, or child, spouse of employee, step parents and grandparents or members of employee's immediate household where individual is a permanent resident), upon request, the employee may be granted three consecutive days of bereavement paid leave deducted from sick leave balance.

2. The City reserves the right to request information regarding the deceased, including the decreased relative's name, date of the funeral and the name and address of the funeral home.

IV. Responsibilities and Administrative Procedures:

The relevant forms for paid leaves of absence may be obtained from the Office of Human Resources or a Department Director.

I. Purpose: To provide for extended sick leave accruals for employees who have exhausted their regular sick leave and either have been approved and/or have exhausted FMLA leave for the employee's serious health condition as defined below.

II. Scope: Effective January 1, 2008, the maximum sick leave accrual for all employees was reduced from 15 days to 12 days annually. Additionally, the maximum accrual for regular sick leave was capped at 720 hours (40-hr employee) or 1008 hours (56-hr employee). During the Annual Sick Leave Rollback, regular accrued sick leave over the above limits will be moved to the employee's Extended Sick Leave Bank. The employee may accrue Extended Sick Leave up to the following limits: 720 hours (40-hr employees) and 1008 hours (56-hr employees).

Vacation leave does not have to be exhausted prior to using hours from the Extended Sick Leave Bank. Extended Sick Leave hours have no cash value upon either termination or retirement.

III. Definitions:

FMLA - Family and Medical Leave Act

Serious Health Condition - As defined under FMLA is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. Some common serious health conditions that qualify for FMLA leave include conditions requiring an overnight stay in a hospital or other medical care facility; conditions that incapacitate for more than five consecutive days and require ongoing medical treatment (either multiple appointments with a health care provider, or a single appointment and follow-up care such as prescription medication); chronic conditions that cause occasional periods when the employee is incapacitated and that require treatment by a health care provider at least twice a year; and pregnancy (including prenatal medical appointments, incapacity due to morning sickness, and medically required bed rest.

An employee is unable to perform the functions of the position when the health care provider finds that the employee:

1. is unable to work at all; or
2. is unable to perform any one of the essential functions of the employee's position.

An employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment.

IV. Responsibilities and Administrative Procedures

Requests for Extended Sick Leave shall be submitted on a Request for Leave of Absence Form and approved by the Supervisor, Department Director and Human Resources Director or his designee.

Before approving a request to use hours from an Extended Sick Leave Bank, the Human Resources Department shall be responsible for ensuring that employees have the following:

1. exhausted their regular sick leave and either have been approved and/or have exhausted FMLA leave for the employee's serious health condition, and

2. have available hours in their Extended Sick Leave Bank

I. **Purpose:** To describe the compensation benefits for all City of Albany exempt and non-exempt employees below the Department Director level who are officially required to be accessible in person or by telephone, cell phone, or pager (beeper) within a designated period to provide necessary services due to a situation which cannot wait to be handled during normal working hours.

II. **Scope:** This policy applies to all full-time employees of the City of Albany, Georgia.

III. **Policy Statement:** All work performed by non-exempt employees shall, as much as possible, be completed during the employee's normally scheduled workday or shift.

Certain departments may make non-exempt positions eligible for on-call compensation when the employee is required to be on-call. The employee must be accessible and available for work upon being contacted via telephone or cell phone. The employee must be available to report to work within a reasonable time after being contacted. The Department Director shall prescribe in writing the maximum response time to which the employee will be held accountable. The employee must also be in a physical condition that allows him/her to safely perform their required duties. A failure by an employee designated as "on call" to respond when summoned may result in disciplinary action.

Definitions:

On-Call Employee

Non-exempt employees below the department director level that have been designated as "on-call."

Unless otherwise approved by the department, has less than a 20-mile driving distance to allow for a timely response. Available to respond within a reasonable time period established by the department.

Unrestricted in movements and location but must remain accessible via telephone or cell phone; be able to respond within the reasonable time period established by the Department Director; and be in a condition fit to work.

On-Call Pay

Additional compensation to employees when they are assigned and scheduled during off-duty hours to be available and on-call to resolve a problem either by phone or by coming on-site.

- Weekdays (Monday through Friday): On-Call Pay is calculated at one (1) hour per weekday at one and a half (1.5) times their regular hourly rate. Non-exempt employee's rate calculated at one and a half (1.5) times their regular hourly rate regardless of number of hours worked during the week.

- Weekends (Saturday and Sunday): Calculated at the rate of two (2) hours for each weekend day on call. Non-exempt employee's rate calculated at one and a half (1.5) times their regular hourly rate regardless of number of hours worked during the week.

- Holidays: Calculated at the rate of three hours pay for each holiday on call. Non-exempt employee's rate calculated at one and a half (1.5) times their regular hourly rate regardless of number of hours worked during the week.

Call Back

When an employee has left the worksite and is called back to work either by phone or by coming on-site after completing the regular work schedule.

Includes work that continues following the end of the regularly scheduled hours of work due to an emergency situation.

If another call comes in before the employee completes the current call it shall be considered an extension of the current call back.

Includes travel time portal-to-portal.

Call Back Pay

Call Back time worked shall be paid at no less than the following minimum:

- Employees required to report on-site shall receive a minimum of two hours paid time. If the call back exceeds two hours, the employee shall be compensated for actual hours worked on call back. If the employee is called back out for a subsequent time before the minimum two-hour period has ended, the subsequent calls shall be considered an extension of the first two-hour call back for timekeeping purposes.

- Designated employees in certain departments, who are responding via

telephone/computer versus having to report to an onsite location shall receive a minimum of 30 minutes as paid time for each occasion of callback. If more than one callback occurs within a given on call period, total callback time cannot exceed two hours unless the time actually worked exceeds two hours.

- Non-exempt employee's rate calculated at one and a half (1.5) times their regular hourly rate regardless of number of hours worked during the week.

- Certain exempt employees as designated by their Department Director and with the approval of the City Manager may be eligible for Call Back Pay and be compensated for certain hours that have been designated as Call Back time. The rate paid to such an exempt employee shall be calculated at straight time regardless of the number of other hours worked during the workweek.

Safety Time

Safety time occurs when a required rest break for utility workers overlaps into the start time for the next workday. Safety Time is paid at the regular hourly rate and is considered hours worked for the purpose of overtime calculation.

IV. Responsibilities and Administrative Procedures:

Employees assigned to On-Call status that cannot be located, that do not respond in a timely manner, or that fail to report to work when called in will forfeit On-Call pay for that day and may face disciplinary action.

To be considered on-call, the department must advise the employee in writing the exact dates and times the employee will be On-Call. Unless the employee has been properly notified by the department he/she is On-Call, then the employee is not On-Call and is not entitled to On-Call pay.

Unless otherwise approved by the Department Director for operational needs, employees are not eligible for On-Call Pay when on sick leave or vacation leave during the shift immediately preceding the On-Call period.

When a utility employee is prevented from reporting in to work at their regularly scheduled time because of a mandatory rest break, the employee shall be paid for Safety Time.

Call Back pay offsets On-Call pay during the same On-Call period. An employee cannot receive Call Back pay and On-Call pay at the same time for the same On-Call period. Once an employee is called back to work, the Call Back pay preempts the On-Call pay for that On-Call period.

Departments and supervisors shall use the following pay codes on timesheets and during time entry for On-Call hours and Call Back hours. Numbers in parentheses

are the multipliers used by E1 to calculate the rate of pay.

- 150 – Non-Exempt On-Call Pay (1.5) – includes hours worked as an extension of the workday or shift due to emergency business needs.
- 170 – Non-Exempt Call Back Pay (1.5)
- 160 – Non-Exempt Safety Time (1.0)
- 180 – Exempt Call Back Pay (1.0)

The Department Director will determine when conditions warrant that an employee be On-Call. The Department Director shall also prescribe, in writing, the expected response time to which the employee will be held accountable.

The Department Director shall provide Office of Human Resources and Finance/Payroll with the name and position of all exempt employees who have been designated as eligible for either On-Call or Call Back Pay.

An employee must be prepared at all times while on call to respond professionally and safely to a call. Therefore, he or she must not be under the influence of any alcoholic beverage, controlled or illegal substance, or other substance which could impair the employee's judgment, fitness for duty, or capability to perform his or her job properly and safely. Each employee is obligated to inform his or her immediate supervisor or Department Director of the use of any medications or substances that may cause drowsiness or other side effects and impair the employee's ability to drive a vehicle or perform essential job functions.

I. **Purpose:** To encourage and provide an opportunity for the City of Albany employees to improve their job-related knowledge, skills, and abilities through training and/or education.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia who have successfully completed their new employee onboarding period and who are rated as satisfactory or better on their last evaluation.

III. Policy Statement:

A. Educational training must be obtained at an accredited educational institution. Accredited institutions include public school systems, colleges, and universities that are accredited through authorities determined to be reliable by the Secretary of Education of the U.S. Department of Education.

B. Education/training received during normally scheduled work hours of an employee shall not be considered eligible for reimbursement under these provisions.

C.

D. Participation must solely be on the employee's own time.

E. Education/training shall be reviewed and considered eligible under these provisions only when:

1. Training/education is directly related to the employee's current line of work; or
2. To enhance the employee's potential advancement to a position with the City and to which the individual has a reasonable expectation of advancing.
3. Approved courses may range from obtaining GED certification through PhD level studies.

F. Employee eligibility will be determined and approved by the Human Resources Director or designee **prior to enrollment in the course(s)**. Applications received after the course(s) have begun shall not be considered for tuition reimbursement.

G. There will be no duplicate payments for the same course. If the course is reimbursable under any Local, State or Federal Educational benefits (including V.A.) or any other outside agencies, grants (HOPE, Pell), scholarships, etc., the City will provide educational reimbursement only for the cost above those paid by the other outside sources. The employee is required first to apply for any outside benefits for which he/she is eligible. The employee shall provide proof, upon request, of all applications and/or denials of other benefits prior to applying for educational reimbursement through the City.

H. Matriculation (actual tuition fees) and technology/laboratory fees (directly related to course only) are reimbursable. Application fees, miscellaneous administrative fees, graduation fees, test and examination fees, evaluation fees, parking fees, activity fees, health fees, food, mileage, lodging, etc. are not subject to reimbursement.

I. Reimbursement shall be limited to actual out-of-pocket expenses after application of any subsidies as noted above and shall be based upon successful completion of the course. If an employee withdraws from a course or gets an "I" signifying an incomplete grade, the course will count in the calculation done for the eligible tuition reimbursement amount for each course. Tuition reimbursement payments shall be based on the following for pre-authorized expenses:

- 100% of matriculation fees – Grade of "A"
- 75% of matriculation fees – Grade of "B"
- 50% of matriculation fees – Grade of "C"
- 0% of matriculation fees – Grade below "C", Failing Grade, Withdrawal from class, Incomplete or any other Non-Passing Grade

J. Any course that is provided on a pass/fail basis only, as approved by the City under this program, shall be eligible for 100% tuition reimbursement for successful completion of the course.

K. Course books are considered permanent property of the employee/student and are not subject to reimbursement.

L. Reimbursement shall follow the employee's presentation of actual fee schedule/statement, grade report and receipt of payment to the Human Resources Department. Reimbursement requested more than thirty (30) after completion of course shall not be honored.

M. Employees will not be reimbursed for the expenses associated with the course if they voluntarily leave or are terminated from the City.

N. In no event shall the amount reimbursed to an employee exceed $1,500 in a single fiscal year.

IV. Responsibilities and Administrative Procedures

Applications for Tuition Reimbursement may be obtained from the Office of Human Resources or from the HR Forms Folder on the TAC Shared Drive.

Employee

The employee is responsible for submitting their application(s) and all requirements as stated in the policy prior to the deadline.

The employee must submit a completed Tuition Reimbursement Application for each semester, quarter or term to include associated cost and all applicable signatures prior to the start of the associated course(s).

> ***NOTE: The City Manager or designee shall approve tuition reimbursement applications for all Department Directors***

Director of Human Resources

The Director of Human Resources is accountable for the implementation and maintenance of the Tuition Reimbursement Policy.

The Director of Human Resources must:

1. Certify that the requested course(s) meet(s) the requirements for tuition reimbursement as it relates to the nature and purpose of the course of study, the benefits to be derived by the employee and the City, the employee's level of responsibility and the estimated cost.

2. Establish a tuition reimbursement budget each fiscal year.

3. Administer the Tuition Reimbursement Program.

4. Approve all proposed expenditures and all actual expenditures as submitted.

5. Process requests for reimbursement in an accurate and timely manner.

6. Maintain tuition reimbursement records in the Human Resources Department.

7. Provide counsel and advisement to employees relative to the tuition reimbursement policy and procedures.

V. Continuation of Policy

There is no guarantee that this policy will remain in effect past the term for which an employee applies.

VI. Falsification of Documents

Any employee(s) who falsifies his/her application or refund documents shall receive appropriate disciplinary action up to termination.

I. **Purpose:** To establish guidelines for the collection, storage, and maintenance of employee records, as well as public access to such records.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** The City seeks to fully comply with Georgia's Open Records Act (OCGA §50-18-70 et. seq.)("Act") The Act seeks to, among other things, foster confidence in government. Human resource records are not granted a blanket exemption from disclosure. Some of the exemptions from disclosure are discussed below.

Human Resources Records Which Are Generally Open Records

The Act allows for access to information contained in the employee's human resources file without the employee's knowledge or consent. Unless there is a clearly defined exemption in law, human resources records are generally open to the public. And the exemptions are to be narrowly construed (OCGA §50-18-72(b)]

Public records are broadly defined and include all documents, papers, letters, maps, books, tapes, photographs, computer based or generated information, or similar material prepared and maintained or received in the course of the operation of a public office or agency (OCGA §50-18-70(b)(2)]

Human Resources Records Which May Be Denied To the Public

A. Records which are required by the federal government to be kept confidential [OCGA §50-18-72(a)(1)].

B. Medical records and similar files, the disclosure of which would be an invasion of personal privacy [OCGA §50-18-72(a)(2)].

C. Records that consist of confidential evaluations submitted to, or examinations prepared by, a governmental agency and prepared in connection with the appointment or hiring of a public officer or employee [OCGA §50-18-72(a)(7)].

D. Disciplinary records are not open records until 10 days after the report has been presented to the agency or an officer for action or the investigation is otherwise concluded or terminated [OCGA §50-18-72(a)(8)]. Disciplinary records are defined as material obtained in investigations related to the suspension, firing, or investigation of complaints against public offices

or employees.

E. Identification of persons applying for or under consideration for employment or appointment as executive head of the City is governed by OCGA 50-18-72(a)(11) .At least 14 days prior to the meeting at which final action/vote is to be taken all documents of as many as three persons under consideration whom the City has determined are best qualified are subject to inspection and copying. Prior to release, the City may allow such a person to decline further consideration rather than having the documents pertaining to him/her released. In such event, the City is to release the documents of the next most qualified person under consideration who does not decline consideration. However, if the City has conducted the hiring or appointment process without conducting interviews, discussing, or deliberating in executive session all in a manner consistent with Chapter 14 of Title 50, the 14-day delay does not come into play. Moreover, the release of records of other applicants or persons under consideration is required only where such person makes a request. The City's employment of a private person or agency to assist the City with the search or application process does not relieve the City from having to fully comply with all of the foregoing. Finally, upon request, the City must furnish the number of applicants as well as race and sex of applicants.

F. There is a litany of items regarding individuals that are to be redacted prior to disclosure. For sake of brevity we list only a few: social security number, mother's birth name, insurance or medical information, credit card and debit card information, account number, utility account number, etc. [OCGA §50-18-72(a)(20)(A)] with an exception allowing for news media to seek social security number and day and month of birth. The Act provides additional exemptions where the request involves records of a public employee. Again, for brevity, exempt are home address, home telephone number, day and month of birth, etc. [OCGA §50-18-72(a)(21)]. The aforementioned news media exception does not apply to records of public employees. To ensure compliance with these and other provisions in the Act, the City Attorney's Office is the official open records officer and is will handle all responses.

IV. Responsibilities and Administrative Procedures:

Human Resources

There are various types of human resources file folders, generically referred to as an "Employee File" kept on each employee:

- General File - Contains routine human resources actions, hiring, transfers, promotions, terminations, etc. that do not fall in any other file.

- Disciplinary File - Contains disciplinary actions and internal affairs

investigation files.

- Training File - Contains records of training and educational accomplishments.

- Initial Hiring File – Contains the employment application, background investigation information, and other hiring-related documents. If an employee has been re-hired, there are separate files for each hiring event. When a criminal history background check is made for pre-employment purposes and the person is hired, that criminal history record information (CHRI) is now a part of an administrative file, and is an open record (subject to any other applicable exemptions).

- Performance Appraisal File – Contains performance appraisal forms and other documents serving to document performance; includes complaints in which no disciplinary action was taken.

- Payroll & Benefits File – Contains compensation records, information on benefit enrollment, attendance records.

- Pension File – Contains documents related to the employee's pension (enrollment form, beneficiary designation, etc.).

- 457/401 File – Contains documents related to the employee's 457/401 plans (enrollment, allocation of funds, beneficiary designation, etc.).

- I-9 Files – Two files contain the I-9 forms on all employees (one file for current employees, one file for terminated employees). See section 4.5.

- Medical Files (Confidential Information)**:** Medical files contain records of a medical nature, including workers compensation and disability, medical leaves of absence, medical examinations, etc. Medical records pertain to the medical history, diagnosis, prognosis, or medical condition of a patient. Medical information on any employee is confidential. The City will take reasonable precaution to protect medical information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing medical information is subject to disciplinary action, up to and including termination of employment.

Employees

- It is the employee's responsibility to see that the Office of Human Resources is notified of any changes in their personal information, such as: name, mailing address, telephone number, marital status, educational accomplishment, disability status, tax withholding information, dependent

information including their full-time student status, and other possibly related information. This includes information about who to contact in case of an emergency.

- Employees are required to submit appropriate information to the Office of Human Resources for inclusion in their human resources files, such as training records, letters of commendation, etc.

Open Records Request

- All Open Records Requests, whether oral or written, must be immediately forwarded to the City Attorney's Office. If the request is oral, do your best to commit it to memo form. The City Attorney's Office is responsible for meeting the City's obligations under the Act. For example, that office has the responsibility to carry out what is mandated by the Act, including but not limited to the three business days response in OCGA §50-18-72(h) and will review each record being requested to ensure that exempted material is removed or deleted in compliance with the Act. City Attorney's Office will retain copy of all Open Records Requests, and copies of the action taken.

Employee Access to Human Resources Records

- A City employee may request to examine and/or request a copy of their employee records. The Director of Human Resources or designee will honor that request within a reasonable period of time. Reasonable time is defined based on the scope of the request, the nature and location of the requested records, and the need for review. Employees have access to all their human resources files, medical files, training files, and disciplinary files, except for open investigations and pending disciplinary actions. Review of human resources records must be made during regular working hours in the presence of staff assigned to monitor such activity. Employees are not charged for copies of information in their human resources files, unless the requests become unduly burdensome.

- If the employee finds information they believe is inaccurate or incomplete, they should discuss their concerns with their Department Director (request via their chain of command). The Department Director, in conjunction with the Director of Human Resources, will consider the objections and remove proven erroneous information. Should the disputed information be retained in the file, the employee may submit a brief written statement identifying the alleged errors or inaccuracies. The statement will remain in the file as long as the disputed information is retained.

- Purging of a human resources record can only be done in accordance with

the record retention policy, by competent court order, or upon advice of the City Attorney. If a human resources file has been purged as a matter of settlement over the employee's termination, that file must have a notation that the file has been purged. If a governmental agency contacts the City concerning a human resources file that was purged pursuant to a settlement, the fact that information has been purged from the file must be disclosed. (O.C.G.A. 45-1-5). See section 6.3 regarding record retention policy.

Supervisory Access to Human Resources Records

- The City Manager, as the Chief Executive of the City, shall have access to all city employee files. Department Directors have access to the files of all employees in their department. Immediate supervisors have access to their immediate employees' human resources records.

- The supervisor/manager requesting the file must have a legitimate need to know the information requested (i.e., for promotion, transfer, accommodation, disciplinary action, performance appraisal, etc.). The confidential nature of these records must be maintained.

- Access to medical records is governed by state and federal provisions such as Health Insurance Privacy and Portability Act (HIPPA) worker's compensation records, and other confidential information will occur only on a documented need-to-know basis.

I. **Purpose:** To control the information provided to former employees and third parties regarding a former employee's employment history with the City of Albany.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** All requests for employment references and employment verification will be handled by the Director of Human Resources in conjunction with the appropriate Department Director, or designee.

Certain "directory information" may be released without restriction:

- Employees' current and former position (job) titles
- Employee's dates of employment

The release of any information beyond "directory information" requires one of the following:

- A signed authorization from the current or former employee consenting to the release of human resources record information (special attention should be paid to the exact scope of the release)
- A court subpoena or discovery motion (consultation with City Attorney is appropriate in these cases)
- An Open Records request in writing (see section 6.1)

IV. **Responsibilities and Administrative Procedures:**

1. Employment verifications and employment references shall be referred to Human Resources. No personal information, other than job title and dates of employment, shall be released prior to obtaining a signed release, unless otherwise required by state or federal law.

2. Departments maintaining employee information must ensure the reliability and confidentiality of the data and take precautions to prevent its misuse.

I. **Purpose:** To maintain adequate human resources records for each employee and to comply with any state and/or federal laws governing access to these records.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** Employee records will be kept in accordance with the Georgia Secretary of State Office, Division of Archives History.

IV. **Responsibilities and Administrative Procedures:**

A. The Director of Human Resources is the official custodian of all human resources records not maintained by the Police Department Office of Professional Standards and will ensure compliance with applicable laws, access, confidentiality and retention.

B. The Manager of the Office of Professional Standards of the Police Department shall be the official custodian of all police department disciplinary and training records and will ensure compliance with applicable laws, access, confidentiality, and retention.

C. **Destruction of Records:** All employee records containing personally identifiable data will be destroyed by shredding or by appropriate electronic means to reasonably ensure that no unauthorized person will have access to the information. (See OCGA 10-15-1).

I. Purpose: To define City of Albany's attendance and punctuality standards that are consistent with City expectations and to create a positive work environment for all employees.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: The City believes that operational success depends on the daily efforts of each team member. A work team operates at its best when all members are present and doing their part. Absenteeism places an unnecessary burden on team members and management in forcing them to overcome absences and in many cases compelling them to do more than their share of the work. Therefore, it is essential that employees be present, on time and ready for work at the start of each workday.

An "absence" is defined as not being present during scheduled work hours, which include:

- Tardy/Late
- Leaving Early
- Missing an entire workday

Excessive absenteeism is absenteeism beyond the availability of paid sick days.

It will be treated as a voluntary resignation if an employee fails to report to work for three consecutive days without notice to their supervisor/manager, unless the circumstances for the non-notification are beyond their control.

IV. Responsibilities and Administrative Procedures:

A. Supervisors/Department Directors

1. Maintain accurate and complete attendance records for all employees under his/her supervision.
2. Monitor long-term attendance records to identify possible trends in absenteeism.
3. Notify the Office of Human Resources if a trend is identified, to discuss the approach to take in counseling the employee

(management may wish to have the employee obtain a physician's note after paid sick days are exhausted).

4. Ensure that all employees are informed that excessive absenteeism or tardiness, as well as failure to report absences accurately, will lead to corrective action, up to and including termination.

B. Employees

1. Show responsibility by reporting all absences or tardiness to his/her supervisor, and to give as much notice as possible (a minimum of at least one hour before the scheduled start time) so that plans can be made to cover the job duties.
2. Accurately report all time away on the time-reporting record.

C. Human Resources

1. Ensure that this Policy is applied fairly and equitably to all City employees.
2. Provide Supervisors/Department Directors with progressive disciplinary guidance in addressing excessive absenteeism/tardiness.

I. Purpose: To define the policy regarding employment status in the case of time missed from work due to arrest and incarceration.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: Employees who are unable to report for work because of arrest and incarceration will be placed on personal unpaid leave of absence. See section 7.6.

If the employee is unable to secure bail, the leave of absence will continue until final disposition of the charges or until such time as it becomes a business necessity to fill the vacancy created by the employee's absence.

If the employee is freed on bail, a decision whether to allow the resumption of active employment pending disposition of the charges will be made by the employee's Department Director, the Director of Human Resources and the City Manager. They shall determine whether reinstatement would be consistent with the City's needs and requirements.

As a general rule, it has been and remains the City's policy to wait until charges against an employee are adjudicated before a decision is made regarding the individual's employment status. An exception to this policy will be made in the event of serious violation of human resources guidelines and in the event the employee, because of his or her actions, is believed to be a clear and present danger to himself/herself, to other employees and/or the general public.

If an employee is in a sensitive position, he/she may be reassigned elsewhere in the organization pending the outcome of an investigation by the City Manager.

IV. Responsibilities and Administrative Procedures:

Arrests and convictions of City employees for criminal behavior are considered serious infractions of our work rules and must be reported by the employee to his/her Department Director the next business day following the incident. The City's response will be guided by a delicate balance between safety/security concerns for the public and the rights of

the employee to be treated fairly. In this context, the City shall treat information received regarding such incidents, as well as the contents of any subsequent internal investigation, with the maximum confidentiality allowed by law. For purposes of this procedure, criminal behavior is divided into felony and misdemeanor classifications, with appropriate guidelines for each.

A. Felony Arrests and Convictions

For purposes of this procedure, felonies are acts defined as such by the Official Code of Georgia or the United States Code.

1. Employees arrested and/or charged with felonies shall be placed on administrative leave with or without pay, as dictated by the circumstances, until they are indicted, have charges reduced/dismissed and/or an administrative investigation is completed.

2. Upon notification of a felony charge, the Department Director or his designee shall complete an initial administrative investigation to determine the nature and profundity of the charges.

3. If the investigation reveals serious criminal behavior, conviction of which would be incompatible with continued employment and the evidence supporting the charges is substantial, then, in consultation with the Director of Human Resources, the Department Director may place the employee on administrative leave without pay, pending indictment. Otherwise, the employee shall be placed on administrative leave with pay.

4. If the employee is indicted, then any administrative leave with pay shall convert, upon the date of the indictment, to administrative leave without pay.

5. A felony conviction shall result in termination of employment.

6. A non-conviction shall result in an administrative investigation. The results thereof may result in reinstatement, with or without back payment for all or portions of administrative leave without pay; and/or, appropriate disciplinary actions, up to and including termination of employment, as determined by the Department Director in consultation with the Director of Human Resources.

B. Misdemeanor Arrests and Convictions

For purposes of this procedure, misdemeanors are acts defined as such by the Official Code of Georgia, as well as City ordinances and/or traffic violations, involving drugs, alcohol or moral turpitude.

1. Employees arrested and/or charged with misdemeanors may be allowed to continue working in their current position, temporarily reassigned to another position, or placed on administrative leave with or without pay, as dictated by the circumstances, until they are convicted, have charges dismissed and/or an administrative investigation is completed.

2. Upon notification of a misdemeanor charge, the Department Director or his designee shall complete an initial administrative investigation to determine the nature and profundity of the charges.

3. If the investigation reveals serious criminal behavior, conviction of which would be incompatible with continued employment and the evidence supporting the charges is substantial, then, in consultation with the Human Resources Director, the Department Director may place the employee on administrative leave without pay, pending adjudication. Otherwise, the employee may be allowed to continue working in his/her current position, temporarily reassigned to another position, or placed on administrative leave with pay, as dictated by the circumstances.

4. A misdemeanor conviction shall result in an administrative investigation. The results thereof may result in reinstatement, if on administrative leave; and/or, appropriate disciplinary actions, up to and including termination of employment, as determined by the Department Director in consultation with the Director of Human Resources.

I. Purpose: To comply with the Family and Medical Leave Act (FMLA), as amended January 2009; to regulate leaves of absences when employees must care for a family member's or their own serious medical condition.

II. Scope: This policy applies to all eligible employees of the City of Albany as defined below.

III. Policy Statement:

In compliance with the Federal Family and Medical Leave Act of 1993 (FMLA), as amended, the City grants eligible full-time and part-time employees up to 12 weeks of leave during any 12-month period for:

- The birth of a child and subsequent childcare;
- The placement with the employee of a child for adoption or foster care;
- The employee's own serious health condition;
- The serious health condition of a spouse, dependent child under 18 (unless incapable of self-care due to mental or physical disability), or parent. Parent is defined as the employee's biological parent or an individual who stands in loco-parentis ("in place of the parents"). It does not include in-laws, grandparents, or step-parents, unless such person had the day-to-day responsibility of caring for and financially supporting the employee when such employee was 18 years old or younger;
- Up to 12 weeks of leave for certain qualifying exigencies arising out of a covered military service member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation, and
- Up to 26 weeks of leave in a single 12-month period to care for a covered military service member recovering from a serious injury or illness incurred in the line of duty on active duty. Eligible employees in this case are entitled to a combined total of up to 26 weeks of all types of FMLA leave during the single 12-month period.

A serious health condition is defined as a condition that requires in patient care at a hospital, hospice, or residential medical care facility, or a condition that requires continuing care by a licensed health care provider as defined in the federal Family and Medical Leave Act of 1993. In general, a period of incapacity of more than five days, and two visits to a health care provider within 30 days (the first within seven days of the onset of incapacity), would be considered a serious health condition. It is a condition

that leaves the employee unable to perform his or her job.

"Qualifying exigencies" arise out of the fact that the spouse, son, daughter or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. This involves leave to deal with/participate in short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post deployment activities. Eligible employees in the case of leave involving covered military service members include the parents, son or daughter, and next of kin of the covered military service member.

Your 12 weeks (or 26 weeks) of available leave for FMLA is determined based upon the amount of FMLA leave that you have used in the prior 12 months, from the date of your request for leave. For example, if you used four weeks of FMLA leave in the prior 12 months, and you need another leave, you now have eight weeks (or 22 weeks) available.

The leave may be paid, unpaid, or a combination of both, depending on the circumstances. See "How Employees are Paid While on Leave" below.

If a husband and wife both work for the City and each wants to take leave for the birth of a child, adoption or placement with the employee of a child in foster care, or to care for a parent with a serious health condition, the husband and wife may take only a combined total of 12 weeks of leave.

All family and medical leave taken, for whatever reason (including leaves for workplace injury), will be counted against an employee's available leave of absence period, under the Family and Medical Leave Act of 1993, as amended January 2009.

Eligibility

To qualify for family and medical leave an employee must meet the following conditions:

1. They must have worked for the City for at least 12 months prior to requesting the leave.

2. They must have worked at least 1,250 hours during the 12-month period immediately before the leave will begin.

Status and Benefits While on Leave

While an employee is on leave, the City will continue their health benefits at the same level and under the same conditions as if they had continued to work. The taking of leave under the FMLA shall not result in the loss of any employee benefits accrued prior to the date on which the leave commenced. However, when

any portion of leave under FMLA is non-paid leave, benefits and seniority shall not accrue during any period of unpaid FMLA leave, except as stated below.

If an employee chooses not to return to work for reasons other than a continuing serious health condition or certain other circumstances beyond their control, the City may require them to reimburse the City the amount it paid for health insurance premiums during the period of leave.

If under City policy an employee is required to pay a portion of their health care premium, the City will continue to make payroll deductions to collect the employee's share of the premium while they are on paid leave. While on unpaid leave, the employee must continue to make any required payment, either in person or by mail. The payment must be received by the 15th of each month for that month's coverage. If the payment is more than 30 days late, health care coverage may be dropped for the duration of the leave.

How Employees are Paid While on Leave

An employee taking leave for pregnancy or their own serious health condition is required to use any unused sick leave and vacation leave as well as any other paid leave available at the beginning of the leave period. The remainder of the leave shall be treated as unpaid time off.

Intermittent Leave or Reduced Work Schedule

Employees may take family and medical leave in consecutive weeks; may use the leave intermittently; or under certain circumstances, use the leave to reduce the workweek or workday resulting in a reduced-hour schedule. In all cases, the leave may not exceed the total leave allowed as described above. The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Employees taking leave for a serious health condition or because of the serious health condition of a family member must show that the use of the leave intermittently is medically necessary.

Returning to Work

An employee absent from the workplace on leave will remain an employee of the City through the authorized period of leave. After the authorized period of leave has expired, they will cease to be employed by the City and will be afforded the opportunity to continue health insurance coverage, at their expense, under the COBRA health insurance continuation provisions.

Most employees who take leave under this policy will be able to return to the same job or a job with equivalent status, pay, benefits, and other employment

terms and conditions. The position will be the same or one that requires substantially equivalent skill, effort, responsibility, and authority. However, rights to reinstatement cease if the employment relationship ends (e.g. loss of job due to reduction in force while on leave, or situations where the City learns of circumstances that would otherwise result in the termination of employment). The City may choose to exempt certain highly compensated employees from this requirement and not return them to the same or similar position.

IV. Responsibilities and Administrative

Procedures: Requesting Leave

1. Questions about what health conditions are covered under this policy should be directed to the Office of Human Resources.
2. Except when leave is not foreseeable, all employees requesting family or medical leave under this policy must submit the request in writing to their immediate supervisor at least 30 days in advance or as soon as practicable (i.e. following the normal and customary call-in procedures). If they are undergoing planned medical treatment, they should make a reasonable effort to schedule the treatment with minimal disruption to their department.
3. If an employee fails to provide 30-day notice for foreseeable leave with no reasonable excuse for the late notice, the leave request may be denied until at least 30 days from the date of the City receives notice.
4. While on leave, employees will need to report periodically regarding the status of their leave, including their anticipated return to work date, and their intent to return to work.

Certification and Recertification of Serious Health Conditions

1. The City may ask for certification of a serious health condition or that of a family member. Employees must respond to such a request within 15 days, or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification may be provided by using the Medical Certification Form.
2. Certification of a serious health condition will include the following:
   - The date when the condition began
   - The condition's expected duration
   - The medical facts regarding the condition; and
   - A brief statement of treatment
   - For your serious health condition, a statement that you are unable to perform work of any kind or that you are unable to perform the essential functions of your job.

3. For a seriously ill family member, a statement that they require assistance and that your presence would be beneficial.
4. The City reserves the right to ask for a second opinion, at the City's expense, from a second health care provider selected by the City.
5. If necessary to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third health care provider. The employee and the City will jointly select the third health care provider, and the City will pay for that opinion. The third opinion will be final.
6. The City may request recertification of a chronic or episodic serious health condition requiring intermittent leave or reduced schedule every six months, or less as indicated by the physician's certification. No additional opinions or recertification will be requested in the case of leave to care for a military service member, in conformance with the regulations.

Returning From Leave

Before an employee may return to work from a leave of absence, they are required to present to the City a medical certificate from their health care provider indicating any restrictions on their ability to perform the essential functions of the job to which they are returning. The City may also require a physical examination at the City's expense to determine fitness for duty.

I. **Purpose:** To provide for prompt re-employment of men and women in the uniformed services upon completion of service; to prohibit discrimination against employees in the uniformed services.

II. **Scope:** This policy applies to all eligible full time and part time employees of the City of Albany, Georgia.

IV. **Policy Statement:** It is the policy of the City to comply with the Uniformed Services Employment and Re-Employment Act (USERRA), as amended and the Veterans Reemployment Rights Statute (VRR). The City prohibits discrimination against any member in the uniformed services as it relates to initial employment, re-employment, retention, promotion, or any benefit of employment based on that membership, application for membership, performance of service, application for service, or obligation.

The performance of duty on a voluntary or involuntary basis in the uniformed services under competent authority includes: active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard, and absence for the purpose of determining fitness (i.e. military examination) or for the performance of funeral honors duty.

Uniformed services includes the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full- time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency.

IV. **Responsibilities and Administrative Procedures:**

A. **Notice.** Employees must provide to the supervisor advance notice of the intent to take military leave. Employees must also provide appropriate documentation showing the reason for the military leave. Employees need not provide advance notice when providing such notice is unreasonable or impossible due to military necessity.

B. **Maximum Absence Period Allowed.** The reemployment rights and benefits of this procedure does not apply to employees who are absent from a position due to service in the uniformed services in excess of five (5) years.

C. **Reemployment.** The City is not required to reemploy a person

pursuant to this procedure if:

1. The circumstances of the City has changed to make such reemployment impossible or unreasonable; or
2. Such reemployment would cause an undue hardship on the City; or
3. The employment from which the person left to serve in the uniformed services was seasonal or temporary and there was no reasonable expectation that the employment would continue indefinitely or for a significant period.

D. Notice of Intent to Return to Position. Upon completion of a period of service in the uniformed services, the employee must notify the City of his or her intent to return to a position of employment in the manner described below:

Period/Purpose of service in the uniformed services	**Report to the City as follows**
Less than 31 days, or For the purpose of examination to determine the employee's fitness to perform service in the uniformed services.	Not later than the first full calendar day at the beginning of the first full regularly scheduled work period after completing service and the expiration of eight hours to allow for transportation to residence; or As soon as possible after the expiration of the eight hour period for transportation.
31 – 180 days	Submit an application for reemployment not later than 14 days after completion of service; or If such submission is unreasonable or impossible, make such submission on the next first full calendar day when submission is possible.
More than 180 days, up to five years	Submit an application for reemployment not later than 90 days after completion of service.

For the purpose of hospitalization for or convalescing from an illness or injury incurred while serving in the uniformed services	Report to the City at the end of the period of recovery, as long as such period of recovery does not exceed two years; or Submit an application for reemployment when such service was for more than 30 days.

E. Priority in Reemployment. The City shall reemploy individuals who have served in the uniformed services in accordance with the priority listed below:

1. If the person has been in the service of the uniformed services for less than 91 days, such person shall be reemployed:

- In the position in which the person would have been employed if, continuous employment with the City had not been interrupted by service and where the person is qualified to perform the duties of such employment.
- Upon providing reasonable efforts to qualify the person, in the position in which the person was employed on the date of commencement of the service in the uniformed services only if such person is not qualified to perform the duties of the position that the person would have with continuous employment.

2. If the person has been in the service of the uniformed services for more than 90 days, such person shall be reemployed:

- In the position in which the person would have been employed if continuous employment with the City had not been interrupted by service or a position of like seniority, status and pay and where the person is qualified to perform the duties of such employment.
- Upon providing reasonable efforts to qualify the person, in the position in which the person was employed on the date of commencement of the service in the uniformed services only if such person is not qualified to perform the duties of the position that the person would have with continuous employment.

3. If the person has a disability incurred in or aggravated during service of the uniformed services and who is not qualified due to such disability to return to the position that such person would have been qualified with continuous employment, such person shall be reemployed in any other position with equivalent seniority, status,

and pay where the person is qualified to perform or may do so with reasonable efforts by the employer. Without qualification, such person shall be reemployed into the position nearest to that described above.

4. If the person is neither qualified to perform the position that they would have with continuous service nor the position the person had on the date of commencement of service in the uniformed services, the City shall reemploy such person with full seniority in the nearest position for which such person would have been qualified with continuous service and then the nearest position for which the person is qualified as the position held at the date of commencement of service.

F. Employee Rights.

1. All employees who are absent while performing service in the uniformed services shall be deemed to be on leave of absence.

2. All employees who are on leave of absence due to service in the uniformed services shall be entitled to such other rights and benefits as other employees on leave of absence but shall not be entitled to any benefits to which the person would not otherwise be entitled if the person remained in continuous employment with the City.

3. Any employee performing service in the uniformed services that knowingly provides written notice of intent not to return to employment with the City is not entitled to rights and benefits of this procedure.

4. A person serving in the uniformed services may be required to pay for any funded benefit continued during the leave of absence, to the same extent that an employee would under any other leave of absence.

5. No employee will be discharged from employment, except for cause, within one year after the date of such reemployment, if the person's period of military service before the reemployment was more than 180 days or within 180 days after reemployment if the person's period of service before the reemployment was more than 30 days but less than 181 days.

6. No employee who serves in the uniformed services is required to use paid leave. However, any employee who serves in the uniformed services may, upon request, use accrued paid leave during uniformed service.

7. A person reemployed under this procedure shall not be held to have a break in service.

8. An employee on military leave of absence pursuant to this procedure shall be paid for up to 18 days of absence in one calendar year while performing services in the uniformed services. If the Governor declares a state of emergency and orders such employee to duty as a member of the National Guard, the employee shall be entitled to be paid up to 30 days of military leave of absence in one calendar year.

9. The City may pay the difference between the City's salary and the military salary for all periods of absence after the initial 18 days (or 30 if applicable) of military leave for an employee performing service in the uniformed services.

I. Purpose: To define the policy regarding leaves of absence without pay.

II. Scope: This policy applies to all employees of the City of Albany, Georgia who have completed at least one year of service with the City.

III. Policy Statement: The City of Albany is committed to its employees and will facilitate their needs for personal time away from their positions where possible. The City will consider all leave requests against the need to maintain normal business operations and reserves the right to reassign work tasks where appropriate in order to accommodate leave requests.

The duration of a personal leave without pay cannot exceed 30 calendar days.

Before the personal leave without pay begins, an employee must use the balance of all unused vacation leave, holiday leave hours, and unused compensatory time. The last calendar day that the employee received pay for such leave is the effective date of the personal leave without pay.

An employee on personal leave may continue participation in optional health, dental and life insurances by contacting Human Resources prior to the leave to determine the amounts and due dates of the premium contributions. If an employee chooses not to continue participation while on leave, the employee must notify Human Resources to cancel the coverage. If the employee returns to work in an eligible status, the employee has 31 days to reinstate coverage. If an employee on leave does not pay the required contributions, coverage will be canceled for non-payment.

Eligibility for retirement contributions and long and short-term disability insurance will be discontinued during the personal leave.

IV. Responsibilities and Administrative Procedures:

The City Manager will make a determination, on a case-by-case basis, on whether to approve a request for leave without pay, based upon the recommendation of the Director of Human Resources and the Department Director.

I. **Purpose:** To define the policy regarding administrative leave.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** The City may grant paid or unpaid time off to employees for reasons determined to be for the good of the City, including periods of investigation into an employee's conduct, participation in official actions by elected officials, compensated leave programs to recognize service at City Commission, and similar off-duty meetings, retreats, and related functions involving the business of the City.

IV. **Responsibilities and Administrative Procedures:**

A. The City Manager will make a determination, on a case-by-case basis, on whether to grant an administrative leave, based upon the recommendation of the Director of Human Resources and the Department Director for unpaid leave, which extends beyond 10 days.

B. If on paid status, benefits continue as if active.

C. If on unpaid status which extends beyond 30 days, continued benefits status will be evaluated on a case-by-case basis.

I. **Purpose:** To provide a means for the City to provide paid time off for employees to participate in educational training and courses that directly benefit the City.

II. **Scope:** This policy applies to all regular employees of the City of Albany, Georgia, who work at least 32 hours per week and have been employed for two consecutive years.

Policy Statement: City of Albany supports the professional and educational development of employees to expand their personal and professional growth. A professional development leave of absence without pay may be granted not to exceed one year, when it is in the best interest of City to do so.

Whenever possible, the department should hold a position for an employee on a professional leave of absence. However, depending on the length of the leave and the operational needs of the department, a position may or may not be held.

Before a leave without pay begins, the employee must use the balance of all unused vacation leave, holiday leave and compensatory time. The last calendar day that the employee received pay for such leave will be the effective date of the leave without pay.

An employee on leave will not accrue or be credited with vacation or sick leave or receive funeral leave, judicial leave, or holiday leave for any official holiday(s) observed during the leave.

An employee on personal leave may continue participation in health, dental and life insurances by contacting Human Resources prior to the leave to determine the amounts and due dates of the premium contributions. If an employee chooses not to continue participation while on leave, the employee must notify Human Resources to cancel the coverage. If the employee returns to work in an eligible status, the employee has 31 days to reinstate coverage. If an employee on leave does not pay the required contributions, coverage will be canceled for non-payment.

Eligibility for retirement contributions and long and short-term disability insurance will be discontinued during the personal leave.

IV. Responsibilities and Administrative Procedures:

A. Employees

Requests must be submitted at least 30 calendar days prior to the effective date. The request must include the reason for the leave, the duration of the leave, and a copy of the acceptance letter from the educational institution.

B. Department Management

All conditions under which a leave is granted must be thoroughly discussed with the employee by department management and documented in writing to include:

- The type and duration of the leave requested (not to exceed one year, when it is in the best interest of City to do so;
- The number of paid leave hours to be used prior to the leave without pay;
- The date leave without pay will start;
- Whether the employee's position is held or not held;
- Whom to contact regarding benefits information.

A copy of all supporting documents must be submitted by the department to Human Resources.

C. City Manager

The City Manager will make a determination, on a case-by-case basis, on whether to approve a request for professional development leave, based upon the recommendation of the Director of Human Resources and the Department Director.

I. Purpose: Emergency events may arise from various circumstances that threaten the health, safety and public welfare of the employees and citizens of the City, including inclement weather and facility disruptions. It is the purpose of this policy to establish responsibilities and prescribe procedures applicable to employees and conduct of City government operations during inclement weather conditions and other emergency events.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: It is the City's goal that City services continue to operate at all times, including during periods of severe inclement weather (i.e. weather conditions which make travel to and from work difficult or that might jeopardize the health, safety and welfare of City employees and the public). Unavoidably, however, in extreme circumstances, some services may temporarily cease while other operations may work an abbreviated schedule. However, generally, employees are expected to report to work during inclement weather unless directed not to do so by the City Manager.

More specifically, unless announced otherwise, all City Employees are expected to report to work at their regularly scheduled times/shifts. If an employee cannot report at his/her regularly scheduled time/shift due to weather conditions, the employee must notify his/her immediate supervisor as soon as possible.

Employees are not to assume that any department of the City will be closed, or that any department will delay opening or close early. All City Departments will be open for their regular schedules unless otherwise announce.

V. Responsibilities and Administrative Procedures:

A. Responsibility

The City Manager or designee is primarily responsible for making final decisions regarding conduct of various City operations during inclement weather and emergency event conditions. The City Manager is responsible for notifying the Police Chief and Fire Chief and other Department Directors of such decisions. Thus, ordinarily, the closing or re-opening of operations of the City will be determined by the City Manager or designee.

Fire Department and Police Department

The Fire Chief and the Police Chief are responsible for advising the City Manager when, in their opinions, weather conditions or emergency events may

negatively impact City operations. The Police Chief and Fire Chief are responsible for communicating with the City Manager throughout periods of inclement weather or during an emergency event. The Fire Chief shall act as the Coordinator for the City's Emergency Management. The Coordinator shall establish any additional policies as appear necessary to implement this procedure, with final approval of such procedures by the City Manager.

Department of Public Works

The Director of the Department of Public Works is responsible for communicating with the City Manager and the Police Chief and Fire Chief throughout periods of inclement weather or during an emergency event.

Public Information Officer

The Public Information Officer is responsible for ensuring that the most updated information is posted on the City website and included in the City telephone voice message system, and that the media is alerted concerning the operational status of the City's Departments.

Department Directors

Each Department Director is responsible for developing and implementing his/her department's policies regarding reporting to work during inclement weather or emergency event conditions. Department Directors are responsible for coordinating early closings and for notifying their individual staff members. Each Department Director is responsible for ensuring that sufficient staff coverage (including essential personnel) is provided to handle telephone or in person customer service or that, sufficient notice is posted or available via the telephone voice message system regarding any alteration in the City's operations.

Employees

During periods of severe inclement weather of other emergency events, all employees are responsible for obtaining information regarding City operations during non-duty hours by listening to any Public Broadcasting System, by checking the City website or by calling the City telephone voice message system.

B. Procedure

Communication of closure during normal working hours

During normal working hours, the Police Chief and Fire Chief will contact the City Manager, who will notify the Office of Human Resources, all Department Directors and the Public Information Officer, whenever adverse weather conditions or emergency events appear likely to affect City operations. The City Manager will determine the necessity of and type of closure, the effective time of such closure and the staffing requirements. Each Department Director will inform his/her employees of the status of the closure of City operations.

Communication of closure during non-operational hours

During non-operational hours, the Police Chief and Fire Chief will advise the City Manager of road conditions, adverse weather or other emergency events that appear likely to affect City operations. Upon the City Manager's declaration, the Police Chief and Fire Chief will contact the Public Information Officer regarding any closings of City operations. Employees should monitor the conditions throughout the day to determine whether the status of City operations has changed, by checking the media, the City website, or the City telephone voice message system.

C. Compensation

- **Essential employees:** Essential employees that report to work during the closure of the City offices will receive their normal pay plus an additional 8, 10, 12 or 24 hours of Administrative Leave per closure day up to a total of five (5) days based on the employee's normal shift.

- Essential personnel are defined as employees who work in Public Safety, Public Works, Water System, 911 or where 24-hour personnel are essential to the operation. The designation of essential employees within these departments is at the Department Director's discretion. Employees who are classified as essential personnel and who are required to report to work while the City is operating during inclement weather conditions, will receive additional compensation at their normal rate of pay for the period in which he/she was scheduled to work. Please code closure hours as Administrative Leave. This will give us a clear distinction between the compensation for hours worked versus the compensation for hours related to the closure.

- Overtime policy applies to essential personnel who work hours in addition to their normal scheduled hours excluding additional compensation for hours worked during inclement weather. Overtime will be calculated on the Administrative Leave for hourly employees, inclement weather time will not be included in the calculation of overtime (Section 5.1).

- However, overtime pay does not apply to exempt employees who will not receive additional or overtime pay in compliance with the Fair Labor Standards Act Exempt employees will receive their salaried rate (Section 5.1).

- **Offices Closed:** In the event of hazardous weather, or other occurrence resulting in the closure of the City offices as approved by the City Manager, full-time employees who are scheduled to work during the period for which the City is officially closed will be paid. However, an employee who has an unpaid absence for part or all of the regularly scheduled workday prior to an inclement weather day shall only receive compensation proportionate to the pay received for the prior workday.

For part-time employees, departments may allow part-time employees to make up time during the remainder of the pay period that the delay and/or closure occurs as long as work is available in their department or another department.

When an employee is prevented from reporting to work or remaining at work because of the closure of City offices, such absences are considered to be with pay and not charged to any accrued leave. Please code the hours that would have been worked as Administrative Leave.

Employees who are not directly affected by the conditions warranting closure, or who are not scheduled to work, shall not accrue any time and shall not be compensated in any manner.

- **Delayed Opening:** In the event of hazardous weather, or other occurrence resulting in the delayed opening of City Offices as approved by the City Manager, nonessential employees should report to work at a time to be determined by the City Manager. Nonessential employees may arrive at his/her work site on or before the designated time without a penalty. Employees arriving after the designated time will be required to charge all time lost to accrued vacation leave. If an employee does not have accrued vacation leave, the employee's salary will be adjusted to reflect all lost time after the designated time with said amount to be deducted from the employee's next scheduled payroll check. Employees will be compensated at their normal rate of pay for the period prior to the designated time during which City offices were closed, provided however, an employee who has an unpaid absence for part or all of the regularly scheduled workday prior to an inclement weather day shall only receive compensation proportionate to the pay received for the prior workday. Lost time prior to the designated time will not count toward leave without pay hours.

- **Weekend Personnel:** The City Manager will determine which plan of action will be implemented for nonessential employees who are required to report for work during weekend hours. Department Directors who are responsible for nonessential employees should contact those employees and inform the employees of action as given by the City Manager. Employees will be compensated at their normal rate of pay for the period during which the department is closed. Lost time will not count toward leave without pay hours.

- **Early Closing:** In the event weather conditions become adverse during normal working hours, the City Manager may dismiss nonessential employees. The City Manager, or designee, will advise Department Directors of the appropriate action to take. Employees will be compensated at their normal rate of pay for the period during which City offices were closed. Lost time will not count toward leave without pay hours.

- **Extenuating Circumstances:** In the event of loss of power or heat, or if structural problems are sustained by a department, it will be at the discretion of the City Manager, if and when said department will be closed. In departments where multiple sites exist, only the affected site will be closed. Employees will be compensated at their normal rate of pay for the period in which the department is closed. Lost time will not count toward leave without pay hours. Essential personnel will not receive additional compensation due to an extenuating circumstance.

I. Purpose: To allow City employees latitude in scheduling their work hours within specified limitations set forth herein.

II. Scope: All City of Albany employees will be considered for alternative work scheduling on a case-by-case basis in situations where creative work schedules will accomplish both work and personal goals, to provide coverage for individual department operations and to serve the City of Albany as a whole with increased productivity at no expense to quality output.

III. Policy Statement: The City of Albany is committed to helping employees face the demands of juggling work, family and life-related issues by offering several flexible work arrangements. These arrangements provide employees with increased flexibility with their work schedule while allowing the City of Albany to maintain a progressive and productive work environment with uninterrupted service to citizens. Alternative work scheduling is an opportunity to maintain employee productivity through various forms of creative work scheduling.

Individual departments may use flexible work arrangements, subject to the following conditions:

1. The implementation, continuance, discontinuance, or modification of flexible work arrangements is at the discretion of the City Manager in consultation with the Director of the affected department.

2. Adequate staff coverage, sufficient to meet the operating requirements of the department, is required at all times.

3. The normal workweek of 40 hours shall be observed.

4. Any employee requesting a flexible work arrangement is subject to a trial period as set forth by the City Manager and his/her Department Director.

IV. Definitions: For the nature and intent of this policy, there are three types of Flexible Work Arrangements defined hereafter:

Flextime – Flextime is a schedule by which an employee may choose to begin and end his/her work schedule at hours other than 8:00 a.m. to 5:00 p.m., Monday through Friday, as long as said employee completes 40 hours of work per given week, and that employee is present during certain core hours determined by management.

Telecommuting – A telecommuting arrangement allows an employee to complete work assignments from his/her home or other remote location.

Compressed Workweek – This is a schedule by which an employee may choose to work a four-day workweek with longer work hours than the standard 8:00 a.m. to 5:00 p.m. workday.

Time limits are placed on the flexible work schedule an employee is allowed to work through the implementation of "core times" and "band width", with consideration for lunch break periods.

1. **Core times** are the scheduled times of day and days of the week that an employee is required to be on the job unless he/she has been specifically excused. Core times for each employee may differ according to his/her job responsibilities and daily work tasks. Core times are established by the Department Director in consultation with the City Manager.

2. **Bandwidth** is the span of time beginning at the earliest time an employee may start work and ending at the latest time an employee may stop work. Bandwidth may vary for each employee according to his/her job responsibilities and daily work tasks. The Department Director in consultation with the City Manager establishes bandwidths.

3. **The normal lunch break is one hour.** An employee may extend or shorten his/her lunch break period when necessary to fulfill personal obligations or on a permanent basis to meet a flexible work arrangement, as long as management approval is obtained and the operations of the department are not disrupted. The lunch break for each employee will not be less than thirty (30) minutes for any given workday.

V. Responsibilities and Administrative Procedures:

Department Director Level

The Department Director ensures that flexible work arrangements are administered to conform to City policy. Department Directors also ensure that adequate staffing is available at all times to meet the operational requirements of the department.

Supervisory Level

The supervisor will plan and schedule job assignments, ensuring that there is sufficient staff for the department to function efficiently. The supervisor informs the employees of the tasks and schedules that are to be met. It is the responsibility of the supervisor to inform an employee if flexible work arrangements negatively affect job performance, and to implement measures to

correct the job performance deficiency.

Employee Level

The employee, with guidance from management, plans and organizes his/her flexible work arrangements to meet the job requirements established in his/her job description. An employee may, on occasion, be required to vary a flexible work arrangement to fulfill work requirements. It is the responsibility of the employee to notify his/her supervisor if flexible work arrangements negatively affect job performance.

VI. Procedures

1. The employee who is interested in arranging for a flexible work schedule must submit a Flexible Work Schedule Request/Decision Form detailing what type of flexible arrangement is desired, along with the reason for the request, to his/her immediate supervisor for review.

2. The employee's immediate supervisor must forward the request with his/her recommendations to his/her supervisor or the Department Director, as applicable.

3. The Department Director will review the request, make additional comments and/or recommendations, and then forward the employee's written request with all supporting documentation to the City Manager for review.

4. The City Manager may wish to schedule a meeting with the Department Director and the employee to discuss the request prior to making a final decision.

5. The City Manager will decide whether (or not) to grant a flexible work arrangement within (30) thirty calendar days from the date of the initial request.

6. A flexible work arrangement is a privilege granted by the City Manager with the concurrence of the Department Director. Flexible work arrangements may be revoked or suspended at any time by the City Manager or Department Director for any violation of this policy, or the violation of any other rule or policy of the City of Albany. Decline of the employee's job performance or decline of department function due to the employee's flexible work arrangement may also result in revocation or suspension of a flexible work arrangement.

7. Multiple requests within a department will be considered on a first-come, first-served basis. However, the Department Director and City Manager may use their discretion in modifying and/or terminating a flexible work schedule to allow for maximum discretion within the department.

I. **Purpose:** To generally guide the conduct of employees of the City of Albany; to generally guide the way in which the City of Albany conducts its business; to maintain the public's confidence in government; to best serve the interest of the citizens of the City of Albany; and to provide quality service to the community.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** Every employee is subject to disciplinary action up to and including termination of employment for any prohibited conduct, which includes but is not limited to the following:

- Any violation of the City of Albany Code of Ordinances
- Any violation of the City of Albany Ethics Policy
- Any violation of the City of Albany Human Resources Policies
- Discrimination, harassment, including sexual harassment or retaliation
- Drunkenness
- Excessive absenteeism or tardiness
- Falsifying information
- Illegal drug use or possession of illegal substances
- Possession of firearms on City property except as permitted by State law
- Theft
- Use of private or confidential information gained as an employee of the City of Albany
- Violent acts or behaviors

This is related to the above incidents on or off the job.

IV. **Responsibilities and Administrative Procedures:**

A. An Employee Disciplinary Record will be prepared by the employee's supervisor to document inappropriate behavior.

B. The Employee Disciplinary Record will include evidence of counseling, additional training provided or suggested, unusual conditions or circumstances, witnesses, etc. and the employee's own comment about the situation. If the deficiency is so severe as to warrant termination should it persist, the consequence will be explained to the employee and documented with a time limitation for correction, and/or

a statement must be written that at the next occurrence of the inappropriate behavior the employee may be terminated.

C. Subject to the City's unconditional right to terminate at will, it is City policy to try to use progressive discipline or a succession of increasingly severe disciplinary actions that will eventually result in termination if the deficiency is not corrected, the inappropriate behavior is not discontinued or a combination thereof. The order of progression will normally be as follows:

1. **Oral Warning**

   The first correction may be verbal if the infraction is minor. A notation of the event will be recorded by the supervisor and placed in the employee's departmental file.

2. **Written Warning**

   The second correction will normally be written and will be placed in the employee's human resource file. It will include reference to the increasing severity of the corrective action and the consequences explained to the employee for failure to correct the deficiency.

3. **Disciplinary Probation and Suspension without pay (third level)**

   The third correction will be written, placed in the human resource file and will normally include a period of probation and suspension without pay. With the approval of the Department Director, the period of suspension may be from one to 15 days in length based upon the severity of the event and should be given at the department's convenience. **Coordination and consultation with the Director of Human Resources and notification to the City Manager is required for suspension without pay for any period of time.** The disciplinary interview must emphasize the seriousness of the situation and will contain a statement that **the next correction will result in more severe actions to include possible termination.**

4. **Termination**

   The next correction will normally result in a recommendation for termination, with supporting documentation. Approval of the Department Director must be obtained and coordination/consultation with the Director of Human Resources must occur in advance and the City Manager must be notified of the pending action. Employees may be suspended without pay and can be directed to leave the work area pending the approval process.

The Department Director in lieu of termination or at any other disciplinary step may consider demotion in position or rank where it is deemed beneficial to the employee and/or to the City. Prior coordination and consultation with the Director of Human Resources is required.

D. All written disciplinary actions are to be forwarded to the Director of Human Resources within 24 hours of the disciplinary interview.

E. After 24 months of satisfactory performance by an employee with no disciplinary actions, the progressive discipline process will normally start over at the first correction level.

F. If an employee maintains satisfactory performance for three years after a third level correction (written warning with probation) and/or five years after a fourth level correction (suspension and/or demotion), then the prior corrections shall not be used as a deterrent to the employee being considered for promotion, transfer or other favorable treatment.

G. These steps may be accelerated or modified if circumstances warrant; seek advice from the Department Director and/or the Director of Human Resources. Until a correction results in termination, all corrections should be constructive with expectations explained, then monitored and feedback given in a reasonable period of time. The employee is expected to be an active and willing participant in the corrective process and failure or unwillingness to cooperate should be noted and taken into consideration when assessing the progressive discipline level of the current or subsequent events.

H. See Employees Arrested and Incarcerated, section 7.2, for City policy in the case of employees arrested and incarcerated for actions outside of the workplace.

I. Purpose: To provide safe and effective service to the citizens of Albany; to secure a safe work environment that is free from the effects of substance abuse.

II. Scope: This policy applies to all employees of the City of Albany, Georgia. This policy applies to all services provided to the citizens of Albany.

III. Policy Statement: The City of Albany prohibits the use, possession, sale, transportation, manufacture or distribution of alcohol or illegal drugs while on City premises or while conducting City business. It is a violation of this policy to be on City premises or to conduct City business while under the influence of alcohol or illegal drugs.

Illegal drugs are controlled substances or any prescribed medication taken by a person other than the person for which the medication is prescribed. Controlled Substances are as set forth in the Official Code of Georgia Chapter 13 of Title 16.

Conduct that constitutes a violation of this policy includes, without limitation, the following:

- Using, possessing, distributing, selling, manufacturing, or being under the influence of any illegal drug;
- Consuming alcoholic beverages while on City premises, in City vehicles, or while on City business or time, or bringing alcohol onto City premises;
- Abusing prescription drugs or possessing prescription drugs that have not been prescribed by a physician for the employee;
- Reporting to work or being subject to duty while being impaired due to the use of alcohol or controlled substances.

IV. Responsibilities and Administrative Procedures:

A. Employees

Employees using prescription drugs according to a physician's instructions or using over-the-counter drugs for medicinal purposes that will impair physical, mental, emotional or other faculties, should notify their supervisor as soon as possible and prior to beginning

work on the day such use of medication occurs. Any employee with knowledge of another employee who is under the influence of alcohol or illegal drugs while on City premises or while conducting City business is responsible for reporting such violation to the employee's supervisor, Department Director or to the Office of Human Resources.

Voluntary Rehabilitation

The City of Albany recognizes that the work environment should be free from the effects of alcohol and substance abuse. To this end the City will provide all of its employees one (1) opportunity to voluntarily enter the City's Employee Assistance Program (the EAP) for substance abuse without being subjected to any disciplinary action based on the substance abuse provided that:

- The employee voluntarily enters the EAP and adheres to its established guidelines and requirements.
- The employee completes the primary and after-care elements of the rehabilitation program in strict accordance with the established guidelines as set forth by the EAP, including, but not limited to, mandatory random and periodic drug and/or alcohol testing for a period of two years.
- The employee is free of any criminal or administrative charges, and has not been directed to be tested based upon reasonable suspicion prior to voluntary entry into the EAP substance abuse program.
- The employee successfully completes the primary care portion of the EAP and abides by the elements of after-care treatment. Any employee who voluntarily enters the EAP and fails to abide by the established guidelines and requirements shall be subject to disciplinary action up to and including termination.

The City may take appropriate human resources action to protect the affected employee, fellow employees and the public and to meet the needs of the City necessitated by an employee's temporary or permanent inability to adequately perform his or her job.

B. Supervisors

1. Ensure that all employees are aware of the City's Drug and Alcohol Free Workplace Policy;
2. Ensure that all employees under his/her supervisory direction are informed that any violation of this policy may result in discipline, up to and including termination;
3. Protect the organization at all times by diligently watching for any signs that indicate an employee is "under the influence";

4. Remain alert for signs of drug and alcohol abuse, such as:

- Absenteeism;
- Atypical behavior or erratic conduct;
- Low or unsatisfactory work performance;
- Changes in personal demeanor (which often support the conclusion that there is reasonable suspicion the employee is under the influence of drugs or alcohol);
- Involvement in an accident that either results in any injury to the employee or another individual;
- Involvement in an accident that would cause a supervisor to reasonably believe that the employee may be under the influence, or is impaired, due to the use of an unlawful drug or alcoholic beverage;
- Physical signs such as slurred speech, dilated pupils, staggering, odor of alcohol or marijuana, etc.;
- A report of alcohol or other illicit drug use by another employee who is a reliable and credible source;
- The identification of an employee as the focus of a criminal investigation into unauthorized drug possession, use, or trafficking;
- Violations of the organization's safety work rules that pose a risk of physical injury or property damage.

In the interest of safety, report any "reasonable suspicion" and/or violation of this policy to the Department Director and the Director of Human Resources for immediate remedy/action in order to evaluate the impact of the employee's safety as well as the safety of the City's staff and the public.

C. Human Resources and Department Director

1. Upon notification by a supervisor (or another employee, vendor, visitor, volunteer, temporary hire or independent contractor), the suspected employee should be interviewed by the Director of Human Resources and the Department Director (together).

2. The Director of Human Resources may deem it appropriate to notify the local authorities of any use, possession, trading, sale, or attempted sale of drugs and/or drug-related paraphernalia in violation of this policy.

3. The employee's prior work history, including records of prior substance abuse by the employee, will be reviewed by the Director of Human Resources and with City management to determine the level of disciplinary action.

I. Purpose: This policy purpose is to provide a drug-free, safe, healthy and secure work environment.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: All employees and applicants shall submit to testing for the presence of drugs and alcohol after an offer of employment and under the circumstances stated in this policy.

IV. Responsibilities and Administrative Procedures:

A. Random and periodic drug and/or alcohol testing.

1. Employees in Sensitive Positions shall be required to submit to a drug and alcohol-screening test on a random basis from time to time as determined by the Director of Human Resources and the City Manager or designee in accordance with the procedures established in parts D and F below.

2. Employees in Sensitive Positions may expect to be tested on an annual basis.

3. A City Employee who is tentatively selected for transfer or promotion to a Sensitive position will be advised in writing that the transfer or promotion is contingent upon negative test results on a drug and alcohol screening. Within five days after such notice in writing, and before the transfer or promotion becomes effective, the Office of Human Resources will schedule a date for the screening to take place.

4. For purposes of this policy, "Sensitive Positions" are the following types of positions within the City:

- All employees whose job duties require regular operation of city vehicles, heavy equipment and/or electric utility facilities.
- All employees within the Police Department.
- All employees in the Fire Department whose job duties include fire suppression, life safety and/or paramedic work.
- All employees who job duties involve working with children.

B. Drug and/or alcohol screening test based on reasonable suspicion (i.e. reasonable belief based on specific objective facts and inferences drawn from those facts).

1. All employees may be requested to submit to unannounced drug and alcohol screenings if the City has reasonable suspicion that an employee is in violation of this policy. 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:

- Involvement in a physical or verbal altercation on the job.
- Multiple incidents or accidents on the job.
- Exhibiting unusual behavior such as slurred speech or unsteady walking or movement on the job.
- An odor of drugs and/or alcohol on their person on the job.
- Possession of alcohol or drugs on the job.

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

3. Supervisors who suspect an employee is under the influence of drugs and/or alcohol shall immediately report the incident to their immediate supervisor or Department Director. If the observation is made by the Department Director, such incident shall be immediately reported to the Director of Human Resources.

4. The determination of whether reasonable suspicion exists shall be made by the Department Director or by the highest-ranking supervisory staff on duty at the time. In the event that the observation is made by a Department Director, the determination of whether reasonable suspicion exists shall be made by the Director of Human Resources. 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. In the event that the observation is made by the Director of Human Resources, the determination shall be made by the City Manager. Pending the outcome of the drug test, the employee shall be removed from their duties with pay.

5. Following the determination that reasonable suspicion exists, the employee shall be transported to and from the 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.

6. Supervisors will document in writing, within the next working day, the specific facts, symptoms or observations that formed the basis for the determination that reasonable suspicion existed to warrant the testing of an employee. All documents created in connection with the determination of reasonable suspicion will be forwarded to the City Manager and the Director of Human Resources.

7. If an employee requested to submit to a screening as a result of reasonable suspicion refuses to do so, or consents to a screening and the screening is positive, the employee will be subject to disciplinary action, up to and including termination.

C. Drug and/or alcohol testing after accidents or injury.

1. Any employee involved in a work-related incident causing personal injury or property damage and who is determined to have caused or contributed to such incident shall be tested promptly for drugs and/or alcohol use in accordance with this policy.

2. Any employee involved in a motor vehicle accident while driving a city vehicle and who is determined to have caused or contributed to such accident shall be tested promptly for drugs and alcohol in accordance with this policy. Pending the outcome of the drug test, the employee shall be removed from their duties with pay.

3. If an employee is injured in an accident covered by this section, and is unable to submit to screening, the employee shall provide the City with the necessary authorization to obtain hospital or other records for the sole purpose of determining whether the employee was under the influence of controlled substances at the time of the accident.

4. If an employee requested to submit to a post-accident screening refuses to do so or consents to do so and the screening is positive, the employee will be subject to disciplinary action, up to and including termination.

D. Random drug/alcohol testing of Employees in Sensitive Positions

Employees in Sensitive Positions will be subject to random, unannounced drug and/or alcohol test. The selection of such employees shall be made by a scientifically valid method of randomly generating an employee identifier from the pool of City employees in Sensitive Positions.

1. The dates for administering unannounced testing may be spread reasonably throughout the calendar year.

2. Twenty-five percent of the number of City employees in the pool shall be tested for drugs, and ten percent of the number of City employees in the pool shall be tested for alcohol. The City reserves the right to alter these percentages without prior notice.

3. Each City employee in a Sensitive Position will be in a pool from which the random selection is made. Each City employee in the pool will have an equal chance of selection each time the selections are made. City employees will remain in the pool and subject to selection, whether or not the City employee has been previously tested. There is no discretion on the part of management in the selection and notification of the individuals who are to be tested.

4. All City employees in Sensitive Positions will be included in the random pool, which will be maintained by an outside third party administrator who will independently make the selections on a schedule established by the City of Albany to insure compliance with the referenced regulation.

5. Random drug tests can be conducted at any time during an employee's shift. Random alcohol tests may only be performed just before, during or just after the performance of a work related duty.

6. City employees shall be transported to and from the collection site accompanied by their immediate supervisor or his designee upon notification of their random selection.

7. Failure on the part of a City employee to comply with the requirements of this policy will result in disciplinary action up to and including termination.

8. The Director of Human Resources shall coordinate and administer the random testing program within the scope and provisions of applicable Federal regulations and City policy.

E. Prescription Drug Use.

1. 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 that the physician approves the use of the prescription medication while the employee is performing his or her duties.

2. Employees who hold Safety-Sensitive Positions must immediately notify their supervisor if they are prescribed a drug whose use may affect their job performance.

3. The abuse and/or inappropriate use of legally prescribed drugs shall be prohibited. Job performance or attendance deficiencies resulting from abuse and/or inappropriate use shall be reasonable suspicion that the employee is abusing or inappropriately using prescription medication. The employee in such a case may be required to submit to drug testing and to take leave until such time as the employee is cleared to return to work by the employee's physician, the medical review officer, and the Director of Human Resources.

F. Drug and/or alcohol testing procedures.

1. Consent: Before a drug and alcohol test is administered, employees will be asked to sign a consent form authorizing the test and permitting release of test results to the employer and the medical 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/procedure.

2. Refusal to consent: Any employee who refuses to sign the consent form o r to submit to a drug and alcohol test as required in this policy/procedure shall be subject to termination. Employees who fail to appear at the designated collection site to take the test when so directed shall be subject to termination.

3. List of Medications: Employees shall at the time of testing provide a list of those prescription and over-the-counter medications that they have recently used. The list of medications shall be kept confidential until there has been a test result. The list of medications shall be disclosed only to the medical review officials who will determine whether the positive result was due to the lawful use of any of the listed medications.

4. Testing Laboratory guidelines and procedures.

   - All testing procedures shall be administered and accounted for by an approved laboratory and/or medical facility that are operating in compliance with the National Institute of Drug Abuse (NIDA) guidelines. These procedures and guidelines shall be available for inspection by contacting the City's Director of Human Resources Office.

   - 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. Outer garments, bags, briefcases, purses, or other containers will not be permitted into the test area. The water in the commode shall be colored with dye to protect against dilution of test samples.

- Urine samples will be divided into two (2) separate samples and will be turned over to a laboratory designated by the City. At all times, documents evidencing the proper chain of custody of the samples will be executed and maintained. The laboratory will analyze one of the urine samples for controlled substances, using first the Enzyme Multiplied Immunoassay Technique (EMIT). If a Positive result is indicated, the laboratory will then perform a confirmatory test by gas chromatography mass spectrometry (GCTMS). If the GCTMS also indicates the presence of drugs or alcohol, the test result is considered a confirmed positive result.

- In the event that the sample tests positive for controlled substances, a report of the laboratory analysis will be forwarded to a Medical Review Officer - a physician specially trained to evaluate such reports and retained by the City to make such evaluations. Any employee who tests positive may talk to the Medical Review Officer about any circumstances, which may explain the Positive result. Any employee who tests Positive may request that a test be performed on the second half of the sample taken from him or her, by a different NIDA-certified laboratory approved by the City, at the employee's expense. If the second test is negative, the cost of the test will be reimbursed to the employee.

  As to a breath test, the employee will be taken to a laboratory, hospital, or other City-designated testing facility. A breathalyzer test, using an intoximeter or the current device approved for such tests by the State of Georgia will be given to the employee. If the breath test is positive, the employee may request that a second breath test, or blood test, be performed immediately, at the employee's expense. If the second test is negative, the cost of the test will be reimbursed to the employee.

5. Confidentiality of test results: Except as to the extent necessary to comply with and enforce this policy, all information from an employee's drug and alcohol test shall be confidential and only available to the Department Director, City Manager, Director of Human Resources and those with a need to know. Disclosure of test results to any other person, agency, or City shall be prohibited unless written authorization is obtained from the employee or

job applicant. This confidentiality shall apply to all results of implementation of this policy/procedure, whether those results are an employee's refusal to consent to or undergo a drug and/or alcohol screening, an employee's negative screen result, or the identity of prescription drugs taken by an employee. The results of a positive drug or alcohol test shall not be released until the results are confirmed.

G. Disciplinary Action resulting from a Drug and/or Alcohol test.

1. *First positive test*. Except as otherwise stated in this section, on the first instance where an employee has a confirmed positive test for drugs and/or alcohol (i.e. a drug/alcohol screening result which indicates an alcohol concentration in excess of .05 grams of alcohol per 100 milliliters of blood or 210 liters of breath), or the presence of controlled substances as shown by positive initial and confirmatory test results, the employee shall participate in a drug or alcohol rehabilitation program. If the incident or occurrence which resulted in the employee's being tested involved violation of rules or policies other than the drug and alcohol ordinance, the employee may be subjected to disciplinary action, including termination, as deemed appropriate for the conduct.

- Employees who test positive will be removed from their job and may not return to work until they pass a drug and/or alcohol test, are recommended for a return to duty by the Medical Reviewing Officer, and consent to unannounced drug and/or alcohol testing for a period of two years.

- Following a first confirmed positive drug test where an employee is referred for mandatory rehabilitation, the employee shall be subject to random testing for a period of two years.

- If an employee is unable to return to work because of treatment, and has exhausted all his/her leave time - sick, vacation, compensatory - the existing leave system will apply.

2. *Second positive test*. An employee who tests positive for a second time will be terminated after confirmation of test.

3. *Immediate termination*. The following reasons shall be grounds to recommend suspension with pay pending the immediate termination of an employee:

- Distributing controlled substances while on the job.

- Operating a city vehicle or motorized equipment while illegally under the influence of drugs and/or alcohol.

- Felony conviction for violating drug laws.

- Testing positive for drugs or alcohol while on probation under the provisions of this policy/procedure.

- Violations of this policy/procedure by certified law enforcement personnel.

4. *Additional factors to be considered*. Additional factors may be reviewed to determine appropriate disciplinary action for violations of this policy/procedure. The factors include:

- Public Safety personnel shall be held to a higher standard.

- Specific positions of leadership within the City shall be held to a higher standard: manager, assistant manager, superintendents and Department Directors.

- Prior violation of drug or alcohol laws and regulations.

- Any other occurrence or circumstance which indicates a need to impose enhanced disciplinary sanctions.

I. **Purpose:** To enforce the city's code of ordinances relating to smoking in public places in the City of Albany.

II. **Scope:** This policy applies to all employees, officers and guests of the City of Albany.

III. **Policy Statement:** No person shall smoke or burn any tobacco product or tobacco substitute product, whether in the form of a cigarette, cigar, pipe or other device, in any building or vehicle owned by the City. No person shall smoke in any enclosed building of the City of Albany.

Any person, firm or corporation violating any provision of this section shall be subject to punishment according to the City's Code of Ordinances, section 8-13. Any city employee or appointed officer violating any provision of this section may, in addition to such fine, be subject to disciplinary action for violation of City ordinances.

This policy shall not apply to outdoor patio areas, sidewalks, parking areas or other areas designated as a smoking area.

IV. **Responsibilities and Administrative Procedures:**

A. Leadership is responsible for enduring adherence to the Smoking Policy.

B. To further promote a smoke-free workplace and healthy lifestyles, City of Albany offers a smoking cessation program in addition to the Employee Assistance Program (EAP).

C. Questions or concerns about this policy or other related matters should be addressed to the appropriate Department Director, or to Human Resources.

I. **Purpose:** The City of Albany maintains a zero tolerance standard of violence in the workplace. The purpose of this policy is to provide employees guidance that will maintain an environment free of violence and the threat of violence.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** Threats, threatening behavior or acts of violence against employees, visitors or other individuals is prohibited. This applies, whether or not the behavior occurs on City property, when that behavior is job-related or might be carried out on a City-controlled site. There is a zero tolerance for any form of violence.

Any employee or member of the public making substantial threats, exhibiting threatening behavior, engaging in violent acts, or creating a hostile environment or fear in the workplace will be told to leave or will be removed from the premises by a representative of the Albany Police Department as quickly as safety permits. The person will further be directed to remain off the premises pending the outcome of an investigation.

The Safety and Security of all employees including contracted workers clients and all property of the City of Albany are the upmost importance. Violent behavior of any kind or threats of violence either implied or direct are prohibited. Such conduct by a City of Albany employee will not be tolerated.

An employee who exhibits violent behavior may be subject to criminal prosecution and shall be subject to disciplinary action up to and including termination. Violent threats or actions by an employee may result in criminal prosecution.

The Department of Risk Management will investigate all complaints filed and will also investigate any possible violation of this policy of which we are made aware. Retaliation against a person who makes a complaint regarding violent behavior or threats of violence made to him/her is also prohibited.

<u>Definitions</u>

Workplace Violence: Behavior in which an employee former employee or visitor to a workplace inflicts or threatens to inflict damage to property, injury, death to others and other disruptive behavior in the workplace.

Workplace Aggression: Expressions of hostility such as gestures, facial expressions, verbal assaults, threats of physical violence, harassment, intimidation and bullying.

Threat: The implication or expression of intent to inflict physical harm, verbal or nonverbal. An expression constitutes a threat without regard to whether the party communicating it has the ability to carry out the threat and without regard to whether the expression of harm is one of an immediate or future nature. Any threat of bodily injury is to be reported immediately to law enforcement.

Intimidation: Making others afraid or fearful through threatening behavior.

Property Damage: Damage to property, which includes property owned or utilized by the City, employees, clients, citizens, and visitors.

Weapon: Includes any pistol, revolver, rifle or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of three or more inches, any knife designed for the purpose of offense and/ or defense, straight-edge razor, spring stick, metal knucks, blackjack, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, cunchaku, shuriken, or fighting chain, or any disc or whatever configuration, having at least two points or pointed blades which are designed to be thrown or propelled and which may be known as throwing star or oriental dart, or any weapon of like kind.

Zero-tolerance: A standard that establishes that any behavior, implied or actual that violates the policy will not be tolerated.

Court Order: An order by a Court that specifies and/or restricts the behavior of an individual. Court Orders may be issued in matters involving domestic violence, stalking or harassment, among other types of protective orders, including Temporary Restraining Orders.

Prohibited Behavior

Violence in the workplace may include, but is not limited to the following list of prohibited behaviors directed at or by a co-worker, supervisor or member of the public.

1. Direct threats or physical intimidation.
2. Implications or suggestions of violence.
3. Stalking.
4. Possession of weapons of any kind on property, including parking lots, other exterior premises or while engaged in activities for City of Albany in other locations or at City of Albany's sponsored events, unless such possession or use is a requirement of the job.

5. Assault of any form.
6. Physical restraint, confinement.
7. Dangerous or threatening horseplay.
8. Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment.
9. Blatant or intentional disregard for the safety or well-being of others.
10. Commission of a violent felony or misdemeanor on City property.
11. Any other act that a reasonable person would perceive as constituting a threat of violence.

Domestic Violence

While Domestic Violence often originates in the home, can significantly impact workplace safety and the productivity of victims as well as co-workers. For the purposes of this document, "domestic violence" is defined as abuse committed against an adult or fully emancipated minor. Abuse is the intentional reckless attempt to cause bodily injury, sexual assault, threatening behavior, harassment, or stalking, or making annoying phone calls.

Questions as to whether or not an item is covered by this policy should be directed to the Director of Risk Management.

IV. Responsibilities and Administrative Procedures:

Reporting Acts of Threats of Violence

The following procedure will be followed for reporting incidents:

1. All City personnel are responsible for immediately notifying the supervisor or management person in charge of the worksite of any incident or potential incident of workplace violence including any threats which they have witnessed or received.
2. Depending on the circumstances, appropriate law enforcement or management authorities will be notified by the worksite manager. In the event of physical contact, when weapons are involved, when threats of bodily injury are made, and/or property has been damaged, law enforcement shall be notified. In all cases, the Department Director of the chain of command as applicable will be made aware of such matters as soon as practicable by the worksite manager.
3. Risk Management will conduct the investigation and complete the Workplace Violence Report and submit the recommended disciplinary action, if any to the Director of Human Resources and the Department Director within 3 (three) workdays of the incident. The Department Director shall retain the authority to take immediate action as appropriate to ensure the safety of all employees.
4. Risk Management will make the determination if the employees involved shall be placed on Administrative Leave during the investigation to ensure the safety of others.

5. As with any disciplinary action, the employee will be entitled to the grievance procedure as set forth in the City of Albany Personnel Policy.

Procedures-Future Violence

Employees who have reason to believe they, or others, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their employment with the City of Albany shall inform their supervisor immediately.

Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation of the order by coming near them at work, shall immediately supply a copy of the signed order to their supervisor. The supervisor shall provide copies to the Department Director, Risk Management, Director of Human Resources and local police.

Incident Investigation

Acts of violence or threats will be investigated immediately in order to protect employees from danger, unnecessary anxiety concerning their welfare, and the loss of productivity. Risk Management will initiate an investigation into potential violation of work rules/policies. Simultaneously, in cases involving a weapon or bodily injuries the Department Director will refer the matter to local police for their review of potential violation of civil and/or criminal law.

Procedures for investigating incidents of workplace violence include:

1. Visiting the scene of an incident as soon as possible.
2. Interviewing injured and threatened employees and witnesses.
3. Examining the workplace for security risk factors associated with the incident including any reports of inappropriate behavior by the perpetrator.
4. Determining the cause of the incident.
5. Taking mitigating action to prevent the incident from recurring.
6. Recording the findings and mitigating actions taken.

In appropriate circumstances, Risk Management and/or the Department Director will inform the reporting individual of the results of the investigation. To the extent possible, Risk Management will maintain the confidentiality of the reporting employee and the investigation but may need to disclose results in appropriate circumstances; for example, in order to protect individual safety. The City of Albany will not tolerate retaliation against any employee who reports workplace violence.

Utilization of Employee Assistance Program (EAP)

A. In situation considered to be potentially volatile or where an employee's fitness for duty is of concern, management may utilize the services of EAP.

B. Depending on the circumstances, the City may utilize EAP personnel, qualified department personnel, or outside assistance to ensure the safety, psychological comfort and support of the victims of violence in the workplace.

Training and Instruction

The Risk Management Department shall be responsible for ensuring that all employees, including managers and supervisors, are provided training and instruction on general workplace violence security practices. Department Directors shall be responsible for ensuring that all employees, including managers and supervisors, are provided training and instructions on job specific workplace violence security practices.

Training and instruction shall be provided as follows:

1. To all current employees when the policy is first implemented.
2. To all newly hired employees, supervisors and managers, or employees given new job assignments for which specific workplace violence security training for that job assignment has not previously been provided.
3. To affected employees whenever management is made aware of a new or previously unrecognized hazard.

Workplace security training and instruction includes, but is not limited to, the following:

1. Preventive measures to reduce the threat of workplace violence, including procedures for reporting workplace security hazards.
2. Methods to diffuse hostile or threatening situations.
3. Escape routes.
4. Explanation of this Workplace Violence Prevention Process
5. In addition, specific instructions shall be provided to all employees regarding workplace security hazards unique to their job assignment.

False Report

Any employee who knowingly makes a false report against another employee is subject to disciplinary action, up to and including termination. An employee who in good faith reports what appears to be a threat- even if the reported incident is determined not to be a threat- will not be subject to disciplinary action.

Records and Recordkeeping

The Risk Management Department will maintain record and periodically report on the operation of this process. The Risk Management Department will also provide data on incident(s) of workplace violence in a manner that may be prescribed by future rules or regulations of the Workplace Violence Procedures.

I. Purpose: To establish dress code and personal grooming guidelines for City employees.

II. Scope: This policy applies to all employees of the City of Albany, GA. Separate provisions apply to uniformed employees (i.e. fire department, police department, etc.).

III. Policy Statement: It is the policy of the City that employees shall project a positive and professional image toward the community. All employees are reminded that the first impression on the public is their dress and grooming appearance.

All employees are required to dress and be groomed in a manner that presents a conservative appearance and is appropriate to a professional business environment. Clothing shall always be neat, clean, and pressed when reporting for duty.

Due to the unique nature of Public Safety, the Police and Fire Departments will maintain their own policies on the wearing of uniforms, clothing, and grooming requirements for both sworn and civilian police human resources.

A. Issued Clothing, Uniforms, and Equipment

Any issued clothing, uniforms, equipment and similar type items remain the property of the City.

B. Dress Code and Grooming Standards

1. Clothing

Male Employees
Suits, dress trousers, and conservative sportswear trousers, khaki or other colors are considered appropriate. Jeans must be clean, neat, wrinkle free and without holes. Short or long sleeve dress shirts, golf type shirts, denim shirts, or other conservative casual shirts are acceptable. Shirts may have City or departmental logos.

Female Employees
Suits, dresses, skirts, pants, and a suitable blouse, conservative in nature, is appropriate attire for wear. Skirts and dresses may have a hemline no higher than two inches above the knee, or may not fall

below the knee to such an extent as to impede the ability to move safely. The length of Capri pants must be closer to the ankle than the knee. Jeans must be clean, neat, wrinkle free and without holes. Blouses, shirts and other top garments shall not expose the midriff.

Excessive exposure of skin is not permitted and will be determined by the employee's immediate supervisor.

Males and Females

Employees may dress in a manner appropriate to the work environment. For example, an employee who knows they will be doing work in a dirty or dusty environment, and is not provided a city uniform, may wear jeans and a sweatshirt for that day.

Employees assigned to training or departmental meetings should report for this assignment in appropriate attire consistent with a professional working environment. Employees should never wear to any City or departmental function any item of clothing (such as a t-shirt that is offensive or with a logo) that may present an unprofessional appearance.

Employees must wear professional attire in all courts.

Employees are permitted to wear jeans on Friday and the day before a holiday. Jeans must be clean, neat and wrinkle-free.

2. Shoes

Shoes may be dress or casual, but must be businesslike. Shoes shall be shined (if appropriate) and free of dirt. Sandals should present a professional appearance (no flip-flops). Shoes must be conservative and professional and must be able to be worn safely in the working environment.

Canvas shoes are acceptable, as well as solid color leather athletic shoes. Shoes with heels and soles that are so high as to be a safety hazard are not authorized.

3. Jewelry

Necklaces of excessive length shall not be worn as they may present a hazard to safety by being caught in equipment or machinery. Excessive jewelry should not be worn so as to detract from a professional appearance. Rings may be worn provided they are conservative and professional in appearance. For police officers and firefighters, no more than three rings are to be worn while in uniform. Jewelry, which creates a safety concern, is prohibited. Jewelry, which is conservative and professional in appearance, is allowed. Addressed in departmental Standard Operating Guidelines (SOGs).

4. Fingernails & Fingernail Polish

All employees' fingernails are to cleaned and maintained at a moderate length so as not to impede the employee's ability to successfully perform their job functions. Fingernail polish (clear or colored) shall be subdued in color and must present a conservative, professional and business-like appearance.

5. Hair

Hair shall be conservative, neat, and professional in appearance. Hair appearing to be shabby, unkempt and generally unmanageable is not acceptable. Hair should be a reasonable length and cannot be so long, or of such a style as to create a safety hazard in the working environment. Hair must be regularly shampooed, cut and shaped. Hair must not be so long as to interfere with the wearing of any equipment required to perform the job assignment. Hairstyles of a bizarre nature such as spikes, unusual colors, bright streaks, shaved in designs and those commonly known as "Punk" are not acceptable.

6. Facial Hair (Beards & Mustaches)

Facial hair may be worn if it presents a professional appearance at all times. Facial hair must be clean, neat and well-groomed at all times, and should never be so long as to have a general appearance of being unruly. Facial hair cannot interfere with any equipment required to perform the job assignment. "Frizzy" sideburns are not permitted.

7. Body Piercing

Employees may not wear jewelry in a visible body piercing. Visible body piercing includes, but is not limited to the piercing of the tongue, eyebrows, cheeks and nose. The temporary wearing of an inconspicuous clear post during the initial stage of the piercing is authorized; not to exceed six weeks. Employees are encouraged to seek guidance regarding any visible body piercing to avoid confusion regarding their acceptability. All body piercing must be covered and appropriate and pose no safety hazard as defined by departmental SOGs.

8. Tattoos

A tattoo is a permanent mark or design made on the skin by a process of pricking and ingraining an indelible ink pigment or by raising scars. The wearing of visible tattoos that depict violent, vulgar, obscene or racially/culturally/religiously prejudicial designs are not permitted. Employees are encouraged to seek guidance regarding any visible tattoos to avoid confusion regarding their acceptability. All tattoos must be covered while at City functions and while on City property.

9. Religious Accommodations

An employee whose religious beliefs or practices conflicts with this policy on dress and appearance, and who seeks a religious accommodation, should submit a written request for the accommodation to his/her immediate supervisor.

The written request should include the type of religious conflict that exists and the employee's requested accommodation. The face of an employee should not be obscured.

IV. Responsibilities and Administrative Procedures

A. Supervisors

1. All supervisors will instruct their assigned subordinates in this policy and will be responsible for its enforcement. Supervisors who observe a violation will counsel the employee on appropriate clothing and/or grooming.

2. If the infraction is of an obvious nature as to cause embarrassment to the agency or is a safety hazard, the supervisor will take immediate corrective action and send the offending employee home to correct their dress or grooming. The employee will clock out and will not be compensated for any lost time, and may be subject to disciplinary action as well.

3. Refer all requests for religious accommodation to the Director of Human Resources for consideration and determination of reasonable accommodation.

B. Employees

1. Employees have the responsibility to maintain all City issued items with due diligence and to report all losses, thefts, or damage of items to their immediate supervisor in writing. Employees deemed responsible for the loss or damage of issued items may, in addition to any disciplinary action given, be required to compensate the City for loss or damage.

2. Uniform items and equipment issued by the City or a department will be replaced by the department as authorized and required. Employees in need of replacement items will advise their immediate supervisor, preferably in writing, of such need. If approved, the items will be ordered and provided to the employees.

3. Employees shall not wear any clothing, which is a recognizable part of

their issued uniform, or clothing of the City while under disciplinary suspension, except as authorized by their Department Director.

4. Employees who leave employment with the City must return all issued clothing, uniforms, equipment and other similar items cleaned and intact or make monetary compensation for replacement costs. Police, Fire and other departments clothing and uniform items must be returned in accordance with departmental SOGs, dry cleaned, pressed, on hangers and in protective plastic bags. Other City issued clothing or uniform items must be cleaned in the normal manner before being turned in. When issued items are not returned in accordance with this policy, the employee will have the cost of such cleaning deducted from their last paycheck.

I. **Purpose:** To define the policy and procedure for conducting workplace monitoring to ensure quality control, employee safety and security, and customer satisfaction.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** The City may conduct workplace monitoring to ensure quality control, employee safety and security, and customer satisfaction.

Employees who regularly communicate with customers may have their telephone conversations monitored or recorded for the purposes of identifying training needs and performance problems.

All computer equipment, services, or technology that are furnished by the City are the property of the City of Albany. The City reserves the right to monitor computer activities and data that is stored in the City's computer systems and devices. The City also reserves the right to find and read any business data that employee's write, send, or receive on said devices.

The City may perform video surveillance of non-private workplace areas, and may use video monitoring to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage and prevent harassment and workplace violence.

The City will make every reasonable effort to help ensure that workplace monitoring is done ethically and with respect of employee privacy.

Workplace Security Inspections

The City strives to achieve a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other unauthorized/improper materials. The possession, transfer, sale, or use of these materials on City premises is prohibited. (Exceptions are made for sworn police officers and evidence/property technicians when part of their normal job duties.)

The City may provide employees with desks, lockers, and other storage

devices for their convenience, but these are the sole property of the City. Because they are City property, the City may allow a representative or authorized agent to inspect them, as well as any items inside, at any time, either with or without advance notice.

Theft and the unauthorized possession of property is prohibited. To help enforce this policy, the City may require inspection of employees and other persons who enter or exit City premises as well as any packages or other belongings they carry with them by the Albany Police Department.

Personal Property

The City cannot be responsible for losses of personal property that is lost, damaged, or stolen. Employees who bring personal property, items, or belongings into the office or City property are responsible to keep track of them.

Personal property brought in to work will not be covered under the City's insurance, and due to limitations on personal homeowners' policies with business property away from the home premises, it may not be covered under the employee's homeowners' or renters' insurance coverage either.

The City prohibits any items on the premises or worksite that are sexually suggestive, offensive, or demeaning to specific individuals or groups, Employees should understand that all personal property brought onto the City's premises may be inspected for purposes of enforcing the City's policies and to protect against theft.

I. Purpose: To insure that all employees are in compliance with Georgia State laws governing the use and wearing of vehicle seat belts, and to prevent and reduce the risk of serious injury to employees.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: Employees and all other passengers are required to properly be restrained by seat belts at all times while driving or riding in City vehicles. Employees are further required to wear seat belts in their own vehicles while in the course of conducting City business. Employees are also encouraged to wear seat belts at all times while driving their own vehicles while not on City business. The City of Albany values every employee both at and away from work.

Operators are responsible for ensuring all passengers are properly secured prior to any movement of the vehicle. Operators are also responsible to insure that the number of passengers are limited to the number of seat restraints of the vehicle.

The exception to this policy is when a driver or passenger is performing a job, which requires frequent stopping and leaving the vehicle, and when the speed of the vehicle between stops does not exceed 15 miles per hour.

IV. Responsibilities and Administrative Procedures:

It is each employee's responsibility to comply with this policy.

I. **Purpose:** To define the expectations of the City of Albany regarding professional conduct of its employees, and adherence to established rules of ethics.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** Every employee of the City of Albany is expected to uphold and exhibit the professional conduct that fosters public trust in city government. It is the policy of the City of Albany to hold its employees to the highest ethical standards.

Every employee of the City of Albany is expected to avoid any action that may result in or create the appearance of impropriety including the following:

- Using their office for private gain;
- Giving preferential treatment to any person or group;
- Impeding government efficiency or economy;
- Losing independence or impartiality of action;
- Making government decisions outside of official channels; and
- Adversely affecting public confidence in the integrity of government.

Every City employee is expected to act in a professional manner at all times and exhibit the following conduct:

- ***Serve the Public***: Serve the public with respect, concern, courtesy and responsiveness, recognizing that service to the public is beyond service to oneself.
- ***Uphold Laws***: Faithfully support the Constitution of the United States and the State of Georgia, and all laws and regulations thereof. Additionally, support and comply with all the rules, codes and laws of the City of Albany.
- ***Foster Equal Opportunity***: Treat all citizens and fellow employees courteously, impartially, respectfully and responsibly without regard to age, race, creed, gender, disability, national origin, religious or political belief.
- ***Maintain Personal Integrity***: Demonstrate the highest standards of personal integrity, truthfulness, honesty and fortitude in all public

activities in order to inspire confidence and trust in City of Albany government.

- ***Seek No Favor***: Affirm that public office will not be used for personal gain or profit through the use or misuse of confidential information, official influence or public time.

- ***Avoid* C*onflicts of Interest***: Avoid activities known to be unlawful or that may discredit the City's integrity, and activities that may conflict with normal assigned duties, including personal business and activities that may conflict with the City of Albany's established rules, regulations and/or policies. See Section 10.2, Conflicts of Interest
- ***Promote Efficiency***: Maintain proper, efficient and economical management of all public funds, property and other resources in your charge.
- ***Maintain Productivity***: Adhere to the rules of work and performance established for your position by the appropriate authority.
- ***Protect***: Respect and protect the dignity of all individuals, honoring their right to fair and objective consideration in all aspects of service to them.
- ***Maintain Confidentiality***: Respect and protect at all times, privileged information to which you have access in the course of official duties.
- ***Support Employment Principles***: Support and promote employment principles relative to the recruitment, selection and advancement of qualified individuals from all elements of society.
- ***Outside Employment***: Employees may not carry on concurrently with their public service any private business or undertaking, attention to which might adversely affect their work in the City service, nor may they engage in outside employment that is directly or indirectly related to the function of their City activity when there is a possibility of conflict of interest or embarrassment to the City. Engagement in outside employment must be approved by the Department Director subject to review by the City Manager.
- ***Business Gifts:*** No one shall accept any gifts, favor or thing of value that may tend to influence him/her in the discharge of his/her duties or grant in the discharge of his/her duties any improper favor, service, or thing of value.

Report of any ethical violations can be made to supervisors or Human Resources in confidence and without fear of retaliation.

IV. Responsibilities and Administrative Procedures:

A. Human Resources

- Assist management in the application of the policy throughout the City;

- Work with City management to ensure employees have a clear understanding of this policy;
- Work with City management when violations to this policy occur;
- Communicate with independent contractors and agents about the policy, as necessary;
- Monitor and audit compliance with the policy; and
- Report periodically to the City Manager on implementation and effectiveness of the policy and other compliance matters.

B. Supervisors

- Act with responsibility and with professionalism;
- Hold themselves and their employees to a high standard of operation in conducting all aspects of City business and services;
- Uphold the integrity of City operations;
- Inform employees that the City has an "open door" policy for issues to be resolved;
- Ensure that employees maintain all information with the highest standards of integrity in conducting the business of the City;
- Ensure that all confidential and/or proprietary information is carefully managed on a "need-to-know" basis only;
- Take appropriate measures to ensure that high standards are maintained and achieved in representing the City within the community, and
- Take swift, corrective measures when infractions to this policy occur.

C. Employees

- Comply with the City's guidelines, polices, and procedures, including this policy;
- Become knowledgeable about the requirements of their positions including the City's expectations and governmental rules and regulations that apply to their positions;
- Act responsibly when representing the City within the community;
- Conduct all aspects of the City's business in an ethical and legal manner and in accordance with federal laws and regulations and the laws and regulations of all localities and states where the City does business;
- Show caution when communicating the City's business in a public forum – meetings, seminars, community events or with other agencies, etc.;
- Inform their supervisor of all actual or potential problems in any area of the City's services or operations or in its business relationships with

vendors that are unlawful or unethical;

- Choose the services of others, such as suppliers, attorneys, or consultants, based on the quality of service and competitiveness of price;
- Be mindful that any breach of this policy may diminish the City's integrity and credibility within the business community, or could lead to litigation;
- Seek advice from their supervisors or the Director of Human Resources when confronted with business decisions involving a risk of violation – or even the potential appearance of violation – of this policy or any rule, regulation or law to which the City must follow.

I. Purpose: To avoid activities known to be unlawful or that may discredit the City's integrity; to avoid activities that may conflict with normal assigned duties, including personal business and activities that may conflict with the City of Albany's established rules, regulations and/or policies.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: It is the policy of the City of Albany, Georgia that all employees shall disclose any known conflicts of interest and refrain from participating in the employee's official capacity in any manner where a conflict of interest exists. It is the policy of the City of Albany, Georgia that all employees shall avoid any appearance of impropriety (i.e. the view that something seen or heard was inappropriate or a violation of a rule or regulation based upon the perspective of an ordinary person without knowledge of the facts).

Any employee who has or whose immediate family has a substantial interest in any matter before the City Commission, its Boards or Commissions or in any contract, sale, purchase, service or decision of the City of Albany shall, as soon as the conflict of interest is known or should have been known:

- Make such interest known to the employee's Department Director and the City Manager, and to the City Clerk and/or the Finance Department for recording in the appropriate files and records;
- Refrain from voting or participating in the employee's official capacity in any manner in the contract, sale, purchase, service or decision.

Appearance of Impropriety

The appearance of a conflict of interest may damage public trust and confidence in City government. Such appearances may also inhibit the City's ability to conduct its business. Employees are expected to avoid situations where their official acts appear to affect their own or their immediate family's private or business interests.

Kickbacks

Employees are prohibited from accepting any gift, rebate, money or

remuneration of any kind from any person, firm, company or entity of any kind to which any purchase order or contract is or may be awarded. In addition, a City official or employee may not participate in a vote or decision on a matter affecting a person, entity or property in which the official or employee has a substantial interest. In addition, a City official or employee who serves as a corporate officer or member of a board of directors of a nonprofit entity may not participate in a vote or decision regarding funding by or through the City of the entity. Where the interest of a City official or employee in the subject matter or a vote or decision is remote or incidental, the City official or employee may participate in the vote or decision and need not disclose the interest.

For purposes of this policy, the following definitions apply:

Immediate Family: The spouse, mother, father, brother, sister, son or daughter of an employee.

Official Acts: Acting on behalf of, participating in decisions and discussions for, and with the authority of the City.

Official Capacity: An employee acting on behalf of and representing the City.

Substantial Interest: A known interest, either directly or through a member of the immediate family, in another person or entity where:

a) The interest is ownership of five percent or more of the voting stock, shares or equity of an entity or ownership of $5,000.00 or more of the equity or market value of the entity; or

b) Funds received by the person from the other person or entity either during the previous 12 months or the previous calendar year equaled or exceeded
$5,000.00 in salary, bonuses, commissions or professional fees, or 10 percent of the recipient's gross income during that period, whichever is less; or

c) The person serves as a corporate officer or member of the board of directors or other governing board of the for-profit entity other than a corporate entity owned or created by the City Commission; or

d) The person is a creditor, debtor or guarantor of the other person or entity in an amount of $5,000.00 or more. Substantial interest in real property means an interest in real property, which is an equitable or legal ownership with a market value of $5,000.00 or more.

IV. Responsibilities and Administrative Procedures:

The responsibilities and administrative procedures are the same as for section 10.1

I. Purpose: To define the policy of the City regarding political activities of its employees and the effect of political activities on City employees.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: It is the policy of the City not to impose restrictions upon employees running for political party or public office. Employees are encouraged to exercise their individual rights and to participate in the political process to the fullest extent desired and legally possible. An employee may participate in the same political activity as any other individual provided:

- the employee does not represent him/herself as an agent of the City
- the employee does not do so while engaged in his/her assigned duties/responsibilities
- the duties of such office shall not be permitted to interfere in any way with carrying out the duties of city employment
- For more details see City Code Section 2.137

No employee shall be required to contribute to or render any political service to any person or party whatsoever.

All employees are encouraged to exercise their right to vote and participate in the democratic process and nothing in this policy is intended to restrict that right.

IV. Responsibilities and Administrative Procedures:

It is each employee's responsibility to comply with this policy, and to report any violations that he or she is aware of to their supervisor, Department Director or the Director of Human Resources.

I. **Purpose:** To provide direction regarding the various types of separations that can occur from employment with the City.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** Separation from service can be effected by several different means. Employment with the City may end as a result of voluntary resignation, retirement, layoff, reduction-in-force, release (end of season or assignment), or termination.

Resignation Resignation is a voluntary act initiated by the employee to end employment with the City.

To resign in good standing and thereby be eligible for rehire, (i) employees must give their Department Directors at least two weeks' notice and (ii) Department Directors must give the City Manager at least thirty days' notice (unless shorter notice periods are approved). The resignation notice must be in writing and must include a statement of the reasons for the resignation. Unless otherwise approved by the resigning employee's Department Director or the City Manager, the employee may not use vacation leave in lieu of working during the above-stated notice period.

Employees who resign in good standing and are rehired at a later date shall not receive service credit for their prior period of employment with the City for purposes of vacation leave or for any other purpose unless otherwise provided. Employees who resign in lieu of termination are not eligible for rehire.

Employees who resign their employment with the City must contact the Office of Human Resources to ensure that the City has his/her current address. Important documents such as final paychecks, COBRA notices, and W-2 forms will be mailed to the most current address the City has on file for the employee in the Office of Human Resources.

Employees who resign (or are deemed to have resigned) their employment with the City, including those who resign in lieu of termination, are not entitled to appeal their separation through the grievance procedure.

Retirement Any employee who wishes to retire should notify his/her Department

Director and the Office of Human Resources in writing at least 3 to 6 months before the planned retirement date; provided, however, that any employee who wishes to retire pursuant to any special retirement program made available by the City on a limited basis must provide notice in accordance with the terms of that program.

Employees who retire from the City must contact the Office of Human Resources to ensure that the City has his/her current address. Important documents such as final paychecks, COBRA notices, and W-2 forms will be mailed to the most current address the City has on file for the employee in the Office of Human Resources.

Employees hired prior to July 1, 2007 and retiring under either pension plan, on or after their normal retirement date, with at least 15 years continuous service shall be paid in a lump sum at the time of retirement, for sick leave accumulated, up to a maximum of ninety working days Employees retiring under early retirement provisions with at least 15 years continuous service shall be paid for accumulated sick leave up to the 90 day maximum as follows:

A deduction of .208% for each half-month of service under the normal retirement date shall be made from the 90-day maximum payment. However, if an employee is retired as a result of a permanent disability as determined by the Pension Board, there will be no penalty reduction so long as the employee has at least 15 years continuous service.

In the event of the death of an employee, the beneficiary as shown on the employee's City pension system records shall receive a lump sum payment equivalent to the amount of unused sick leave credited to the employee. Any hours in the catastrophic illness bank have no cash value.

Job Abandonment / Absence Without Leave Any employee who fails to report to work or contact his/her supervisor for three consecutive workdays shall be considered to have abandoned the job without notice effective at the end of his/her normal shift on the third day. The supervisor shall notify the Office of Human Resources at the expiration of the second workday and initiate the paperwork to terminate the employee.

In the absence of special circumstances as determined by the City Manager, employees who are separated due to job abandonment are deemed to have resigned in bad standing and are therefore ineligible for rehire.

Layoff Layoff is an involuntary, non-disciplinary separation of an employee(s) when a position(s) is eliminated as a result of a reorganization or restructuring of a department, division, or office to improve efficiency, to address changes in

the functions or activities of the department, division, or office, to address changes in relevant technology or applicable laws, regulations, rules, or standards, or for other reasons within the discretion of the City.

Employees separated due to layoff are encouraged to apply for vacant positions in other areas unaffected by such actions. If equally qualified as any other applicant for the vacant position, such employees will be given priority in hiring for the position. There shall be no bumping rights, nor shall seniority be a consideration in any separation decision made during a layoff.

Regular, full-time employees separated due to layoff may be recalled to the classification and department in which they previously worked, in the reverse order in which they were separated. If equally qualified as any other applicant for the vacant position, such an employee will be given priority in hiring for the position for a period of one year from the date of his/her separation. Recalled employees shall receive service credit for their prior employment with the City for purposes of vacation and sick leave.

Employees separated due to layoff will be notified of any available recall opportunity by mail. In the event an employee fails to respond to or accept the recall opportunity within seven days of the date of the recall notice, the recall opportunity will be deemed rejected.

The decision to implement a layoff is within the discretion and prerogative of the City and is not subject to appeal through the grievance procedure. However, any employee separated due to layoff may appeal his/her selection for separation through the grievance procedure.

Reduction-in-Force Separation due to reduction-in-force is an involuntary, non-disciplinary separation of an employee(s) when it becomes necessary to alter the composition and size of the work force, including the option to relieve employees from duty because of lack of work, funds, or for other reasons within the discretion of the City.

Should it be deemed necessary to implement a reduction-in-force, separation decisions will be based on consideration of operating requirements, the qualifications and performance of individuals to be determined by the last three years of performance appraisals, and – all else being equal – length of service with the City.

Employees separated due to reduction-in-force are encouraged to apply for vacant positions in other areas unaffected by such actions. If equally qualified as any other applicant for the vacant position, such employees will be given priority in hiring for the position. There shall be no bumping rights, nor shall seniority be a consideration in any separation decision made during a reduction-in-force (except as provided above).

Regular, full-time employees separated due to reduction-in-force may be recalled to the classification and department in which they previously worked, in the reverse order in which they were separated. If equally qualified as any other applicant for the vacant position, such an employee will be given priority in hiring for the position for a period of one year from the date of his/her separation. Recalled employees shall receive service credit for their prior employment with the City for purposes of vacation and sick leave.

Employees separated due to reduction-in-force will be notified of any available recall opportunity by mail. In the event an employee fails to respond to or accept the recall opportunity within seven days of the date of the recall notice, the recall opportunity will be deemed rejected.

The decision to implement a reduction-in-force is within the discretion and prerogative of the City and is not subject to appeal through the grievance procedure. However, any employee separated due to reduction-in-force may appeal his/her selection for separation through the grievance procedure.

Failure/Inability to Return from Leave If an employee has not returned to full-duty status from an authorized leave of absence(s) at the end of one year, he/she will be separated. An employee will be considered unable to return to work if he/she cannot perform the essential functions of the job in full capacity, with or without reasonable accommodation.

Any employee separated due to failure/inability to return from leave may appeal his/her separation through the grievance procedure.

Release Release is a non-disciplinary separation of an employee occurring at, and because of, the end of temporary or seasonal employment. Separation from employment due to release reflects no dissatisfaction with the service of the employee.

Employees separated due to release may not appeal their separations through the grievance procedure.

Termination Separation due to termination is a disciplinary action (see Disciplinary Actions section below). The City Manager is the administrative head of the government and presides over all City Departments. Adopting Goddard v. City of Albany 285 Ga. 882 (2009), with the exceptions of Department Heads, employees separated due to termination may appeal their separations through the grievance procedures. See Grievance Procedures Section 2.1.

The separating employee must return all City property in his/her possession at the time of separation, including but not limited to uniforms, mobile phones, keys, and identification cards. Failure to comply may result in deductions from final paycheck

and/or the initiation of collections proceedings.

Demotions

An employee may be demoted to a position of lower grade for which he/she is qualified for any of the following reasons: (a) when an employee would otherwise be subject to layoff; (b) when the employee's position is being reclassified to a higher grade; (c) lack of work or lack of funds; (d) because of the return to work from authorized leave of another employee to such a position; (e) when an employee does not possess the necessary qualifications to render satisfactory service in the position, or when removed during probation; and (f) when an employee voluntarily requests such a demotion.

All demotions must receive the approval of the Director of Human Resources and the Department Director concerned.

Involuntary demotions may be appealed through the grievance procedure.

Disciplinary Actions

A. Reasons for Disciplinary Action An employee may be disciplined for any inappropriate conduct or activities, including but not limited to, the following:

i. Incompetence
ii. Insubordination
iii. Neglect of duty or inefficiency
iv. Dishonesty
v. Reporting for work under the influence of alcohol or illegal drugs
vi. Discourteous treatment of the public or co-workers or any other work-related act of misfeasance, malfeasance, or nonfeasance
vii. Immoral conduct or any other failure of good behavior

B. Range of Disciplinary Actions Possible disciplinary actions include:

i. Oral reprimand
ii. Written reprimand
iii. Suspension without pay
iv. Demotion
v. Termination
vi. Probationary status
vii. Loss of all or part of vacation
viii. Loss of holidays
ix. Reduction in pay

The foregoing is presented for illustrative purposes only and is not intended to constitute an exhaustive list. The City reserves the right to impose whatever disciplinary action is deems appropriate under the circumstances presented.

Procedure The supervisor or Department Director should meet with the employee before any decision to impose disciplinary action is made. The purpose of the meeting is to ensure (i) that the employee receives notice of the allegations against him and the possible disciplinary action or range of possible disciplinary action being considered and (ii) that the employee's side of the incident is fully presented and considered before the decision is made.

The supervisor or Department Director shall ensure that full notes or an audio recording of the meeting are kept.

In appropriate cases, employees may be placed on administrative leave with pay prior to this meeting and/or subsequent to the meeting pending the decision whether to impose disciplinary action.

In the event a decision is made to impose disciplinary action, except in the case of oral reprimands, the employee shall be notified in writing of (i) the specific disciplinary action being imposed, (ii) the reasons, and (iii) his/her right to appeal the decision through the grievance procedure.

I. Purpose: To define the policy regarding exit interviews of employees leaving City employment on a voluntary basis.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: In order to create and to maintain a workplace that is effective, productive and fulfilling, the City is interested in gaining knowledge and a clearer understanding of employee concerns and issues. One of the tools used to support this goal is to conduct an exit interview, where possible. The exit interviews will allow the City to identify specific areas of importance to its employees and to subsequently design action steps around relevant concerns in order to improve the City's work environment.

IV. Responsibilities and Administrative Procedures:

A. Human Resources

1. Human Resources will send an exit interview questionnaire (attached) to the departing employee upon receiving notice. The feedback received from the departing employee will be helpful for improving working conditions and retaining employees.

2. Once a substantial amount of data has been collected, Human Resources will provide the City Manager with a report to show trends, reasons for leaving and offer any suggestions as applicable.

I. Purpose: To provide guidelines on the use and care of City-owned computer systems and equipment.

II. Scope: This policy applies to all employees of the City of Albany, Georgia. This policy is applicable to all software, hardware, electronic communication and any other materials that make up the computer system and equipment.

III. Policy Statement: It is the policy of the City that City-owned computers shall be used for purposes of conducting the business of the City and not for personal use. All network systems, hardware, software, temporary or permanent files and any related systems or devices are the property of the City of Albany. These include, but are not limited to, files, documents, spreadsheets, messages, and notes that reside in part or in whole on any City of Albany server, workstation, local area network (LAN), or individual computer.

Confidentiality/Privacy

1. Employees have no legitimate expectation of privacy in any information, communications, or data transmitted or stored in any electronic communications facilities provided by the City of Albany.
2. The City of Albany may, at any time, utilize electronic means to monitor, retrieve, or recreate any communications over said systems or equipment.
3. The City of Albany may utilize electronic or other means to limit access to inappropriate locations or to monitor the amount of time any employee has spent on any electronic communications services, including, but not limited to, the internet and any other locations where employees have been receiving or transmitting information.
4. Sensitive information that may be considered private, such as personnel matters or proprietary financial information may not be transmitted electronically without appropriate authorization and safeguards.

Prohibitions

Employees are prohibited from using City-provided computer equipment or services to:

- Connect to, post to, or download sexually oriented information;
- Communicate derogatory, defamatory, obscene or otherwise inappropriate messages internally or externally;
- Engage in computer hacking and related activities attempting to disable or compromise the security of stored information;
- Communicate personal information which interferes with normal work activities or negatively impacts job performance;
- Pursue individual business activities designed to earn profit for the employee;
- Communicate in a manner that violates any other rule, regulation, or policy of the City, including but not limited to those regarding harassment and discrimination;
- Reproduce copyrighted or protected materials, except with lawful authorization;
- Install on any City hardware, any software that is not approved or installed by the Department Director or City-authorized personnel; or
- Play games

IV. Responsibilities and Administrative Procedures:

A. Department Directors and Supervisors

Members of management are authorized to inspect the contents of any hardware, software, document or file in the normal course of their management roles.

B. Employees

1. Employees are responsible for maintaining the privacy of their own passwords.
2. Any employee who attempts to read or have access to any documents, communications or equipment, without the express consent of an employee who is authorized to share the document, communication or equipment, violates this policy.
3. Employees are responsible for checking their messages at least twice a day.

I. **Purpose:** To establish guidelines for the use and care of City-owned equipment.

II. **Scope:** This policy applies to all employees of the City of Albany, Georgia.

III. **Policy Statement:** It is the policy of the City that City-owned equipment shall be used for purposes of conducting the business of the City and not for personal use (i.e. any use unrelated to the City of Albany business, including removing from City property for use at home or in a way unrelated to City business). City owned equipment is defined to be computers, telephones, cellular phones, vehicles, hardware, software, furniture, fax machines, copy machines, typewriters, office space, office supplies and/or written materials owned by the City of Albany.

All City-owned equipment shall remain the property of the City at all times and be subject to return upon the request of the City. Upon termination of employment with the City, or sooner if no longer required to carry out work assignments, all City-owned equipment must be returned to the City or such reimbursement made to the City for the loss of the equipment.

<u>Employee use of Cellular Telephones</u>

Cellular phones are assigned to City of Albany employees/contractors whose need for telephone service is of an essential nature in the conduct of City business.

Cellular phones are to be used in instances where regular telephone service is not accessible, when an employee is away from their normal work location and is on City business, and as a backup during emergencies when regular telephone service is not available. The cellular phone can also be used as a pager or as an access point for email or Internet service, equipment and service plan permitting.

Authorized users are responsible for reimbursing the City for the replacement price of lost or stolen cellular telephones, if its loss or theft was due to their negligence or misconduct.

IV. **Responsibilities and Administrative Procedures:**

1. Employees are responsible for reimbursing the City for the purchase

price of lost or stolen equipment if such loss or theft is due to employee negligence.

2. Employees are responsible for reimbursing the City for all unauthorized charges billed to the City for use of the City telephone or City-issued cell phones. Unauthorized charges are any charge or bill for which an employee has not received prior authorization to incur; any charge or bill unrelated to City business.

Unauthorized charges may include non-business related long distance telephone calls on City telephones; collect calls on City telephones, directory assistance calls on City telephones or cell phones or any other use of City equipment or property for personal use.

I. **Purpose:** To provide the policies and procedures for use of City-owned vehicles of the City of Albany.

II. **Scope:** This policy applies to all employees authorized to operate city-owned vehicles (i.e. cars, trucks, buses, and motorized equipment owned by the City of Albany) for conducting City business with the exception of Police and Fire Safety personnel.

III. **Policy Statement:** The personal use (i.e. activities that do not contribute to the delivery of City services or the performance of City business) of City-owned vehicles is strictly prohibited. Any employee driving a City vehicle shall have a valid **Georgia** driver's license. Employees and all other passengers are required to be properly restrained by seat belts and/or other installed restraints at all times while driving or riding in City vehicles. See Seat Belts, section 9.2.

Use of Personal Vehicle on Official City Business

Employees are required to use City vehicles whenever possible to attend training or other official business assignments away from the workplace. When a City vehicle is available, but an employee desires to use their personal vehicle for their personal reasons, and they are approved to do so by their Department Director (Division Commander in the Police Department), the City will only pay for gas consumption, not the normal mileage rate.

If a City or departmental vehicle is not available, employees may use their own vehicles if approved by their Department Director or his/her designee. In this case, the driving of a personal vehicle is for the benefit of the City, and the employee will be paid the regular mileage rate for the mileage driving to and from the training assignment (only one round trip per assignment).

Any employee using a personal vehicle on City business shall be required to maintain auto liability insurance of at least the state minimum limits.

Cellular Telephones

Employees are prohibited from using cellular telephones while operating any

type of city vehicle except during approved emergencies. In the event an employee is involved in accident on City time, phone records are subject to review.

IV. Responsibilities and Administrative Procedures:

A. Responsibility

Members of Management

Department Directors and supervisors shall monitor the authorized use of City vehicles.

Employees/Authorized Users

Employees must obtain authorization prior to using City-owned vehicles to conduct City business.

1. Employees driving City vehicles must maintain a valid Georgia driver's license.
2. Operators are responsible for ensuring all passengers are properly secured prior to any movement of the vehicle.
3. Operators are required to report all accidents to your supervisors/department and to the designated Risk Management Agency. Insurance Cards must be kept in the insured vehicle and presented upon request.

B. Procedures

1. All drivers of City-owned vehicles must follow all safety and legal requirements of the City and state and any other jurisdiction where it is operated.
2. Employees must obtain authorization to take City vehicles outside the corporate limits of the City of Albany.
3. City vehicles shall not be used for personal use without the Department Director or his/her designee authorization.
4. City vehicles may be used to transport non-City employees during normal business hours when this is in the official performance of the employee's duties.
5. Smoking is prohibited in all City vehicles.

I. Purpose: To define the procedure for requesting travel to attend conferences, schools and seminars that involve overnight accommodations.

II. Scope: This policy applies to all employees of the City of Albany, Georgia.

III. Policy Statement: The Business Expense Policy is designed to address business expense reimbursement associated with conducting City of Albany business outside normal travel to and from work, which is considered the responsibility of the employee and cannot be submitted for reimbursement. Business expenses will result from approved travel.

IV. Responsibilities and Administrative Procedures:

1. The Travel Request Form shall be completed (typed) prior to any trip by the respective City employee wishing to attend a conference, school and/or seminar. The form is to be fully completed on both sides (including the objective of travel), signed by the Department Director signifying his/her approval, and when necessary, the request form is transmitted to the City Manager's Office for review and approval.

2. The Expense Reimbursement Request Form shall be completed (typed) within five days of return from any trip by the respective City employee. The form is to be fully completed on both sides (including the travel objectives accomplished), signed off by the employee's Department Director signifying approval, and when necessary, the request form is transmitted to the City Manager's Office for review and approval.

V. Purpose:

VI. Scope: This policy applies to all employees of the City of Albany, Georgia.

VII. Policy Statement:

VIII. Responsibilities and Administrative Procedures: